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## BOARD COMMUNICATIONS – JULY 28, 2023

TO: Members of the Board of Education  
FROM: Deputy Superintendent, Misty Her

### **BUSINESS AND FINANCIAL SERVICES – Patrick Jensen, Interim Chief Officer**

BFS-1 Kim Kelstrom School Services Weekly Update Reports for  
June 23 through July 20, 2023  
BFS-2 Kim Kelstrom Joint Health Management Board Financial  
Updates  
BFS-3 Ashlee Chiarito July Legislative Committee Meeting

### **ENGAGEMENT & EXTERNAL PARTNERSHIPS – Wendy McCulley, Chief Officer**

EEP-1 Wendy McCulley ODP Business Solutions Contribution to Del  
Mar Elementary School  
EEP-2 Wendy McCulley Giving Tuesday

### **INSTRUCTIONAL DIVISION – Dr. Natasha Baker, Chief Officer**

ID-1 Marie Williams Elementary History-Social Science Instructional  
Materials

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: July 28, 2023

Prepared by: Kim Kelstrom, Chief Executive

Phone Number: 457-3907

Cabinet Approval:

Regarding: School Services Weekly Update Reports for June 23 through July 20, 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 Updates for June 23, 2023 through July 20, 2023 are attached and include the following articles:

- State Revenues Tracking With Projections – June 22, 2023
- CA Superintendent of Instruction Announces Textbook Task Force – June 21, 2023
- 'Fiscal Cliff' Approaching for Some Districts in California As Cost Soar and Enrollment Falls – June 21, 2023
- New Details Emerge on the 2023-24 State Budget – June 27, 2023
- California's Most Vulnerable Students May Be Seeing Increased Funding Soon – June 27, 2023
- California Parents Fed Up With Schools Want To Make High-Quality Education a Constitutional Right – June 27, 2023
- New Details Emerge on the 2023-24 State Budget – June 30, 2023
- Proposed California Laws Could Remove Hurdles to Becoming a Teacher– July 07, 2023
- Lengthy Pandemic Closures Weakened Already Low-Achieving California Schools – July 05, 2023
- Governor Newsom Signs 2023-24 State Budget Package – July 10, 2023
- Bill Would Add Regulations for Ride-Share Companies That Take Students to School – July 12, 2023
- Judge Tosses Lawsuit to Force California Schools to Disclose Students' Gender Identity to Parents – July 12, 2023
- Accelerating UTK . . . "Wait, WHAT?!" – July 19, 2023
- State Budget Affects UTK Acceleration – July 13, 2023
- Newsom Vows Again to Send Social Studies Textbooks to Temecula Valley Unified with Hefty Fine – July 19, 2023
- California Joins 40 States in Mandating Dyslexia Screening – July 12, 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 Deputy Superintendent

Misty Her



Date: 07/28/23



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DATE: June 23, 2023

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

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### 2023-24 State Budget Update

As of this writing, legislative leadership and the Newsom Administration have yet to come to an agreement on the 2023-24 State Budget package. As a reminder, the legislative State Budget, Senate Bill 101, was presented to Governor Gavin Newsom on June 15, 2023, which gives the Governor until Tuesday, June 27, 2022, to sign or veto the measure. With June 27 approaching quickly, we expect to hear an announcement on an agreement between the Legislature and the Governor very shortly.

While there are a number of education issues on which the two parties need to agree, perhaps the biggest one is how much they will reduce the two one-time grants from the 2022 State Budget Act. We break down the Governor's proposed cuts versus the Legislature's cuts in the table below:

	<b>2022 Budget Act</b>	<b>Governor's January Proposal</b>	<b>May Revision</b>	<b>Legislative Budget Deal</b>
<b>Arts, Music, and Instructional Materials Discretionary Block Grant</b>	\$3.5 billion	\$1.2 billion reduction	\$1.8 billion reduction	\$200 million reduction
<b>Learning Recovery Emergency Block Grant</b>	\$7.9 billion	—	\$2.5 billion	\$494.5 million reduction

While the Governor is proposing a combined \$4.3 billion midyear reduction, the Legislature is proposing a significantly more modest \$694.5 million midyear cut. It will be interesting to see how much of a reduction the two parties agree on in the final State Budget deal.

We will provide a summary of the deal, which we expect to happen early next week, in next week's *Sacramento Update*.

## **Senate Education Committee**

On Wednesday, the Senate Education Committee, chaired by Senator Josh Newman (D-Fullerton), met and approved 24 bills, including the following measures that would have implications for local educational agencies (LEAs):

- Assembly Bill (AB) 19 (Patterson, R-Rocklin) would require each individual public school operated by an LEA that has elected to make a school nurse or trained personnel available at the school to maintain at least two units of naloxone hydrochloride or another opioid antagonist for purposes of those authorizations
- AB 51 (Bonta, D-Oakland) would increase the income ceilings and add area median income as a criteria for meeting income eligibility for subsidized child care and state preschool
- AB 71 (Rodriguez, D-Pomona) would require, by July 1, 2024, the California Department of Education (CDE) to make available to school districts a list of resources and instructional materials on bleeding control
- AB 535 (Irwin, D-Thousand Oaks) would require the Superintendent of Public Instruction to select an applicant county office of education to serve as a Statewide School Library Lead to work collaboratively with the California Collaborative for Educational Excellence and to establish library and literacy services that support the statewide system of support
- AB 897 (McCarty, D-Sacramento) would require adult education teachers to earn permanent status after a two-year probationary period and employees hired using "categorical" or restricted state funding to be given specified notifications related to their expected job tenure
- AB 1466 (Weber, D-San Diego) would require each LEA, as specified by federal law, to post the same data that LEAs are currently required to share with the CDE on their websites related to restraint and seclusion

The Senate Education Committee is scheduled to meet again next Wednesday, June 28, 2023, to consider another 24 bills. The Assembly Education Committee, chaired by Assemblymember Al Muratsuchi (D-Torrance), will hold its first hearing to consider education bills approved by the Senate next Wednesday, June 28, 2023. The committee is scheduled to hear 20 bills.

*Leilani Aguinaldo*

## State Revenues Tracking With Projections

By SSC Governmental Relations Team  
 School Services of California Inc.’s *Fiscal Report*  
 June 22, 2023

The Department of Finance’s (DOF) latest state revenue data suggests that tax receipts for the 2022-23 fiscal year are tracking with revised estimates included in the May Revision. While this is welcome news after consecutive months of collections coming in lower than projections, it is important to remember that the forecast for total state revenues generated from the “Big Three” taxes was adjusted in January and further reduced in May to reflect incoming receipts more accurately. Across the three major taxes, revenue projections declined by over \$12.0 billion from last summer.

### 2022-23 Big Three Taxes Forecast (In millions)

	2022 Enacted Budget	Governor’s Budget	May Revision	Difference From Enacted Budget
Personal Income Tax	\$137,506	\$128,905	\$122,769	(\$14,737)
Corporation Tax	\$38,464	\$38,482	\$42,091	\$3,627
Sales and Use Tax	\$33,992	\$32,851	\$33,072	(\$920)
<b>TOTAL</b>	<b>\$209,962</b>	<b>\$200,238</b>	<b>\$197,932</b>	<b>(\$12,030)</b>

Source: 2022-23 Governor’s Budget and May Revision General Fund Revenue Forecast

Nevertheless, the latest state revenues indicate that updated forecasts better reflect actual collections. According to the DOF, year-to-date revenues for the 2022-23 fiscal year are \$195 million below estimates; however, \$173 million of the shortfall is attributable to a processing delay in May income tax withholdings. Without the delay, revenues would have been only \$22 million below estimates. The DOF also highlights that personal income and corporate income tax refunds were also \$813 million higher than projections at the end of May but warns readers that the state will not know its full revenue picture until after all 2022 taxes are filed in October since nearly all residents and some corporations were granted filing extensions. Below are the year-to-date and May receipts for the “Big Three” taxes.

	May 2023		2022-23 Year-to-Date	
	Forecast	Actual	Forecast	Actual
Personal Income Tax	\$5,849	\$5,672	\$85,622	\$85,252
Corporation Tax	\$753	\$600	\$23,670	\$23,516
Sales and Use Tax	\$4,336	\$4,281	\$31,318	\$31,263

Despite California’s softening revenues, the state remains a global economic competitor, maintaining its rank as the 5th largest economy in the world. The state’s gross domestic product increased to \$3.6 trillion (up \$225 billion from the previous period). Like the rest of the nation, the state’s economy faces downward pressure from persistently high inflation, which, while abating, is still above the Federal Reserve’s target 2.0% rate at 4.0% for the U.S. and at 4.2% for California.

Other key economic indicators tell a mixed story. The labor market remains strong, with U.S. unemployment ticking up modestly to 3.7% in May and California's unemployment rate unchanged at 4.5%. Meanwhile, the state's real estate sector continues to struggle despite recent modest improvements. While single- and multi-family housing permits increased 1% from March 2023, they are still down 21.4% from last April. The median price of a single-family home in California increased 3% from April 2023 to \$836,110 (down 6.4% from last May). Existing family home sales are down 23.6% from last May, while the average year-to-date sales volume is 35.1% lower than the same period last year. The reduction in existing home sales could be driven by homeowners who are reluctant to sell and buy new homes due to higher mortgage rates.

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*Note: A new bill this week, AB 1352 (Bonta), would expressly prohibit the governing board of a school district from taking an action that contradicts any existing law requiring a school district to have inclusive policies, practices, and curriculum.*

## **CA Superintendent of Instruction Announces Textbook Task Force**

By Veronica Morley  
23ABC  
June 21, 2023

SACRAMENTO, Calif. (KERO) — Today, California State Superintendent of Instruction Tony Thurmond called on textbook publishers to commit to presenting more diverse narratives. California has a rich and diverse history, but according to Thurmond, that's not being accurately portrayed in our textbooks.

“This has to do with what young people see when they see a book or read about a story,” said Thurmond.

Thurmond says he's taking California in a new direction when it comes to education and marginalized communities, announcing the creation of a task force to examine educational content offered to California students for inclusiveness and hold publishers accountable to include diverse perspectives.

“This is an opportunity for textbook publishers to make a public commitment to say that what they put in their books will reflect the diversity of our kids,” said Thurmond.

State Senator Monique Limón of Santa Barbara agrees with Thurmond.

“As someone who's been an educator prior to getting to the state legislature, I know what it's like to be in a classroom and for students to see, to read, and to have dialogue,” said Limón. “Making sure that our schools are safe for LGBTQ+ students and all students, all students who face vulnerable circumstances.”

Along with the task force, legislation is in the works to hold not only publishers accountable, but school districts as well, including the levying of fees or fines against districts choosing to enact book bans.

This announcement comes just a month after Governor Gavin Newsom made claims that the State of Florida's Department of Education told textbook publishers not to submit books that included topics of social-emotional learning and critical race theory.

*Note: Even as lawmakers are negotiating the final details of the 2023-24 Budget, revenue shortages appear inevitable for some districts, which could lead to some cuts.*

## **‘Fiscal Cliff’ Approaching for Some Districts in California As Costs Soar and Enrollment Falls**

By Carolyn Jones and Ali Tadayon  
*EdSource*  
June 21, 2023

For many school districts in California, the flush years of budget windfalls are decidedly over.

Declining enrollment, expiring Covid funds, inflation and ballooning staff costs have combined to lead some districts — particularly those in urban areas — to make painful budget cuts.

“This is the impending fiscal cliff we’ve known was coming. It’s a perfect storm,” said Carrie Hahnel, senior policy and research fellow at Policy Analysis for California Education and senior associate partner at Bellwether, a nonprofit education consultant. “Some school districts will have to make difficult choices.”

Even as state lawmakers are hammering out the final details of the 2023-24 budget, revenue shortages appear inevitable for some districts. Oakland Unified, Stockton Unified, San Francisco Unified and West Contra Costa Unified are among those facing steep cuts to staffing and programs. Overall, state lawmakers are working to close a \$4 billion funding gap in the TK-12 and community college budgets, although so far the state still plans to give schools an 8.3% cost-of-living-adjustment.

Layoffs are likely as districts grapple with these uncertainties. Already, some districts are laying off teachers, aides and other staff hired with one-time federal Covid relief funds. Overall, California schools received more than \$32 billion in state and federal Covid relief funding during the pandemic, intended to help students catch up academically after remote learning. But the money must be spent by specific deadlines; the deadline for the second round of the Elementary and Secondary School Emergency Relief grants is Sept. 30, and the final deadline for staffing-related spending from all ESSER funds is a year later.

Districts used their Covid funds for everything from field trips to new reading curricula to after-school programs. But they spent a lot of the money on staffing. Marguerite Roza, director of the Edunomics Lab at Georgetown University, said the hiring spree was unprecedented.

“Never have we seen such a rapid expansion in staffing,” she said.

In some districts, the staffing boom came even as enrollment declined. In Los Angeles and Orange counties, for example, enrollment fell by 18% over the past decade while staffing rose 19%, according to Edunomics. In San Bernardino County, staffing rose by about 10% since 2016-17 while enrollment dropped almost 6%.

Teacher shortages still exist in certain parts of the state and in certain subjects, including math, science and special education, but overall, schools have more staff than ever before.

Teacher raises have also played a role. Los Angeles Unified recently agreed to give its teachers a 21% raise over three years, a move that inspired teacher unions to press for hefty raises in other districts across the

state. And while some districts planned for the expense, others are dipping into their reserves or cutting programs to afford it.

Teachers unions dispute the assertion that they're to blame for district budget cuts. With the extra funding schools have received the past few years, districts should have planned for the dip in revenues, said Claudia Briggs, a spokesperson for the California Teachers Association.

"It's not at all a fair attribution," she said. "Districts have received record funding for the last four years in a row and are getting another record cost-of-living-adjustment this year. These record investments are intended to help attract and retain quality educators that our students need and deserve as we grapple with the shortage crisis."

In Oakland Unified, the board voted to cut special education programs at six schools, in part to afford teacher raises, said board President Mike Hutchinson. Although the cuts were originally proposed in March, two months before the board agreed to a 10% raise for teachers following a strike, the board anticipated boosting its teacher pay and was planning ahead, Hutchinson said.

"We took some money from several places to offer our teachers these raises, which was historic," Hutchinson said. "We didn't have that money sitting around someplace. We had to find it. ... These budget adjustments free up resources for us."

The district hopes to save \$2.4 million by consolidating a handful of self-contained special education classrooms at five elementary schools and one middle school, and not filling open positions for eight teachers, 12 specialists and 29 paraeducators. The classes were under-enrolled, according to the district, leaving only 31 students affected.

But that's little consolation for the parents of children affected by the cuts, who say the changes will harm some of the most vulnerable students in the district. Children with special needs often develop close relationships with their teachers, and a disruption — new schools, new classmates, new routines — can lead to severe setbacks and possible violations of their individualized educational programs, some parents said.

"Regardless of how many students are impacted, this kind of displacement can be traumatic," said Anna Realini, a mother of two children with autism in Oakland Unified. "And there's the inequity of removing only students who are disabled."

West Contra Costa Unified is expecting to make major cuts over the next few years, after years of declining enrollment and the approval of raises for teachers in order to avoid a strike.

Robert McEntire, associate superintendent of business services in West Contra Costa Unified, at a June 7 school board meeting, laid out a grim picture of the district's future financial position over the next few years if it doesn't follow a "fiscal solvency plan" approved by Contra Costa County's Office of Education. If the school board doesn't follow the plan, McEntire said, it will exhaust district reserves and go into state receivership.

The fiscal solvency plan calls for the reduction of 145 full-time employees, including 54 teachers, through attrition or layoffs before the 2024-25 school year, and more the following year.



School board President Demetrio Gonzalez-Hoy said losing this many employees will unquestionably have a major impact on schools, where leaders regularly tell him that they currently don't have enough staff. But by not making the cuts, the district may be forced to close schools.

“We have to keep the state out of our business, because they're going to come in and close our schools, because we have some smaller schools, because that's our choice and a priority we have,” Gonzalez-Hoy said. “The reality is, we have no money anywhere. So we're going to have to make some tough choices, and everybody needs to be involved.”



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DATE: June 29, 2023

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

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## 2023-24 State Budget Agreement Reached

Last Saturday, June 24, 2023, a package of budget trailer bills was released by the Legislature, reflecting additional details of the State Budget. Then on Monday evening, Governor Gavin Newsom, Senate President pro Tempore Toni Atkins (D-San Diego), and Assembly Speaker Anthony Rendon (D-Lakewood) [announced](#) that the three parties had officially reached an agreement on the 2023-24 State Budget package.

The bill that reflects the deal is Assembly Bill (AB) 102, which will amend Senate Bill (SB) 101—the main State Budget bill that reflected the Legislature’s approach to the 2023-24 fiscal year. Of the trailer bills released, the most relevant to education are SB 114 (education omnibus) and SB 115 (Proposition 28 clean-up). On Tuesday afternoon, the Legislature approved AB 102, SB 114, and SB 115, and they are currently on Governor Newsom’s desk awaiting his action. The *Fiscal Report* article below, entitled “New Details Emerge on the 2023-24 State Budget,” provides a high-level overview of those budget trailer bills.

On Tuesday evening, Governor Newsom signed SB 101 into law. However, as of this writing, the Governor has not signed AB 102, which will amend SB 101 to reflect the agreement between his Administration and the Legislature. He has also not signed any of the budget trailer bills, but we do expect that the Governor will sign these measures in the coming days.

## Assembly and Senate Education Committees

With the July 14, 2023, deadline for bills to clear second house policy committees vastly approaching, both the Assembly and Senate Education Committees met this week to consider more than 40 measures. Some of the noteworthy bills that they approved and that would have implications for local educational agencies (LEAs) include:

- AB 579 (Ting, D-San Francisco) would require that, commencing January 1, 2035, all newly purchased or contracted school buses of an

LEA be zero-emission vehicles, but would permit an LEA a one-time extension of no more than five years if the LEA determines that the purchase or contracting of a zero-emission school bus is not feasible

- AB 915 (Arambula, D-Fresno) would require any LEA that voluntarily determines to make naloxone hydrochloride or another opioid antagonist available on campus to be placed in an appropriate location, as specified, and would require the California Department of Public Health to create a certificate training program for students in grades 9-12 to gain skills in how to identify and respond to an opioid overdose
- AB 1517 (Gallagher, R-Yuba City) would require a Special Education Local Plan Area administrator to be included in their member LEAs' differentiated assistance team and consulted in their LEA's Local Control and Accountability Plan development process
- AB 1722 (Dahle, R-Bieber) would authorize an LEA to employ a licensed vocational nurse who is supervised by a credentialed school nurse employed by a different LEA until January 1, 2029
- SB 10 (Cortese, D-San Jose) would require school safety plans of schools serving students in grades 7 to 12 to include a protocol for responding to a student's opioid overdose and would require the California Department of Education and the California Health and Human Services Agency, subject to an appropriation, to establish the State Working Group on Fentanyl Education in Schools
- SB 234 (Portantino, D-Burbank) would require each campus of a K-12 public school, colleges, and specified public venues to maintain unexpired opioid antagonist doses on their premises and ensure that at least two employees are aware of the location of the other opioid antagonist
- SB 354 (Ochoa Bogh, R-Yucaipa) would require the Commission on Teacher Credentialing to revise its administrative services credential standards and performance expectations with a focus on inclusive learning environments
- SB 445 (Portantino) would require LEAs to provide parents with a translation, upon parental request, of a student's individualized education program (IEP) and other related documents in the native language of the parent within 30 days of the IEP team meeting
- SB 541 (Menjivar, D-San Fernando Valley) would require all public high schools to make condoms available to students by the start of the 2024-25 school year
- SB 765 (Portantino) would exempt a retired member of the State Teachers' Retirement System who returns to work to fill a critical need in a certificated position from postretirement compensation limits for a maximum of three years and would exempt them from the 180-day waiting period after retirement

Half of these bills (AB 579, AB 1517, AB 1722, SB 354, and SB 445) are now headed to the Appropriations Committee, which means that they have officially cleared the July 14 deadline. The other half (AB 915, SB 10, SB 234, SB 541, and SB 765) still need to clear another policy committee in order to meet that deadline.

The Senate Education Committee will hold two more hearings (July 5 and July 12) to consider Assembly education bills, while the Assembly Education Committee is scheduled to hold just one more hearing (July 12) to consider education bills sent over by the Senate.

*Leilani Aguinaldo*

## **New Details Emerge on the 2023-24 State Budget**

By Michelle McKay Underwood  
School Services of California Inc.'s *Fiscal Report*  
June 27, 2023

A week prior to the new fiscal year, a package of trailer bills was released by the Legislature, reflecting additional details of the 2023-24 State Budget. High-level staff were clear to point out that a final deal has not been reached between the Legislature and Governor Gavin Newsom, but these bills represent the “legislative-executive discussions of recent weeks.”

Within the package, and of the most relevance to education, are Senate Bill (SB) 114 (education omnibus) and SB 115 (Proposition 28 clean-up). Today, June 27, 2023, the Legislature approved SB 114 and SB 115, and they are on their way to Governor Newsom’s desk for his action. It is important to note that while these bills may not be changed by the Governor when they arrive at his desk, as always, subsequent bills could change these provisions.

With these caveats in mind, we believe it is critically important for local educational agencies (LEAs) to understand the framework of the 2023-24 State Budget, as of this writing.

SB 114, which is a 400-page bill making various changes to the Education Code, would:

- Provide the statutory 8.22% Local Control Funding Formula (LCFF) cost-of-living adjustment
- Create the “LCFF Equity Multiplier” for LEAs with school sites that have prior-year nonstability rates of 25% and 70% of students who are socioeconomically disadvantaged
  - This item in particular is significantly different from previous iterations of the Equity Multiplier and relies on a specific definition of “socioeconomically disadvantaged” and the little-known “nonstability rate”
- Reduce the Arts, Music, and Instructional Materials Discretionary Block Grant from \$3.48 billion to \$3.28 billion
- Reduce Learning Recovery Emergency Block Grant funds by \$1.1 billion, with the intent to restore \$378.65 million in each of fiscal years 2025-26 to 2027-28
- Provide \$80 million ongoing to support county court and community school operations
- Delay \$550 million for the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program to 2024-25
- Shift \$1 billion from the Hybrid and Zero-Emission Truck and Voucher Incentive Project and for related infrastructure to 2024-25 and 2025-26
- Make changes to the Expanded Learning Opportunities Program (ELOP), including exempting ELOP from licensing requirements and requiring third-party operators of ELOP to immediately report to their LEA partners any health- or safety-related issues

- Extend the August 1, 2023, deadline for credentialed teachers to earn 24 units (or its equivalent) or a child development teacher permit or an early childhood education specialist credential to August 1, 2025
- Require transitional kindergarten (TK) classrooms to maintain a ratio of 1 adult to 10 students in 2025-26 with the intent to provide funding to pay for the costs associated with lower classroom ratios
- Allow LEAs to enroll children whose fourth birthday falls between June 2 and September 1—or early enrollment children—under certain circumstances in TK
- Extend the term of all charter schools whose petitions expire between January 1, 2024, and June 30, 2027, by one additional year
- Extend the moratorium on nonclassroom-based charter schools by an additional year

SB 115, which is a relatively brief bill clarifying provisions of Proposition 28 for implementation, would:

- Allow Proposition 28 payments to be issued through the Department Principal Apportionment program
- Provide a feasible way to calculate funds for and issue funds to preschool programs
- Clarify methods to collect data on and recover unexpended funds
- Change the responsible party for submitting a waiver from the principal of a school site to the LEA

As the 2023-24 State Budget is finalized over the coming days and weeks, we will dig into the details of these new provisions of law through a series of *Fiscal Report* articles, with an emphasis on the significant changes since the May Revision. Ultimately, the upcoming [School Finance Conference](#) will provide a comprehensive overview of the 2023-24 State Budget, its effects on LEAs, and how to implement these changes locally. Stay tuned.

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*Note: The 2023-24 State Budget package includes \$80 million to support county court and community school operations and to establish the Student Support and Enrichment Block Grant.*

## **California’s Most Vulnerable Students May Be Seeing Increased Funding Soon**

*Some say the proposed increase should include transparency measures*

By Betty Márquez Rosales  
*EdSource*  
June 27, 2023

If California’s proposed budget is approved as it currently stands, county offices of education will get an increase of \$80 million in ongoing funding to be used toward juvenile court schools and alternative schools. It’s an amount that staff in county offices say would help them better support the students they serve and that education researchers hope will include accountability reporting for greater transparency into how county offices allocate such funding.

The proposed increase in Proposition 98 funds would go toward both juvenile court schools and alternative education schools run by county offices of education. Alternative schools serve those who have faced challenges in their traditional public school, including expulsion, suspension and chronic absenteeism. Some of these schools enroll students with unique needs, such as teen parents, students experiencing homelessness, and students in the foster care system.

A set of formulas outlined in Proposition 98 are used to determine the minimum funding level for education in California, year after year. One of these formulas takes students' average daily attendance into account, which assumes that students are enrolled in a single academic institution for long periods of time. This is most often the opposite in the juvenile justice system, as the population of students they serve remain in their schools anywhere between several days to a few months.

As the state's juvenile justice system fully shifts to being entirely county-led at the end of June, juvenile court schools will also be serving some students that were previously held in state facilities for years at a time. But for most counties, it's far more common that the majority of their students will not be enrolled long enough to finish a single semester.

"There's something inherently wrong about the idea that this particular population has a funding mechanism that is so variable and inconsistent, when I think everyone in California would say that that is absolutely not what they want," said Susan Connolly, assistant superintendent of student services in Placer County.

"They want these particular students who have had the most traumatic experiences and who have had potentially disproportionate disciplinary experiences and maybe not positive school experiences, to have absolutely the most stable funding and access to all of the supports and services that they require."

As legislative leaders and the governor negotiate on the final budget, the possibility remains that the \$80 million increase may not make it through.

In the Northern California county, the daily student attendance has ranged in recent years from four to 30 on any given day, according to Connolly. And this doesn't account for emergencies, like when a fire broke out a few years ago and they needed to suddenly house six additional students from neighboring El Dorado.

While it may not be uncommon to see 30 students in a single classroom, such a sight is rare in juvenile court schools, which serve students involved in the juvenile justice system. Students are rarely placed in a single classroom, or even the same living unit — where they are placed depends on various factors such as the seriousness of their infraction and their age. Given the unpredictability in day-to-day enrollment, administrators must still fully staff their schools with teachers and other education staff like behavioral therapists and social workers, Connolly said.

Connolly said they may have a classroom with one to three students or several classrooms with a higher number of students. They may be housing a seventh grader plus 24-year-olds, for example, each requiring a different level of education, she said.

"I have to have appropriate staff for that amount of units regardless of the number of students that I have or the number of units that are open on that particular day, because it could change very quickly," Connolly said.

About 120 youths entered Placer County's single juvenile hall this past school year, and the average length of stay was 21 days, she said. About five of these students were there for more than 90 days.

Some say the proposed funding increase should include transparency measures to better understand the quality of instruction being administered by county offices of education.

A 2023 report from the ACLU Southern California, National Center for Youth Law, and the East Bay Community Law Center found that the top five largest county offices of education in California lacked the transparency required to evaluate the quality of education being offered due to a lack of "clear public-facing information about curriculum or student support systems," the report authors wrote.

"The main thing that we've been hoping for is that the Legislature would build in some additional accountability and transparency mechanisms with this \$80 million," said Atasi Uppal, director of the education justice clinic at East Bay Community Law Center and co-author of the report.

The Legislature has not indicated if such accountability measures would be included in this fiscal allotment if it were to be included in the final budget.

San Diego County has two court schools and 26 alternative schools, which are often referred to as county community schools. Each of those 26 alternative schools has different funding needs, said Paul Gothold, San Diego County's superintendent.

The school that enrolls student parents, for example, offers child care along with a pregnancy and parenting program.

"In a district, you do your enrollment projections, you staff up, you open school, and you have this wiggle room to shuffle folks around and deal with the numbers when kids are actually there," Gothold said.

Echoing county staff from other regions of the state, Gothold said funding court schools and alternative schools similarly to traditional public schools is "a basic and fundamental flaw."

"The kids come from incredibly extraordinary circumstances, a lot of that associated with being incarcerated and the trauma that comes with that," he said. "The level of support, the level of need for our children is really unprecedented."

On Census Day, the first Wednesday of October during the 2021-22 school year, San Bernardino County in Southern California had 93 students enrolled. By the end of the school year, they'd enrolled a cumulative total of 661.

The majority of these students, as is the case for other counties, stayed for a short period of time, according to Myrlene Pierre, the county's assistant superintendent of student services.

Because San Bernardino is a large county, Pierre has more people on her staff than Connolly does in Placer County; still, she said additional funding could help them expand their services.

"We always have the basics covered regardless of the funding, but when we're looking for extras to really make it a rich and valuable experience for the students, which is important, that's where we're looking for additional funds," Pierre said.



Those extras include activities such as learning to use artificial intelligence programs like ChatGPT and access to language classes, she said. The proposed budget increase would also be used to fund behavioral health counselors, providing additional professional development for teachers, and ensuring students have access to A-G coursework.

“These are our most vulnerable children and they have the most unstable funding and resources, so I’m very excited to have this idea of something that makes sense for our students that’s crafted to support their unique needs,” said Placer County’s Connolly.

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*Note: The California Attorney General’s office approved three versions of initiative language to make a high-quality education a constitutional right in California.*

## **California Parents Fed Up With Schools Want To Make High-Quality Education a Constitutional Right**

By Joe Hong  
*CalMatters*  
June 27, 2023

For the second time in two years, a coalition of advocates wants to make a high-quality education a constitutional right in California.

The push comes in the aftermath of pandemic-era school closures and distance learning, during which parents witnessed firsthand what they considered deficient instruction.

As educators now try to help students recover, advocates behind a proposed ballot measure say the right to a high-quality education is more crucial than ever. But while some see it as a simple and obvious proposal designed to empower families and students, critics anticipate a barrage of lawsuits against schools and districts resulting from the vaguely defined phrase “high-quality education.”

“It seems like the intention is to initiate lawsuits,” said Richard Barrera, a board member at the San Diego Unified School District, the state’s second-largest district. “It seems like it’s written in a way to drain funding from public schools to go into the pockets of lawyers.”

The California Attorney General’s office approved three versions of the initiative language, but the authors haven’t yet selected which one they’ll try to get on the ballot. Once they make the decision, they’ll start gathering signatures. There’s currently no organized opposition to the proposed measure.

Supporters of the proposed ballot measure argue that critics exaggerate the concerns about frivolous lawsuits. Christina Laster, a parent and the western region’s education director for the National Action Network, said that parents just want to hold districts accountable. She said litigation is a final resort used in extreme cases.

“For the most part, parents have not been willing to file lawsuits,” she said. “They just want conversation and change.”

More than 10 years ago, John Affeldt, the managing attorney at the civil rights advocacy group Public Advocates, represented plaintiffs who unsuccessfully sued the state seeking to guarantee the right to a high-

quality education. He argued that the state and local districts have a variety of ways to define a high-quality education, whether it be through state standards or test scores.

That detail, he said, can be worked out later, whether in the courts or by the state Legislature and governor. The most urgent need, Affeldt said, is ensuring public schools are serving California's students.

"We should've settled this already," he said. "If education is going to be fundamental and meaningful... it has to deliver something of decent quality."

### **A battle started in LA**

Students Matter, a coalition of education advocates, authored the proposed measure under the leadership of former Los Angeles Mayor Antonio Villaraigosa.

James Liebman, a Columbia Law School professor who helped draft the language, said of the three versions written, the third version will most likely be the coalition's choice. It reads: "The state and its school districts shall provide all public school students with high-quality public schools that equip them with the tools necessary to participate fully in our economy, our society, and our democracy."

Villaraigosa said the measure is largely a response to former Los Angeles Unified Superintendent Austin Beutner's statements in response to a lawsuit brought by parents frustrated over distance learning during the first years of the pandemic. Beutner said a district is only required to provide a free public education, not a high-quality one.

Villaraigosa said he feared what this complacency might do to future generations of students and voters.

"The less you know, the more easily you can be persuaded by people who are selling you half-baked solutions to complex problems," he said. "Just look at Trump's base. They're less educated people."

Liebman said the phrase "high-quality" is intentionally broad so that future generations and local districts can each define what a "high-quality" education is. He said even the authors of the U.S. Constitution used broad language that evolved through legal interpretations over time.

"Our nation's Constitution developed over hundreds of years," he said. "You can't predict everything that's going to happen."

Liebman added that enshrining a high-quality education as a constitutional right in California will give students and their families another tool for holding their schools and districts accountable. He expects political mobilization, not litigation, to be the main avenue for seeking accountability.

But William Koski, a law and education professor at Stanford University, remains skeptical that political mobilization, if it materializes, will pressure the Legislature to take action.

"Everyone in the California Legislature knew schools were underfunded," he said. "Yet they couldn't do anything about it because of a fear of raising taxes."

In its analysis, the Legislative Analyst's Office notes that the measure would not have a direct fiscal impact on the public education system. But the LAO also notes that there could be "unknown and highly uncertain" costs, depending on how courts interpret the measure's language.

### **Courts as a venue for policy?**

For supporters of the measure, those costs are worth empowering families through a constitutional right. But Koski said that, perhaps most significantly, the initiative will open the courts as a venue for shaping education policy, giving parents more power to strike down decisions made by state lawmakers and local school boards.

Koski said this could result in legal battles over actions ranging from teacher layoffs to school closures. Or in the event of another pandemic or public health crisis, parents could challenge a district's decision to move to remote instruction.

"All of this could land in the courts' hands," Koski said.

Students Matter's 2022 version of this proposed ballot measure more strongly suggested the possibility of legal action against schools and districts. It stated that a parent or guardian could bring "[a]n action to enforce the right to a high-quality public education." The 2024 ballot versions omit this language.

Villairagosa said the measure is in no way designed to invite lawsuits. Rather, he said, it's meant to encourage legislation and funding proposals to better equip the state's schools.

Villairagosa's tense history with teachers unions adds a thorny political dimension to the proposal. He enjoyed strong support from charter school advocates during his 2018 gubernatorial bid. Teachers unions have historically opposed charter schools for pulling students, and thus state funding, from traditional school districts. Charter schools are also typically not unionized. As mayor, Villairagosa clashed with United Teachers Los Angeles in his efforts to weaken tenure protections.

As of yet, it remains unclear how the politics for this most recent initiative will unfold. Villaraigosa said his team met with the California Teachers Association to discuss the measure. He didn't disclose any details from the meeting. But he said he's open to working with the union to finalize the details of the initiative.

"I think what I made clear is that the only way for us to get a high-quality education is for us to work together," he said.

Becky Zogelman, an associate executive director for the California Teachers Association, declined to comment on the proposed ballot measure and only said that teachers are already striving to provide a high-quality education to all students. She said the union will take a position on the proposed measure only if it makes it onto the ballot. The association also did not take a position on the 2022 initiative, which did not gather enough signatures to appear on the ballot.

Both Koski and Liebman pointed to Kentucky as a positive example of what could happen if a state enshrines the right to a high-quality education into its state constitution.

In 1989, the Kentucky Supreme Court found that the state had failed to provide an "efficient" education to all of its students and ordered the Legislature to overhaul the public school system. A study published in 2004 found that the 1989 decision resulted in more per-pupil funding as well as higher test scores.

But in California, Koski said the vagueness of the proposed language could invite lawsuits targeting everything from book bans to school closures.

“I do think it’s appropriate to hold school systems accountable,” he said. “But should every decision be subject to scrutiny in a lawsuit? I don’t know about that.”



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[www.sscal.com](http://www.sscal.com)

DATE: July 7, 2023

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

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### **2023-24 State Budget Update**

In last week's *Sacramento Update*, we reported that Governor Gavin Newsom and the Legislature had reached an agreement on the 2023-24 State Budget package.

However, as of this writing, the Governor has not yet signed Assembly Bill (AB) 102, which will amend Senate Bill (SB) 101—the main State Budget bill that reflected the Legislature's approach to the 2023-24 fiscal year. He also has not signed SB 114, the education omnibus budget trailer bill; SB 115, the budget trailer bill that will make changes to help with the implementation of Proposition 28 (2022)—the voter-approved measure that provides K-12 public schools an annual allocation for arts and music programs beginning with the 2023-24 fiscal year; or SB 116, the preschool and childcare budget trailer bill.

The 12-day window for the Governor to sign or veto the above budget legislation began when the bills were presented to him on Tuesday, June 27, 2023. However, since the 12th day falls on Sunday, July 9, 2023, the California Constitution pushes that deadline to this upcoming Monday, July 10.

We do not have any reason to believe that the Governor won't sign these measures, as they were negotiated as a part of the 2023-24 State Budget package between the Administration and the Legislature. The reason the Governor has yet to sign these bills is likely because he has been traveling the country over the past week, and he may also have been waiting for his infrastructure package to be approved by the Legislature, which it was earlier this week.

We expect that in next week's *Sacramento Update* we will officially be able to report that the State Budget package was signed into law.

### **Senate Education Committee**

The Senate Education Committee, chaired by Senator Josh Newman (D-Fullerton), met for the fifth consecutive week to consider Assembly education

bills. The committee approved a dozen bills, including the following significant measures:

- AB 438 (Rubio, D-Baldwin Park) would, beginning July 1, 2025, change the point at which postsecondary transition planning for students with disabilities begins from age 16 to when the student enters grade 9
- AB 596 (Reyes, D-Colton) would require the California Department of Social Services (CDSS) to apply to the federal Health and Human Services Agency to amend the state's current Child Care and Development Fund State Plan to change reimbursement rates to an alternative methodology to include a cost-based model that is consistent with the recommendations of the CDSS-led Rate and Quality Workgroup report and the Joint Labor Management Committee
- AB 599 (Ward, D-San Diego) would prohibit a pupil from being suspended or expelled from school for possessing or using tobacco or nicotine products beginning July 1, 2025
- AB 938 (Muratsuchi, D-Torrance) would create new Local Control Funding Formula funding targets for the 2030-31 fiscal year and would require local educational agencies to submit employee salary data to the California Department of Education annually
- AB 1078 (Jackson, D-Moreno Valley) is an urgency measure that would prohibit a governing board from removing a textbook or instructional material that contains inclusive and diverse perspectives and would require a two-thirds vote to remove a textbook or instructional material for a reason other than that it contains inclusive and diverse perspectives

With the exception of AB 938, which needs to pass the Senate Labor, Public Employment and Retirement Committee next Tuesday, all of these measures have cleared the July 14 deadline for bills to make it out of policy committee and into the Appropriations Committee.

The Senate Education Committee will meet for a sixth straight week next Wednesday, while the Assembly Education Committee, chaired by Assemblymember Al Muratsuchi, will also meet for the final education hearings before the aforementioned July 14 deadline.

### **Speaker Rivas Makes Leadership Changes**

Last Friday, June 30, 2023, Assemblymember Robert Rivas (D-Salinas) was sworn in as the new Speaker of the California State Assembly. Rivas succeeded Assemblymember Anthony Rendon (D-Lakewood), who held the gavel for nearly seven and a half years.

As the presiding officer and leader of the California State Assembly, the Speaker controls the flow of legislation and also decides the committee chairs and chamber leadership. While Rivas likely won't make significant changes to committee chairs midyear, he did announce the following changes to the Assembly Democratic Leadership team:

- Speaker pro Tempore—Cecilia Aguiar Curry
- Majority Leader—Isaac Bryan
- Assistant Majority Leader—Gregg Hart

- Assistant Majority Leader for Policy and Research—Diane Papan
- Majority Whip—Lori Wilson
- Assistant Majority Whips—Matt Haney and Josh Lowenthal
- Democratic Caucus Chair—Rick Chavez Zbur

With only six weeks left of the legislative session, Speaker Rendon has stated that there will be “minimal disruption to this legislative year,” which means the leadership changes are likely the only significant move that the new Speaker will make in 2023. However, we could see policy and budget committee and subcommittee chairs and assignments beginning in 2024.

*Leilani Aguinaldo*

## **New Details Emerge on the 2023-24 State Budget**

By Dave Heckler  
School Services of California Inc.'s *Fiscal Report*  
June 30, 2023

One of the key pieces of Governor Gavin Newsom's K-12 education plan in the State Budget is the Local Control Funding Formula (LCFF) Equity Multiplier. The LCFF Equity Multiplier is intended to provide additional ongoing resources to targeted student populations to help close historic disparities in student performance.

In January, Governor Newsom proposed \$300 million ongoing for the grant, with funding based on the number of pupils at schools with a federal free meal eligible percentage of greater than 85% for high schools and 90% for elementary and middle schools.

The education omnibus budget trailer bill ([Senate Bill 114](#)) changes the methodology for determining eligible schools. The LCFF Equity Multiplier will now use stability rate data to direct funding to local educational agencies with schools that have a nonstability rate greater than 25% and more than 70% of their student population identified as socioeconomically disadvantaged.

"Nonstability rate" is defined as "the percentage of pupils who are either enrolled for less than 245 continuous days between July 1 and June 30 of the prior school year or exited from school between July 1 and June 30 of the prior school year due to either truancy, expulsion, or for unknown reasons and without stable subsequent enrollment at another school as identified in the stability rate data file." For purposes of the LCFF Equity Multiplier, socioeconomically disadvantaged is defined as:

- Neither of the pupil's parents has a high school diploma
- The pupil is eligible for free or reduced-price meals under the federal National School Lunch Program, including by direct certification
- The pupil is a migratory child for purposes of Part C line 37 (commencing with Section 6391) of Subchapter I of Chapter 70 of Title 20 of the United States Code
- The pupil is a homeless child or youth
- The pupil is a foster youth
- The pupil is enrolled in a county juvenile court school

Stay tuned for more details and analysis of the LCFF Equity Multiplier as well as an updated lookup tool listing eligible schools and funding estimates.

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*Note: Due to the persistent teacher shortage, there are a number of bills moving through the legislative process that aim to make it easier for people to become teachers.*

## **Proposed California Laws Could Remove Hurdles to Becoming a Teacher**

By Diana Lambert  
*EdSource*  
July 7, 2023

California teacher candidates would get paid while student teaching, and the state would begin a public relations campaign to recruit new teachers to the profession, if two new bills pass the Legislature and are signed by Gov. Gavin Newsom. The bills are among a raft of legislation that lawmakers are considering during the 2023-24 legislative session to make it easier for people to become teachers.

Before earning a credential, California teachers are required to complete 600 hours of student teaching. The lack of pay for this work has long been considered a major roadblock for teacher candidates, who must still pay tuition, for books and supplies plus other living expenses, while completing student teaching and taking teacher preparation courses.

Assembly Bill 238, authored by Al Maratsuchi, D-Torrance, would use one-time state funds to create a grant program for student teachers. Districts that win grants would pay student teachers at the same rate as their substitute teachers. An Assembly analysis estimates the program could cost as much as \$300 million annually if all student teachers are paid. The state would also pay about \$306,000 a year to hire two people to administer the grant at the Commission on Teacher Credentialing, according to the analysis.

“The state’s ongoing educator and workforce shortage has only increased as a result of the pandemic,” Maratsuchi said in a statement. “Schools are having trouble finding appropriately credentialed teachers, especially in STEM and special education fields. AB 238 helps relieve the teacher shortage by establishing the California Student Teacher Support Grant Program, which compensates student teachers during their required student teaching hours to help alleviate financial stress at an important time in the teacher preparation process.”

Mary Sherg, 30, taught musical theater as a long-term substitute at Thurston Middle School in Laguna Beach last year. It was a dream come true for Sherg, who has a degree in theater education. But the district, which is required to hire a credentialed teacher if one can be found, gave the job to someone else the next school year. District officials offered Sherg a job teaching English and journalism on an emergency-style permit instead.

“This is my eighth year as a teacher, and I still do not have a credential,” Sherg said. “The dark cloud hanging over me is student teaching.”

Sherg has passed all the required state tests but dropped out of the teacher preparation program at Cal Fullerton in 2020 because she couldn’t afford to go without a paycheck during student teaching.

After she completes her teaching obligation next school year, Sherg plans to continue her teacher preparation coursework at Concordia University in Irvine, and complete her student teaching. Meanwhile, she is hoping that AB 238 passes so she won’t have to complete the required student teaching without a paycheck.

## **Many teacher candidates can't afford unpaid teaching**

Unpaid student teaching is a serious barrier to recruitment, according to a survey of educators conducted in 2021 by the California Department of Education's Educator Diversity Advisory Group.

"What many people of color ... cite as a barrier to becoming a teacher is that they have to give up employment, and the fact that this legislation allows for all teachers to earn some compensation while becoming a student teacher absolutely serves as one important lever for increasing the number of people who may consider teaching," said Travis Bristol, an associate professor of education at UC Berkeley who chairs the diversity advisory group.

"It's good to hear that CTC and legislators are listening to potential future teachers who are saying these are the barriers, and here is what we can do to lower those barriers," he said.

So far, the bill to pay student teachers has been popular with legislators, earning almost unanimous approval in the full Assembly and in the Senate Education Committee. It has been referred to the Senate Appropriations Committee.

The report from the educator diversity advisory group also included a recommendation that the state fund a marketing effort to entice people to become teachers. Another bill, also authored by Maratsuchi, would do just that. The Commission on Teacher Credentialing would receive no more than \$900,000 to contract with a public relations organization to develop a campaign highlighting the value of educators and urge people to become teachers.

The bill has passed on the Assembly floor but was placed in the suspense file by the Senate Appropriations Committee. Bills with an annual cost of more than \$150,000 are sent to the suspense file to be considered with other bills in one hearing so that legislators can weigh their impact on the state budget before approving them.

Two other bills moving through the Legislature would make it easier for out-of-state teachers to earn California credentials. AB 757 would eliminate the need for out-of-state teachers to apply for preliminary credentials in California, complete coursework or pass a test to prove competence in their subject. Senate Bill 811 would ratify the Interstate Teacher Mobility Compact, which establishes a commission to make it easier for teachers to move between states for jobs.

The proposed bills are the latest attempts by state legislators to quash an ongoing teacher shortage that shows no sign of improvement. California had a 16% decline in the number of teachers receiving credentials in 2021-22, the latest year data is available, compared to the year before, according to "Teacher Supply in California," an annual report from the Commission on Teacher Credentialing.

The shortage of teachers has led to an increase in the number of emergency-style permits issued as well as the number of under-prepared teachers entering the workforce in California.

Other bills being considered by legislators to help end the teacher shortage:

- AB 672 would require the California Commission on Teacher Credentialing to research the barriers that keep people of color from becoming teachers.

- AB 1555 would delay the deadline for a credentialed transitional kindergarten teacher to complete the early childhood education units required for the position until August 2028.
- SB 765 exempts retired teachers who are returning to the classroom to fill teaching positions that districts otherwise can't fill from limiting their earnings post-retirement; increases the maximum stipend paid to teacher candidates in the Teacher Residency Grant Program to \$40,000 per teacher candidate; and, annually exempts 1,000 Cal Grant recipients from demonstrating financial need if they agree to enroll in a teacher preparation program after earning their bachelor's degree.
- AB 383 would allow teacher candidates in the Classified School Employee Teacher Credentialing Program to take a paid leave of absence from their district jobs to complete student teaching. The program helps school employees, such as office staff, bus drivers and cafeteria workers to earn a degree and teaching credential.

### **Lawmakers continue to fund programs to recruit teachers**

California has spent \$1.2 billion since 2016 on programs meant to address teacher shortages. Among the largest expenditures are \$515 million for the Golden State Teacher Grant program, \$401 million for the Teacher Residency Grant program, and \$170 million for the California Classified School Employee Teacher Credentialing program, all of which offer teacher candidates financial support, according to the Legislative Analyst's Office.

The budget for this fiscal year includes additional funding and flexibilities to help recruit and train teachers, making it easier for members of the military and their spouses to transfer their teaching credentials from another state; offering teachers other avenues of completing some tests if they were impacted by the Covid pandemic, and increasing grants for teacher residents and funding a program to prepare bilingual teachers.

"Given the crises of the teacher shortage in this state, it is encouraging to hear that policymakers are listening to what researchers are saying," Bristol said. "This is a potential positive step forward."

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*Note: A new Public Policy Institute of California report shows that the pandemic reversed nearly six years of academic progress.*

## **Lengthy Pandemic Closures Weakened Already Low-Achieving California Schools**

By Dan Walters  
*CalMatters*  
July 5, 2023

Gov. Gavin Newsom is fond of rattling off statistics that prove, he claims, California's enviable status as a national, or even global, leader in all things wonderful.

He tends, however, to cherrypick his numbers rather than provide a full picture, as a recent Sacramento Bee analysis of his economic assertions on national television demonstrates.

However, there's one aspect of California society – perhaps its most important – that Newsom excludes from his episodes of braggadocio: how the state is educating nearly 6 million public school students.

The sad fact is that California's students fare poorly vis-à-vis those of other states when it comes to basic skills in language and mathematics, as underscored in a newly published report by the Public Policy Institute of California.

California kids were lagging behind even before Newsom and other officials shut down schools during the COVID-19 pandemic and, the PPIC studies show, educational proficiency plummeted during the closures.

When state academic testing resumed in 2022 after being suspended during the pandemic, it showed “significant declines in proficiency rates.”

Before the pandemic, 51% of students met standards in English language arts (ELA) and it had dropped to 47%. In mathematics, proficiency declined from 40% to 33%.

“Only 35% of low-income students met state standards in ELA and 21% were proficient in math,” PPIC reported, “compared to 65% of higher-income students in ELA and 51% in math.”

Furthermore, PPIC noted, the nationwide test of reading and math proficiency “shows that California has consistently lagged behind most other states ... 38th in math and 33rd in reading.”

Since Newsom is particularly fond of comparing California to other states, particularly Florida and Texas, one might wonder how we fare in educational attainment. The answer is, PPIC says, that “Florida ranks much higher than California.” However, the state “is ranked just above Texas in reading but far below in math,” although it does best New York in reading and math.

While school closures loomed large in the overall erosion of educational achievement during the pandemic, there were significant differences within the state because closures were not uniform.

“Most of California's public school students spent the majority of the 2020–21 academic year fully online – longer than students in other states,” PPIC's research found, but “the return to in-person instruction varied across the state.” Rural counties tended to return to in-person schooling more quickly than schools in urban areas. By June 2021, San Francisco, Sacramento and Los Angeles counties had fewer than 10% of their school systems returned to classroom instruction.

PPIC did not mention that in urban school districts – Los Angeles Unified most notably – teacher unions often refused to return to the classroom without concessions from their employers, thus continuing online classes for additional months.

Newsom advocated reopening schools and his own kids quickly resumed classes at their private school, but he refused to intervene in districts that were lagging behind in returning kids to the classroom, apparently unwilling to confront the unions.

Variations in reopening meant that “districts with more Black, Latino, low-income, and English Learner students tended to reopen later than other districts,” and “learning gaps widened the longer students remained remote and may have worsened longstanding achievement gaps between low-income marginalized students and their peers.”

The statistical picture painted in the PPIC research confirms what was obvious to many at the time, that closing schools and forcing at-risk children into haphazard online classes while lacking internet access, tutoring and other resources would make the achievement gap even wider.

California's economic and social future depends on having a well-educated workforce and citizenry. We were falling behind before COVID-19 struck, and we are even further behind now.



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www.sscal.com

DATE: July 13, 2023

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

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## **Governor Newsom Signs 2023-24 State Budget Package**

On Monday, July 10, 2023, Governor Gavin Newsom signed the 2023-24 State Budget package into law, including the following bills relevant to local educational agencies (LEAs):

- Assembly Bill (AB) 102—This is the budget bill junior that reflects the budget agreement reached between the Administration and the Legislature. AB 102 makes the necessary amendments to Senate Bill (SB) 101, the main 2023-24 State Budget bill that was signed by the Governor on June 27, 2023.
- SB 114—This is the education omnibus budget trailer bill, which contains the TK-12 provisions of the 2023-24 State Budget. Trailer bills contain the implementing language of the State Budget and thus enact the corresponding changes to state law.
- SB 115—This is the budget trailer bill that makes clarifying and technical changes to Proposition 28, the statewide ballot measure approved by voters in November 2022 that will provide K-12 public schools (including charter schools) an annual allocation for arts and music programs beginning with the 2023-24 fiscal year.
- AB 116—This is the early childhood education omnibus trailer bill, which provides for statutory changes necessary to enact childcare-related provisions of the 2023-24 State Budget.

As budget bills, these measures took effect immediately upon the Governor's signature. You can find more details about these bills in the below *Fiscal Report* article, "Governor Newsom Signs 2023-24 State Budget Package."

## **Legislature Takes up Key Education Bills Prior to Summer Recess**

Tomorrow, Friday, July 14, 2023, is the deadline for second house policy committees to approve legislation and send bills to the Appropriations

Committee or straight to the house floor. However, since the Legislature held its final policy hearings today, legislators are heading back to their districts this evening to begin their month-long summer recess. They will return from their summer break on Monday, August 14.

Earlier this week, several policy committees took up a number of significant bills with implications for LEAs:

- AB 247 (Muratsuchi, D-Torrance) would place a \$14 billion TK-14 facilities bond before voters on either the March 5, 2024, primary ballot or the November 5, 2024, General Election ballot
- AB 377 (Muratsuchi) would subsume the funding for the K-12 Strong Workforce Program into the Career Technical Education Incentive Grant, beginning with the 2024-25 fiscal year
- AB 472 (Wicks, D-Oakland) would provide non-merit classified employees in K-14 districts the right to receive full compensation for a period of involuntary leave following a finding in favor of the employee for charges of a criminal offense or criminal investigation or due to an administrative delay outside the employee's control
- AB 1699 (McCarty, D-Sacramento) would require job opportunities for classified employees to be posted for internal applicants for ten days before external candidates may be considered and would also require that an internal candidate that meets the minimum qualifications, or "could" meet the minimum qualifications after ten hours of paid on-the-job training, have the right of first refusal for a position
- SB 28 (Glazer, D-Contra Costa) would place a \$15.5 billion preschool through higher education bond before voters on the March 5, 2024, statewide primary election and each higher education segment would receive \$2 billion
- SB 88 (Skinner, D-Berkeley) would impose new, significant requirements on any driver who is compensated by an LEA for transporting students
- SB 274 (Skinner) would extend the current sunset on the prohibition of suspensions for willful defiance for students enrolled in grades 6-8 to July 1, 2030, and beginning July 1, 2024, would prohibit out-of-school suspensions for students enrolled in grades 9-12 on the basis of willful defiance
- SB 291 (Newman, D-Fullerton) would require elementary schools, beginning with the 2024-25 school year, to provide students with at least 30 minutes of recess daily
- SB 499 (Menjivar, D-San Fernando Valley) would require all school sites and childcare facilities to develop and implement an extreme heat action plan to plant shade trees, install a school garden, and plant a coniferous tree barrier
- SB 531 (Ochoa Bogh, R-Yucaipa) would, beginning with the 2023-24 school year, exempt an entity having a contract with an LEA for the purposes of student work experience programs from the requirement to have a valid criminal background check for all employees, provided that at least one supervisor in the workplace has a valid criminal records summary, that a representative of the LEA visits the workplace regularly, and that the parent or guardian of the student signs an informed consent
- SB 760 ((Newman) would require, by July 1, 2025, each LEA to provide at least one all-gender restroom for pupil use

All of the above measures will now be moving forward to the second house Appropriations Committees for consideration. Since AB 742 is considered a nonfiscal bill, it will go directly to the Senate floor.

When the Legislature returns from its summer recess, they will have three weeks to move bills through the Appropriations Committees and five weeks to complete floor votes. The last day for the Legislature to approve bills and send them to Governor Newsom is Thursday, September 14.

*Leilani Aguinaldo*



## **Governor Newsom Signs 2023-24 State Budget Package**

By SSC Governmental Relations Team  
School Services of California Inc.'s *Fiscal Report*  
July 10, 2023

Today, July 10, 2023, nearly two weeks after the Legislature approved and sent Assembly Bill (AB) 102 (“budget bill junior”) and the corresponding budget trailer bills to him, Governor Gavin Newsom signed the 2023-24 State Budget package into law.

Below, we highlight the relevant State Budget bills that were signed by the Governor and of which your local educational agency (LEA) should be aware. As budget bills, all these measures went into effect immediately upon Governor Newsom’s signature.

### **AB 102—Budget Bill Junior**

AB 102, or “budget bill junior,” reflects the budget agreement reached between the Administration and the Legislature. AB 102 will make the necessary amendments to Senate Bill (SB) 101—the main 2023-24 State Budget bill that the Legislature sent to Governor Newsom on June 15—which will capture the deal reached between the parties. After announcing a deal had been reached with the Legislature, SB 101 was signed by Governor Newsom on Tuesday, June 27, 2023, the last day for the Governor to act on the measure.

This bill contains some provisional language to implement the transitional kindergarten (TK)-12 portion of the 2023-24 State Budget, but most implementing language is included in the trailer bills analyzed below.

### **SB 114—Education Omnibus Budget Trailer Bill**

SB 114 is the education omnibus budget trailer bill, which contains the TK-12 provisions of the 2023-24 State Budget. Trailer bills contain the implementing language of the State Budget and thus enact the corresponding changes to state law. SB 114 includes the details of the following key education provisions:

- Provides the statutory 8.22% Local Control Funding Formula (LCFF) cost-of-living adjustment (COLA)
- Creates the “LCFF Equity Multiplier” for LEAs with school sites that have prior-year nonstability rates of 25% and 70% of students who are socioeconomically disadvantaged
- Reduces the Arts, Music, and Instructional Materials Discretionary Block Grant from \$3.6 billion to \$3.4 billion
- Reduces the Learning Recovery Emergency Block Grant funds by \$1.6 billion and includes intent language to restore \$378.6 million from the 2025-26 fiscal year to the 2027-28 fiscal year
- Provides \$80 million ongoing to support county court and community school operations
- Delays \$550 million for the California State Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program to 2024-25
- Shifts \$1 billion from the Hybrid and Zero-Emission Truck and Voucher Incentive Project and for related infrastructure to 2024-25 and 2025-26

- Makes changes to the Expanded Learning Opportunities Program (ELOP), including exempting ELOP from licensing requirements and requiring third-party operators of ELOP to immediately report to their LEA partners any health- or safety-related issues
- Extends the August 1, 2023, deadline for credentialed teachers to earn 24 units (or its equivalent) or a child development teacher permit or an early childhood education specialist credential to August 1, 2025
- Requires TK classrooms to maintain a ratio of 1 adult to 10 students in 2025-26 with the intent to provide funding to pay for the costs associated with lower classroom ratios
- Allows LEAs to enroll children whose fourth birthday falls between June 2 and September 1—or early enrollment children—under certain circumstances in TK and assigns a penalty for not meeting required conditions
- Extends the term of all charter schools whose petitions expire between January 1, 2024, and June 30, 2027, by one additional year
- Extends the moratorium on nonclassroom-based charter schools by an additional year

### **SB 115—Proposition 28 Clean-Up Trailer Bill**

SB 115 is the budget trailer bill that makes clarifying and technical changes to Proposition 28, the statewide ballot measure approved by voters in November 2022 that will provide K-12 public schools (including charter schools) an annual allocation for arts and music programs beginning with the 2023-24 fiscal year. The clarifying provisions of SB 115 do the following:

- Allows Proposition 28 payments to be issued through the Principal Apportionment
- Provides a feasible way to calculate funds for and issue funds to preschool programs
- Clarifies methods to collect data on and recover unexpended funds
- Changes the responsible party for submitting a waiver from the principal of a school site to the LEA

### **AB 116—Early Childcare and Education Trailer Bill**

This is the early childhood education omnibus trailer bill, which provides for statutory changes necessary to enact childcare-related provisions of the 2023-24 State Budget. The bill includes the following provisions:

- Enacts permanent family fee reform beginning October 1, 2023
- Shifts implementation, by two years, for California state preschool programs to reserve 7.5% of their funded enrollment to students with disabilities (SWDs) to June 30, 2026, and to reserve 10% of their funded enrollment to SWDs to July 1, 2026
- Shifts prioritization to include three-year-olds and four-year-olds for the third priority for services provided by California state preschool programs

- Removes the statutory COLA for childcare and state preschool programs, and states legislative intent to adjust reimbursement rates for all programs subject to a ratified agreement and future legislation
- Requires the Department of Social Services, in collaboration with the California Department of Education, to develop and conduct an alternative methodology to inform the setting of reimbursement rates for subsidized childcare
- Clarifies that a license-exempt provider is not required to submit a copy of their rate sheet
- Provides that, when a family experiences income fluctuation, a family may choose to provide up to the 12 preceding months of income information
- Allocates \$22 million for childcare providers to be 100% reimbursed of the contract maximum reimbursable amount or net reimbursable program costs, whichever is less, through September 30, 2023

### **School Finance Conference**

For comprehensive details and analysis of the 2023-24 State Budget package, be sure to tune into our [School Finance Conference](#), which will be offered via live webinar on July 20, 2023. Our presentation will dive into many specifics of the State Budget, including those not mentioned in this article.

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*Note: Nearly all of the LEAs and education organizations that originally opposed SB 88 (Skinner) are in the process of removing their opposition after the author took significant amendments in the Assembly Education Committee.*

## **Bill Would Add Regulations for Ride-Share Companies That Take Students to School**

By Carolyn Jones  
*EdSource*  
July 12, 2023

Wilfred Adu-Beng was already grappling with a mountain of hardships after his father and stepmother died. Getting his younger brother — for whom he was suddenly responsible — to middle school every day proved to be one of the biggest hurdles of all.

In essence, it was impossible. Adu-Beng, a psychiatric tech at a hospital near San Bernardino, often worked swing or early morning shifts.

He lived too far from the school for his brother to take the bus. Adu-Beng feared he'd have to quit his job in order to get his brother to school.

“I didn’t know what I was going to do. Then the school said we could use (a ride-sharing service). It’s almost been too good to be true,” Adu-Beng said. “Now I can focus on work, and my brother can get to school on time. It’s been a lifesaver.”

Hundreds of school districts and child welfare agencies in California contract with private ride-sharing companies to transport foster, homeless and some special education students — the only students districts are legally required to provide transportation for — to and from school. Districts say it's cheaper and easier than providing bus service, considering the difficulty districts have had hiring bus drivers and the expense of maintaining buses.

The trend has been a boon for ride-sharing companies like HopSkipDrive, which last year provided 2 million rides in California and 11 other states. When HopSkipDrive was founded nine years ago, most of its customers were busy parents who needed help getting kids to after-school activities. Now, the vast majority of the company's clients are school districts, nonprofits and child welfare agencies. More than 300 such organizations contract with HopSkipDrive in California alone.

It's also been a boon for students. In Riverside County, the office of education paid for 420 HopSkipDrive rides for foster youth last year and saw the overall attendance rate for foster students jump from 29% to almost 80%, according to the office's Local Control and Accountability Plan.

But a bill under consideration in the Legislature could dramatically alter the way businesses like HopSkipDrive operate in California. Senate Bill 88, by state Sen. Nancy Skinner, D-Berkeley, would require drivers for private ride-sharing companies to meet the same safety regulations required of school bus drivers. They'd have to undergo training to become mandated reporters, pass biannual medical exams, learn first aid, pass a tuberculosis test and meet a dozen other requirements. And like school bus drivers, they'd have to keep daily vehicle maintenance logs, checking brakes, fluid levels and lights every morning, among other measures.

As districts rely more and more on ride-sharing services, SB 88 is necessary to keep children as safe as they'd be if they rode a school bus, Skinner said.

"All of us should want to make sure that anyone driving kids to school meets certain safety standards," Skinner said.

Until the late 1970s, school buses were the norm in California. But as Proposition 13 slashed school funding, most districts eliminated or greatly reduced bus service for all students except those they're required to serve, such as foster youth. In fact, only 9% of California students take the bus to school, one of the lowest rates in the country.

Skinner has been trying to change that, noting the link between chronic absenteeism and lack of transportation to school, particularly for elementary and middle school students. Students who are chronically absent are more likely to lag academically and drop out, with Black, Latino and low-income students disproportionately affected, according to the research group Attendance Works.

In addition, high rates of chronic absenteeism can mean less money for schools, as districts miss out on funding that's based on their average daily attendance.

Last year, Skinner introduced a bill that would have required school districts to provide bus service. That bill died, but the state budget included more money for districts to pay for transit, including school buses, passes for local municipal buses and ride-sharing services. That was the impetus for SB 88, Skinner said.

“Now that districts have access to this increased funding, it’s only reasonable to expect they’d meet certain safety standards,” Skinner said.

But the proposed regulations imposed by SB 88 are so burdensome that the company could not continue to operate, said HopSkipDrive’s chief executive officer, Joanna McFarland. For HopSkipDrive drivers to comply with the new safety regulations, they’d have to become employees, which is not the company’s business model.

“(This bill) imposes regulations you’d place on a seven-ton school bus on a driver in their own personal vehicle,” McFarland said. “It doesn’t make any sense. And it could take away transportation options away from thousands of vulnerable students.”

HopSkipDrive drivers already meet strict safety standards, McFarland said. They must pass a background check, have a clean driving record, have a reliable car, be fingerprinted and have at least five years’ experience as a caregiver. In addition, a navigation tracking system allows parents to monitor the driver’s route.

That’s not enough, according to the union that represents California’s 5,000 school bus drivers.

School bus drivers, who are certified by the California Highway Patrol, also must have a clean driving record and pass a background check, but they also must complete a first aid course, pass a behind-the-wheel test, obtain a special driver’s license and meet a slew of other requirements in order to drive a school bus. Not all of these rules apply for school bus drivers using passenger vehicles to transport students.

These higher standards are imperative to ensure students’ safety, said David Schapira, government relations director for the California School Employees Association, which is a sponsor of SB 88. It’s not fair, he argued, that some drivers must meet the standards and others need not.

“We believe in student safety first and foremost,” he said. “But we believe that if a driver is being compensated by a school district, the safety standards should be applied equally whether the driver is in the public or private sector.”

SB 88 has passed out of the Assembly Public Safety Committee and been referred to the Education Committee.

More than a dozen youth advocacy groups, including the Children’s Law Center of California, had opposed SB 88, saying it would make it harder for foster youth to get to school. Foster youth already have the highest rate of chronic absenteeism in the state — 42% last year — and limiting their transportation options would only make matters worse, advocates said. However, many of those groups have withdrawn their opposition following the introduction of new amendments to the bill, including changes that would address exceptions for emergency situations and removal of the cannabis component of the drug testing requirement.

“Placement instability is an unfortunate reality for many youth in foster care,” the groups wrote in their opposition letter to Assemblymember Al Muratsuchi, chair of the Assembly Education Committee. “We are very concerned with the potential negative impact that SB 88 will have on a (school district’s) ability to craft transportation plans that will meet the individualized needs of youth in care across the state. ... SB 88, as written, will cause school instability and limit access to school of origin for youth in foster care and other marginalized students.”

Yesenia Vera, a preschool teacher from Apple Valley who drove for HopSkipDrive for about a month, said the experience was nerve-wracking. She felt unprepared to care for students with behavioral challenges and worried continuously about their safety.

In one instance, she drove a girl who was prone to unbuckling her seatbelt, opening car doors, and hated the freeway. So Vera drove her 30 miles on side streets, terrified the entire ride the girl would jump out of the moving car. The ride took well over an hour, making her late to pick up her own kids.

“It was the most stressful thing I’ve ever done in my life,” Vera said. “Even though I’m a teacher, I don’t have the tools, the knowledge, the experience to handle a girl like that. It was incredibly unsafe. Never again.”

McFarland said that HopSkipDrive has a nearly impeccable safety record, and drivers do receive instructions on how to handle students with behavioral challenges. “Every facet of our business is built on safety,” she said.

In Los Angeles, Precious Aryee said she could not have managed her cousin’s schooling without HopSkipDrive. When the 15-year-old moved in with Aryee, the pair moved to a bigger apartment in Inglewood, a few miles farther away from the teen’s high school in Gardena. The logistics of getting the girl to school on time and getting herself to work proved overwhelming for Aryee: The girl was tardy more than 50 times.

“It was getting to be a bad habit, and I didn’t want to send that message. I didn’t want that spilling over into other aspects of her life,” Aryee said. “I want her to know that school is important.”

Because the girl is in the foster system, she qualified for free rides to and from school through HopSkipDrive. That changed everything, Aryee said. With the stability and reduced stress, the girl is doing better in school, and Aryee doesn’t have to worry about being late to her own job.

“It’s been invaluable. We seriously rely on it,” she said. “If HopSkipDrive went out of business, it would be devastating for families who need it.”

Skinner points out that SB 88 does not prevent school districts from contracting with ride-sharing services, and meeting additional safety requirements should not pose a serious obstacle for companies.

For Adu-Beng, life has become smoother without the stress of getting his younger brother to school. The boy, who has struggled with behavioral issues and seizures, has improved his academics and recently graduated from eighth grade.

“For a while he didn’t even have a 2.0,” Adu-Beng said. “Now he’s helping his teachers, helping around the house. He’s doing great. Things have been getting progressively better, and we are so grateful.”

*EdSource reporting intern Cara Nixon contributed to this story.*

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*Note: A federal judge said California is not violating parents' rights by requiring public schools to accept students' gender identities and to let them decide whether to inform their families.*

## **Judge Tosses Lawsuit to Force California Schools to Disclose Students' Gender Identity to Parents**

By Bob Egelko  
*San Francisco Chronicle*  
July 12, 2023

A federal judge said California is not violating parents' rights by requiring public schools to accept students' gender identities and to let them decide whether to inform their families.

The state has a legitimate interest in "in creating a zone of protection for transgender students and those questioning their gender identity from adverse hostile reactions, including, but not limited to, domestic abuse and bullying," U.S. District Judge John Mendez of Sacramento wrote Monday in a ruling dismissing a constitutional challenge to the state law.

Contrary to the claim that the state is interfering with parents' right to direct their children's upbringing, Mendez said, the Chico Unified School District in Butte County, sued for implementing the law, "refrains from interfering with the established parent-child relationship by allowing students to disclose their gender identity to their parents on their own terms."

The ruling comes at a time of increasing anti-transgender fervor and legislation in Republican-led states. On Saturday, a federal appeals court allowed Tennessee to enforce a ban on hormone therapy and puberty blockers for transgender patients younger than 18, the first such law to take effect in any state.

The conservative group that challenged the California law said Wednesday it would appeal Mendez's ruling to the Ninth U.S. Circuit Court of Appeals.

This "secrecy policy reflects a growing trend of schools across the country violating parents' constitutional right to raise their children free from unreasonable government interference," said Mark Trammell, executive director of the Center for American Liberty. "Parents should have the right to prevent schools from socially transitioning their child to a different gender identity in secret."

But the American Civil Liberties Union said it is a victory for youngsters defining their own identities.

"The court has affirmed that in California, trans and nonbinary students get to decide on their own terms when and how to have conversations about gender and identity at school and at home," said Jennifer Chou, an attorney with the ACLU of Northern California.

"Many California parents support their children for who they are and favor policies that allow students to be themselves on campus and give schools the flexibility to help students work towards family acceptance when needed," Chou said. "Young people thrive when they have parental support and feel safe sharing their full identities at home, but it can be harmful to force them to do so before they're ready."

The 2015 California law, sponsored by then-Assembly Member Tom Ammiano, D-San Francisco, required schools to allow transgender students to take part in all programs and to use restrooms and other facilities

that are consistent with their gender identity. Accompanying regulations by the state Department of Education told schools to consult with transgender students on who, if anyone, should be informed of their gender identity.

The ruling by Mendez, an appointee of former President George W. Bush, was the first to address the constitutionality of those regulations. A similar suit filed last year against the Spreckels Union School District in Monterey County was settled last month when the district agreed to pay \$96,000 in legal fees to attorney Harmeet Dhillon, the Republican National Committee member who filed both suits, while continuing to implement the state law.

In the Chico lawsuit, the mother of an elementary school student said she learned that her child had told a school counselor that she identified as a boy and did not want to tell her mother. Later, the mother said, the child's grandmother told her what the youngster had revealed to her. The suit said the child now identifies as a girl and is in counseling for depression and anxiety.

In the suit, Dhillon and the Center for American Liberty argued that the school district was interfering with the mother's right to make important decisions in her children's lives. But Mendez said the school was not forcing students "to adopt transgender identities or keep their identities secret from their parents," and instead, as required by state law, was allowing students to make their own decisions.

"This Court is not the venue for this political debate," which belongs instead in the state Legislature, Mendez wrote. In February, Assembly Member Bill Essayli, R-Riverside, introduced AB1314, which would require schools to promptly notify parents of a child who had expressed doubts about their gender identity, but the legislation did not receive a single hearing in the Democrat-led Legislature.





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DATE: July 20, 2023

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

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With the 2023-24 State Budget package signed last Monday, July 10, 2023, and the Legislature currently enjoying its summer recess, it was a quiet week at the Capitol.

### **CalPERS Reports 5.8% Return for 2022-23**

Perhaps the biggest news in Sacramento related to K-12 education was that the California Public Employees' Retirement System (CalPERS) announced its pension fund had investment returns of 5.8% in the 2022-23 fiscal year. This healthy return, though below the system's target return rate of 6.8%, was welcome news compared to last year's preliminary net rate of return of -6.1%.

This preliminary net return is an early snapshot of the CalPERS portfolio. The ending value of the Public Employees' Retirement Fund for 2022-23 will be based on additional factors beyond investment returns, including employer and employee contributions, monthly payments made to retirees, and various investment fees. The final fiscal year performance returns will be used to set 2024-25 contribution levels for local educational agencies and community colleges in spring 2024. In the meantime, CalPERS is expected to update its projected employer contribution rates later this fall.

### **Appropriations Bills Would Slash Federal Education Funding**

On the national front, Congress is moving forward with marking up the 12 government funding bills for fiscal year (FY) 2024 before they head home for August recess. The recently unveiled Labor, Health and Human Services, Education, and Related Agencies bill from the Republican-controlled Subcommittee on Labor, Health and Human Services, Education, and Related Agencies would slash federal funding for education.

The bill would provide a discretionary total of \$67.4 billion to the Department of Education, which is \$12.1 billion (15%) below the FY2023 enacted level and \$22.6 billion below President Joe Biden's Budget Request. Specifically, the bill:

- Reduces funding by \$14.7 billion (80%) for Title I grants for states with schools in which children from low-income families make up at least 40% of enrollment
  - House Republicans claim that \$31 billion provided during the pandemic remains unspent and that further investments will not be provided until these funds are used responsibly.
- Eliminates funding for the following programs: teacher training programs, the Federal Work-Study Program, the Federal Supplemental Educational Opportunity Grants, Promise Neighborhoods, and Child Care Access Means Parents in School
- Maintains funding for school safety programs, charter schools, and the Impact Aid Program
- Maintains funding of \$14.2 billion to provide support for local school districts to meet their commitment to educating all children with disabilities
- Maintains funding for career and technical training grants that support local programs for students who are not seeking a college degree
- Maintains funding for Pell Grants at the maximum amount of \$6,335 per award
- Reduces funding for the Office for Civil Rights by 25% from the FY2023 enacted level

The proposed legislation would effectively slash federal education funding to below the 2006 level, with Appropriations Committee Democrats predicting that the measure could force a nationwide reduction of 220,000 teachers from classrooms serving low-income students.

The legislation that suspended the debt ceiling through January 1, 2025, requires nondefense spending to be flat for FY2024 and caps the total spending increase for FY2025 at 1%, but GOP legislators are working to cut as much spending as possible.

It is important to note that this is the House Republican's proposal for the FY2024 budget, and they still need to work with the Senate and the White House before sending President Biden the FY2024 budget package before October 1, 2023, which marks the beginning of FY2024.

*Leilani Aguinaldo*

## **Accelerating UTK . . . “Wait, WHAT?!”**

By Danyel Conolley, Patti F. Herrera, EdD, and Wendi McCaskill  
School Services of California Inc.’s *Fiscal Report*  
July 19, 2023

Since publishing our July 2023 *Fiscal Report* article, “[State Budget Affects UTK Acceleration](#),” we have received several Ask SSCs about the practical impact of the change to enroll four-year-old children in transitional kindergarten (TK) whose fifth birthdays occur during the summer months. Prior to discussing the frequently asked questions (FAQ) about the law change to TK, and more specifically for local educational agencies (LEAs) that want to accelerate universal transitional kindergarten (UTK) before 2025, and its implications for program design and local resources, we emphasize the importance of timing and highlight that the 2023-24 school year begins with TK rules that are distinctly different from the close of 2022-23. While some of the changes in the 2023-24 Enacted Budget bring flexibility related to the TK certification requirement for TK teachers, the changes to class size ratio and class size require close inspection if your LEA is planning to accelerate UTK by offering early admission to children who turn four years old between June 2 and September 1 in the year in the year preceding TK. If your LEA is impacted by any of the changes discussed in this FAQ, local program, staffing, and facilities, changes may be required immediately.

**Q:** My district has been enrolling children whose fifth birthdays occur after the legal cut-off date but during our school year (our school year ends June 6) as previously the law allowed us to enroll children with fifth birthdays occurring before July 1. Will my LEA be penalized for serving these children under the rules that existed in previous years?

**A:** You are correct that before the signing of the 2023-24 education omnibus budget trailer bill (Senate Bill 114), law allowed LEAs to enroll children in TK the year before they turned five as long as their fifth birthdays occurred during that same school year (Education Code Section [EC §] 48000[c][2]) under the existing average class size maximums (24 students) and classroom ratios (12:1). The changes ushered in with the enactment of the new law only apply to TK programs offered in school years 2023-24 and 2024-25.

**Q:** Does the new early enrollment rules affect how we serve early enrollment children with birthdays between June 2 and June 6 for the upcoming 2023-24 school year?

**A:** Yes. For the 2023-24 and 2024-25 school years, EC § 48000.15 creates a new definition of “early enrollment children” as children whose fourth birthdays occur between June 2 and September 1 in the year preceding TK. This means any classroom in which an early enrollment TK child is enrolled must adhere the stricter requirements, including the lower (10:1) classroom ratios and class size maximum of 20 students. We recognize that this changes prior TK classroom design and practice for LEAs that had been leveraging expanded TK authority since 2015. We further recognize that not all LEAs have elected to accelerate UTK before 2025 so the 10:1 ratio and 20-student class size maximum may not impact all at this time. However, should this change stress staffing and facility resources at maximum for those impacted, evaluating placement of early enrollment children could yield viable solutions. Recall that classrooms that do not include early enrollment TK children are required to maintain 12:1 classroom ratios and average maximum enrollment of 24 students.

**Q:** Can you be more specific about how the new requirements will affect my TK classrooms and resources?

**A:** Yes—our interpretation of the new law will impact both personnel and facilities resources.

For personnel, LEAs may need to hire certificated employees with a multiple subject credential, who then may be subject to acquiring the additional qualifications to teach TK by August 1, 2025, for new TK classrooms needed to serve early enrollment children—either as stand-alone classrooms or as classrooms that serve a combination of TK-eligible students and early enrollment children. Additionally, if an LEA maximizes classroom enrollment at 20 students for classrooms serving early enrollment children, the LEA also would need to hire an additional adult (classified or credentialed) to meet the lower classroom ratio requirement of ten students for every one adult.

For facilities, LEAs may need to find new classrooms to be able to serve their total TK population, including early enrollment children. This would be true in instances where classrooms enroll a combination of TK-eligible children and early enrollment children, which may have been capped at an average of 24 students prior to this change in law for LEAs that were admitting children with birthdays through June 30. When a classroom serves at least one early enrollment child, enrollment for that classroom is now capped at 20 students, which means that the LEA would need to move four students into another space in order to comply with the class size maximum requirement.

The need for additional classroom space would also apply to stand-alone classrooms serving early enrollment children. LEAs may opt to minimize the impact of the new law on other TK classrooms serving TK-eligible students so as to leverage larger class sizes and higher classroom ratios, which would then mean that they would need to find additional classrooms to accommodate early enrollment TK children.

## **Options for Serving Early Enrollment TK Children**

### Preschool Enrollment or CSPP-TK Combination Classrooms

Importantly, the new law requires LEAs operating California State Preschool Programs (CSPPs) to concurrently offer to inquiring families the option of enrolling their child(ren) in CSPP. Furthermore, the LEA may enroll early enrollment children in CSPP if the LEA’s program has room even if the family does not qualify for CSPP, as long as all CSPP-eligible children are served first.

Existing law also authorizes LEAs to comingle CSPP and TK classrooms per EC § 48000(h), which may help an LEA maximize personnel and facilities. LEAs electing to comingle classrooms must adhere to all program standards for CSPP and TK, including child assessments and lower adult-to-child ratios (8:1) for CSPP, as well as class size maximums (20 students) for classrooms serving early enrollment children.

LEAs that do not operate a CSPP but operate fee-based preschool programs may also offer to children of inquiring families in their fee-based programs.

We reiterate our understanding that the new early enrollment TK requirements come as you are preparing to open your school gates for the 2023-24 year. We hope we have at least provided some needed clarity and some ideas about how to best leverage the programs you offer to maximize your local resources.

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## **State Budget Affects UTK Acceleration**

By Patti F. Herrera, EdD, and Wendi McCaskill  
School Services of California Inc.'s *Fiscal Report*  
July 13, 2023

When Governor Gavin Newsom signed the last of the bills that make up the 2023-24 Enacted Budget, he also signed into law new requirements for school districts and charter schools seeking to accelerate the state's timeline for achieving universal transitional kindergarten (UTK) by the 2025-26 school year.

In response to calls from local administrators who are heeding requests from families to serve their children who are not yet age-eligible for transitional kindergarten (TK), the state has lifted the existing ban on enrolling children whose fifth birthdays occur later than June 30 after the start of the school year (see "[Ask SSC...Can I Enroll All Four-Year-Olds in TK Next School Year?](#)" in the February 2022 *Fiscal Report*). In exchange for the legal authority to serve what are now called "early enrollment child[ren]", the 2023-24 education omnibus budget trailer bill (Senate Bill 114), requires school districts and charter schools to meet certain conditions or risk fiscal penalties.

### **Conditions for Accelerating UTK**

In order for school districts and charter schools to enroll "early enrollment children," defined by Education Code Section 48000.15 as a child whose fourth birthday occurs between June 2 and September 1 preceding their TK year, school districts and charter schools must meet stricter classroom ratios and class size requirements. Specifically, school districts and charter schools electing to accelerate UTK must, for any classroom in which an early enrollment child is enrolled:

- Maintain TK classroom ratios of 1 adult to 10 pupils
- Maintain a class enrollment of no more than 20 pupils
- For the 2023-24 and 2024-25 school years, report to the California Department of Education (CDE) the number of teachers in TK classrooms with early enrollment children that do not have the additional qualification requirements for TK teachers, such as having 24 higher education units in child development or early childhood education

To the extent that local educational agencies do not comply with the classroom ratio and maximum class enrollment requirements, fiscal penalties would be assessed in like manner to existing adult-to-pupil and class size penalties for TK, adjusted to fit the lower ratio and class size requirements. More specifically, any TK classroom with "early enrollment children" must maintain an adult-to-pupil ratio of 1 to 10 and a class enrollment of no greater than 20 pupils. This is in contrast to the site average adult-to-pupil ratio requirement of 1 to 12 and the site average class size requirement of 24 for TK classrooms that do not include "early enrollment children."

Importantly, "early enrollment children" do not generate attendance for funding and are not included in unduplicated pupil counts; thus, school districts and charter schools that incur penalties due to noncompliance with these new requirements would be incurring them for students who do not generate revenue.

**Penalties for Noncompliance**

As specified in law, the new penalties for noncompliant early enrollment TK requirements are computed in the table below:

<b>Adult-to-Pupil Ratio and Class Size Requirements and Penalties for Classes With an Early Enrollment Child(ren) in 2023-24 and 2024-25</b>		
	<b>Classes With Early Enrollment Child(ren)</b>	<b>Penalty Calculation</b>
<b>Classroom Ratio Requirement</b>	<b>10:1</b>	Number of additional adults needed to meet the ratio X 20 minus prior-year statewide K-8 absence rate X LCFF <sup>1</sup> TK add-on per ADA <sup>2</sup> rate
<b>Class Size Requirement</b>	<b>Maximum of 20 per class</b>	TK ADA as of P-2 <sup>3</sup> for classrooms with early enrollment child(ren) X LCFF TK GSA <sup>4</sup> per ADA rate

<sup>1</sup>Local Control Funding Formula

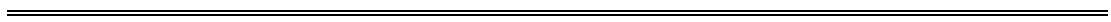
<sup>2</sup>Average Daily Attendance

<sup>3</sup>Second Principal (Apportionment)

<sup>4</sup>Grade Span Adjustment

These requirements will be part of a school district’s or charter school’s annual independent audit. If a school district or charter school is found to be noncompliant with either or both requirement(s), the CDE will reduce their LCFF apportionment according to the penalty calculations. We expect the 2023-24 Audit Guide Supplement, which should be released in March 2024, to include audit procedures to determine compliance with the “early enrollment child” TK class size and adult-to-student ratio requirements.

We will be covering this important change along with other changes to TK in our upcoming [School Finance Conference](#) on July 20, 2023. We hope you will join us!



*Note: After the Temecula Valley Unified School Board again rejected the adoption of a new social studies textbook, Governor Newsom announced that the state has ordered the purchase of textbooks for the district and will bill them \$1.6 million.*

## **Newsom Vows Again to Send Social Studies Textbooks to Temecula Valley Unified with Hefty Fine**

*Announcement follows school board's rejection again of teachers' recommendation*

By John Fensterwald  
*EdSource*  
July 19, 2023

Less than 24 hours after the Temecula Valley Unified school board again rejected the adoption of a new social studies textbook, Gov. Gavin Newsom announced Wednesday he has ordered the purchase of the K-5 textbook Social Studies Alive! and would bill the district \$1.6 million for the cost.

He also added a \$1.5 million fine that, at least for the moment, he lacks the authority to impose.

“The three political activists on the school board have yet again proven they are more interested in breaking the law than doing their jobs of educating students — so the state will do their job for them,” said Newsom in a press release.

The announcement amps up the volume in the dispute between Newsom and a three-member conservative majority that took over control of the five-member board in December.

Joseph Komrosky, the president of the board, cited the inclusion in supplementary materials of Harvey Milk, the first gay politician elected in California whom Komrosky disparaged as a “pedophile,” as a reason for vetoing the textbook.

This year, Newsom, a strong advocate for LGBTQ rights, proclaimed May 22 as Harvey Milk Day to honor the activist and San Francisco city supervisor who was assassinated in 1978.

Anticipating that Newsom would go ahead and send the books to the district, as he had already vowed, Komrosky said Tuesday that he had directed the district to send them back. Interim Superintendent Kimberly Velez reminded him that to do so, the board would have to vote at a future meeting. Velez took over after the three-member majority fired existing Supt. Jodi McClay without citing a reason last month.

During the raucous meeting that reflected bitter divisions in the 28,000-student district in Riverside County, the board majority repeated a similar vote two months ago. It rebuffed the recommendation of 47 district teachers in a review committee to buy the K-5 textbook Social Studies Alive!

Board member Allison Barclay, one of the two dissenters, criticized the rejection of the teachers' recommendation.

“Tonight is another example of the division being caused by this board. It’s really unfortunate,” she said. “I have been open to working together. It isn’t happening. Logic doesn’t work. Compromise doesn’t work.”

The textbook for elementary grades is one of four that the state board authorized in 2017. Temecula Valley teachers taught it in 18 schools during a nine-week pilot program. Parents were allowed to review the materials in March and April; nearly all of those who did were either supportive or neutral about it, the committee reported.

The board's decision leaves the district with a 2006 textbook that doesn't meet the current California History-Social Studies Framework or incorporate the 2012 California FAIR Education Act, which requires that social studies curriculums acknowledge the role and contributions of lesbian, gay, bisexual and transgender Americans, along with individuals with disabilities and other ethnic and racial groups.

In the past, the state cited a district's shortage of textbooks for all students as the cause to order districts to buy a sufficient number. Newsom is applying the term insufficiency to textbooks that fail to meet current content requirements.

Newsom spokesperson Izzy Gardon acknowledged this was an unusual, if not unprecedented application. "The state has rarely – if ever – dealt with a governing board so willfully flouting state laws and the basic standards of school governance," he wrote in an email. "The board — derelict in its statutory duty — is bigfooting educators and parents, who overwhelmingly supported, and requested the adoption of the updated curriculum."

An unknown number of districts are also using outdated textbooks or early literacy curriculums with disproven reading techniques. Gardon said the administration doesn't intend to respond similarly to them.

"What's happening in Temecula is unique, and the governor's goal is to keep it that way," Gardon wrote. The response is warranted by the board's "derelict" response to the teachers' overwhelming recommendation, he said.

Gardon said the state has the authority to order sufficient textbooks and to deduct the money from a district's school funding. He acknowledged that the authority to levy a penalty will depend on the passage of Assembly Bill 1078, authored by Assemblyman Corey Jackson, D-Perris. It would reaffirm "the power to ensure that local educational agencies comply with laws supporting pupils' right to receive accurate and inclusive education in California's schools."

As currently drafted, the bill would build on an existing process for the public to file a complaint against a school district for insufficient textbooks. If found in violation, the county would order up-to-date curriculum materials and bill the district. If a board continually fails to remedy the problem, the state could impose a fine equal to the funding a district receives from the state for instructional materials. For good measure, the district would be required to post public notices listing the names of negligent board members.

### **Newsom: pass it with urgency**

Newsom and State Superintendent of Public Instruction Tony Thurmond back the bill, which may be amended over the next several weeks in response to concerns by school organizations. Newsom favors adding an urgency clause so that the bill would take effect immediately upon passage.

Troy Flint, chief communications officer of the California School Boards Association, said CSBA would review Newsom's statement and "will be advocating on the issue outside of a public debate."



Komrosky could not be reached for comment Wednesday. But at the meeting Tuesday, the other two members of the majority indicated they remained open to adopting Social Studies Alive! – but not before the opening of school, as Newsom demanded.

Board member Jennifer Wiersma said she wanted to hear from more parents who hadn't participated in the pilot project. She said she was concerned there was no mention in the textbooks of "American exceptionalism" – the view dating back to its founding that America is a unique and special nation – and dissenting views on global warming.

"I don't see all the things we need to see. We are going to hit the standards, but if we are totally going to utilize (the new textbook), we need to talk about bias. I don't see a fair and balanced viewpoint. I don't see the civics."

Board member Danny Gonzalez said he would approve the proposed curriculum if the board adopted a policy prohibiting the discussion of sex or sexuality preferences through the fourth grade.

Dean Broyles, an attorney who focuses on constitutional issues involving religious freedom and founded the nonprofit National Center for Law and Policy in Escondido, said AB 1078 would significantly erode the power of districts, under local control, to decide what it must teach and at what grade.

"Under the FAIR Act, school boards could decide when it is age-appropriate to introduce LGBTQ issues," he said. "The majority of the Temecula Valley board is saying, 'We don't want to use this book for kindergartners through fifth graders.' They're not saying we're not going to comply with the FAIR Act."

"What AB 1078 does," Broyles said, "is give the California Department of Education and county offices of education the authority to monitor school districts and enforce compliance with the law based on viewpoints on LGBTQ issues that many Californians disagree with."

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*Note: The 2023-24 State Budget package includes a new mandate to require schools to screen for dyslexia in grades K-2 beginning with the 2025-26 school year.*

## **California Joins 40 States in Mandating Dyslexia Screening**

By Elizabeth Heubeck  
*Education Week*  
July 12, 2023

California Gov. Gavin Newsom this week signed into law a bill that will require schools to implement universal screening in kindergarten through 2nd grade for reading delays, including the risk of dyslexia.

With the bill signing, the nation's most populous state joins 40 others that have laws requiring dyslexia screening in early grades. These brief evaluations determine a student's level of risk for reading problems in general and the potential risk of dyslexia, according to the National Center on Improving Literacy, and are not intended to replace more thorough assessments that can diagnose reading disorders.

Screening advocates in California are celebrating the long-anticipated decision.

“Required universal screening marks a great achievement for California, making early intervention possible and is a first step in addressing reading failure,” wrote Megan Potente, co-state director of advocacy group Decoding Dyslexia CA, in a blog post.

### **A state slow to adopt policies related to evidence-based reading**

The legislation has been a long time in the making, and marks a change for a state that has a long history of back-and-forth on reading instruction. Its 1987 language arts framework helped usher in whole language across the state—an approach that prioritizes meaning and context clues over systematic instruction, and that dyslexia advocates say can hinder children with reading challenges from making progress.

This February, Sen. Anthony Portantino (D-Burbank), presented legislation around dyslexia screening—the fourth attempt to get such legislation passed in California, according to Potente. Compared to many other states, California in recent years also has been slow to adopt other policies related to evidence-based reading.

Notably, California was not among the 18 states and the District of Columbia that, during the COVID-19 pandemic, signaled plans to make the “science of reading” a policy priority by announcing the use of American Rescue Plan funds or other COVID stimulus money to support early literacy work, including evidence-based reading instruction, as reported by Education Week.

The science of reading refers to a large body of cognitive and neuroscience research on how children learn to read. Generally, teachers instruct children systematically through sound-letter combinations and how they combine to make words. All the while they’re building students’ vocabulary and knowledge about the world to help them understand what they read.

California has generally resisted the recent movement towards shifting reading instruction through legislation. In a 2022 Education Week analysis of state legislation and policy on evidence-based reading methods, California had only instituted mandates on teacher preparation and teacher certification. Other states have also changed professional development and coaching, assessment, materials, and/or instruction and intervention.

### **Resistance prevented earlier passage of screening mandate**

The California Teachers Association, the state teachers’ union, has resisted previous legislation on dyslexia screening. An excerpt from a June 2021 memo to the state assembly’s education committee reads: “[The legislation] is unnecessary, leads to over-identifying dyslexia in young students, mandates more testing, and jeopardizes the limited instructional time for students.”

This past March, CTA spokesperson Claudia Briggs made clear the union’s concerns over proposed mandatory dyslexia screening.

“There aren’t enough screeners,” she said. “It’s taking up class time [for teachers to screen].”

### **Gathering support, momentum**

Gov. Newsom’s revised budget announcement this May allotted \$1 million to fund the screening program—including a panel that would select a screening tool, relevant teacher training, and requisite screening of all children in kindergarten through 2nd grade for risks of dyslexia and associated reading delays, beginning in 2025-26. The funding helped ease the union’s concerns about implementation.

Potente echoed praise for Newsom. “His support really was the difference-maker and it resulted in important discussions about how to make K-2 screening for reading difficulties, including risk of dyslexia, culturally and linguistically appropriate to meet the needs of California’s diverse population,” Potente wrote in an email.

In addition to the governor’s backing, Decoding Dyslexia CA garnered support for the legislation from more than 50 local organizations.

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: July 28, 2023

Prepared by: Kim Kelstrom, Chief Executive



Phone Number: 457-3907

Cabinet Approval:



Regarding: Joint Health Management Board Financial Updates

The purpose of this board communication is to provide the Board the Joint Health Management Board's (JHMB) financial updates reported at the June 22, 2023 JHMB meeting.

The Third Quarter Health Fund Report for the 2022/23 fiscal year provides a review of actual JHMB income and expenditures from July 01, 2022 through March 31, 2023. It also provides projected income and expenditures for the entire fiscal year 2022/23 compared to the budget for the same time period (Attachment I). Per the language in each of the district's collective bargaining agreements, the attached is provided by the health plan consultant.

The report further shows a projected year-end surplus of \$34.9 million, an increased savings of \$4.9 million compared to the current approved budget. The main drivers for the savings are lower medical costs offset by slightly higher prescription and mental health services.

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 Deputy Superintendent

Misty Her



Date: 07/28/23

**MEMORANDUM**

**TO:** Joint Health Management Board – Employee Unit Representatives  
**FROM:** Giovanni Pacheco, Principal  
**DATE:** June 22, 2023  
**RE:** Quarterly Health Fund Report for July 1, 2022 through March 31, 2023

Attached is the Quarterly Health Fund Report for the third quarter of the 2022/23 fiscal year for the JHMB. This report provides a review of Income and Expenditures compared to Budget for the 2022/23 fiscal year. The Plan is managed by the Joint Health Management Board. We continue to modify and update the format as we work through all the aspects of managing the coverage and funding the Plan.

Adjusting for the tenthly District contributions, the first nine months of the year are showing a surplus of \$28,831,983 compared to the budget surplus of \$30,046,114 million for the fiscal year. Plan income is projected to be 0.03% higher than the annual budgeted amount per Active for the full fiscal year, while plan expenses are expected to be 2.59% below budget on a per capita basis at the end of the year. The attached exhibit provides detailed information and is summarized in the table below.

Please note that the figures contained in this report are based on data available to the JHMB. Audited figures may differ from those set forth in this report.

	<b><u>Third Quarter of 2022/23 Fiscal Year (Actual)</u></b>	<b><u>Budget (Projected Period)</u></b>
	<b><u>July 1, 2022 – March 31, 2023</u></b>	<b><u>July 1, 2022 – June 30, 2023</u></b>
Income <sup>1</sup>	\$169,863,811	\$228,667,750
Expenditures	\$141,031,828	\$198,621,636
Surplus / (Deficit)	\$28,831,983	\$30,046,114
Transfer of Reserves	\$0.00	\$0.00
Net Surplus / (Deficit)	\$28,831,983	\$30,046,114
Encumbered Reserves	\$87,107,727	\$92,431,928
Unencumbered Reserves	\$98,129,383	\$99,343,514
Total Reserves	\$185,237,110	\$191,775,442

<sup>1</sup>Income amount has been annualized to account for the tenthly District contributions

Please note that expenses shown in the vendor reports can differ slightly from the paid amounts shown in the District's Monthly Financial Report, as adjustments, credits, and delayed postings on the vendor side result in differences in the monthly costs compared to the amounts shown as paid by the District. The annual costs shown in this report have been adjusted to account for these differences and match the audited year-end financial report prepared by the District.

**Definitions**

**Encumbered Reserves:** A part of the Total Reserves amount that includes money held to cover the Incurred But Not Reported (IBNR) liability as well as assets held in the OPEB Irrevocable Trust.

**Unencumbered Reserves:** A part of the Total Reserves amount and is money that is available to pay claims in excess of Encumbered Reserves. This reserve covers the claim fluctuation and unexpected contingencies and is available to cover future cost increases to the Plan.

**Total Reserves:** represents the combination of Encumbered and Unencumbered Reserves. This is the amount that represents the Plan's ability to meet future contingencies and obligations.

Encls.

	Current Period				Current + Projected Period				Budget		
	Jul-22 - Mar-23	Tenthly Cost per Active	Monthly Cost per Active	Difference from Budget <sup>3</sup>	Jul-22 - Jun-23	Tenthly Cost per Active	Monthly Cost per Active	Difference from Budget <sup>3</sup>	Jul-22 - Jun-23	Tenthly Cost per Active	Monthly Cost per Active
	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)
<b>Number of Employees</b>	Employees	Dependents	Members		Employees	Dependents	Members		Employees	Dependents	Members
1. Actives	8,444	13,340	21,784		8,467	13,367	21,835		8,551	13,685	22,236
2. Retirees	5,647	3,207	8,855		5,655	3,213	8,868		5,641	3,343	8,983
3. Monthly Average	14,091	16,547	30,639		14,122	16,581	30,703		14,192	17,028	31,219
<b>INCOME</b>											
4. Employer Contributions <sup>1</sup>	\$135,982,706	\$2,147.21	\$1,789.34	-6.71%	\$194,928,983	\$2,302.15	\$1,918.46	0.02%	\$196,809,816	\$2,301.60	\$1,918.00
5. Employee Contributions	15,666,088	247.37	206.14	-1.05%	21,254,441	251.02	209.18	0.41%	21,376,912	249.99	208.33
6. Retiree Contributions	3,305,192	52.19	43.49	-4.14%	4,412,862	52.12	43.43	4.00%	4,285,227	50.11	41.76
7. COBRA Contributions	886,081	13.99	11.66	192.34%	1,184,679	13.99	11.66	192.34%	409,252	4.79	3.99
8. Prescription Rebates	0	0.00	0.00		0	0.00	0.00		0	0.00	0.00
9. Insurance Revenue	166,031	2.62	2.18		166,031	1.96	1.63		0	0.00	0.00
10. Low Income Premium Subsidy	1,346,694	21.26	17.72	-9.95%	1,851,497	21.87	18.22	-7.40%	2,019,213	23.61	19.68
11. Other Income	34,566	0.55	0.45	-95.45%	290,545	3.43	2.86	-71.39%	1,025,595	11.99	9.99
12. Interest	767,409	12.12	10.10	5.67%	1,026,016	12.12	10.10	5.67%	980,566	11.47	9.56
13. Zelis Credit Rebates	66,565	1.05	0.88	-15.23%	93,027	1.10	0.92	-11.39%	106,024	1.24	1.03
14. Active Reserve Assessment <sup>6</sup>	745,529	11.77	9.81	-1.88%	830,899	9.81	8.18	-18.21%	1,025,941	12.00	10.00
15. Retiree Reserve Assessment <sup>6</sup>	389,320	6.15	5.12	-16.45%	446,100	5.27	4.39	-28.40%	629,204	7.36	6.13
16. Authorized Transfer to Reserves <sup>2</sup>	0	0.00	0.00		0	0.00	0.00		0	0.00	0.00
17. Inter-District Transfer	0	0.00	0.00		0	0.00	0.00		0	0.00	0.00
18. Total Income	\$159,356,182	\$2,516.28	\$2,096.90	-5.90%	\$226,485,081	\$2,674.84	\$2,229.03	0.03%	\$228,667,750	\$2,674.16	\$2,228.47
<b>EXPENSES</b>											
<b>Benefits</b>											
19. Active Medical Claims	\$52,664,482	\$831.59	\$692.99	-8.77%	\$70,174,241	\$828.77	\$690.64	-9.08%	\$77,943,982	\$911.52	\$759.60
20. Retiree Medical Claims	16,025,391	253.05	210.87	-3.26%	21,295,055	251.50	209.58	-3.85%	22,366,718	261.57	217.97
21. Kaiser Health Plan	14,097,339	222.60	185.50	7.21%	18,856,615	222.70	185.58	7.25%	17,755,101	207.64	173.03
22. Active Prescription Drug	16,415,777	259.21	216.01	8.24%	22,079,208	260.76	217.30	8.89%	20,477,447	239.47	199.56
23. Retiree Prescription Drug	13,960,168	220.28	183.56	3.54%	18,799,623	222.03	185.02	4.37%	18,191,217	212.74	177.28
24. EGWP Premium	5,828,574	92.03	76.70	-0.03%	7,833,969	92.52	77.10	0.50%	7,871,977	92.06	76.72
25. Prescription Drug Fee	88,860	1.40	1.17	-66.45%	172,630	2.04	1.70	-51.25%	357,640	4.18	3.49
26. Blue Cross/Aetna PPO Fee	2,059,224	32.52	27.10	16.22%	2,667,137	31.50	26.25	12.59%	2,392,295	27.98	23.31
27. Delta Health Admin	2,012,749	31.78	26.48	-8.29%	2,758,578	32.58	27.15	-5.99%	2,963,448	34.66	28.88
28. Claremont EAP	247,273	3.90	3.25	-17.83%	342,991	4.05	3.38	-14.76%	406,344	4.75	3.96
29. Halcyon Mental Health	3,952,103	62.40	52.00	17.31%	5,323,927	62.88	52.40	18.20%	4,548,695	53.19	44.33
30. PhysMetrics	549,202	8.67	7.23	-8.46%	753,967	8.90	7.42	-6.01%	810,103	9.47	7.89
31. Standard Life Insurance	442,855	6.99	5.83	-4.18%	586,111	6.92	5.77	-3.19%	573,967	6.71	5.59
32. Delta Dental Claims	6,234,413	98.44	82.04	-6.31%	8,304,328	98.08	81.73	-6.66%	8,984,484	105.07	87.56
33. Delta Dental Admin Fees	376,125	5.94	4.95	-1.69%	495,145	5.85	4.87	-3.21%	516,608	6.04	5.03
34. Pacific Union Dental	474,497	7.49	6.24	11.44%	620,354	7.33	6.11	8.97%	574,931	6.72	5.60
35. MES Vision	1,097,957	17.34	14.45	12.07%	1,428,667	16.87	14.06	9.07%	1,322,838	15.47	12.89
36. Stop Loss Premium	1,032,552	16.30	13.59	-36.61%	1,638,964	19.36	16.13	-24.75%	2,199,481	25.72	21.43
37. Community Medical Provider	550,010	8.68	7.24	-43.13%	876,500	10.35	8.63	-32.22%	1,305,960	15.27	12.73
38. WellPATH	91,691	1.45	1.21	-77.27%	227,854	2.69	2.24	-57.75%	544,652	6.37	5.31
39. Transfer out to OPEB	1,000,000	15.79	13.16	-32.49%	2,000,000	23.62	19.68	0.99%	2,000,000	23.39	19.49
40. Transfer out to IBNR	0	0.00	0.00	-100.00%	1,824,201	21.54	17.95	0.99%	1,824,201	21.33	17.78
41. ACA PCORI Fee	67,478	1.07	0.89	3.57%	67,478	0.80	0.66	-22.54%	87,973	1.03	0.86
42. Total Benefits, Premiums & Fees	\$139,258,722	\$2,198.94	\$1,832.45	-4.08%	\$189,127,542	\$2,233.64	\$1,861.36	-2.56%	\$196,020,062	\$2,292.36	\$1,910.30
<b>Operating Expenses</b>											
43. Salaries	\$444,370	\$7.02	\$5.85	-6.63%	\$605,025	\$7.15	\$5.95	-4.92%	\$642,618	\$7.52	\$6.26
44. Staff Benefits	268,769	4.24	3.54	4.51%	355,577	4.20	3.50	3.42%	347,233	4.06	3.38
45. Supplies	2,405	0.04	0.03	-37.32%	3,700	0.04	0.04	-27.87%	5,181	0.06	0.05
46. Auditor	25,000	0.39	0.33	27.93%	31,597	0.37	0.31	20.93%	26,397	0.31	0.26
47. Delta Fund Administrator Fees	204,995	3.24	2.70	0.52%	279,197	3.30	2.75	2.40%	275,351	3.22	2.68
48. MMA Consultant Fees	136,512	2.16	1.80	-10.65%	205,530	2.43	2.02	0.62%	206,292	2.41	2.01
49. Claremont Partners: General	415,409	6.56	5.47	-6.31%	568,590	6.72	5.60	-6.13%	611,715	7.15	5.96
50. Claremont Partners: PBM Consulting (PSG)	0	0.00	0.00		0	0.00	0.00		0	0.00	0.00
51. Taylor English Duma Legal Fees	61,467	0.97	0.81	-21.24%	87,810	1.04	0.86	-15.84%	105,372	1.23	1.03
52. KHK Law: Outside Counsel	9,618	0.15	0.13	-62.89%	35,000	0.41	0.34	0.99%	35,000	0.41	0.34
53. JHMB Training / Education Expenses	27,603	0.44	0.36	74.06%	32,956	0.39	0.32	55.43%	21,412	0.25	0.21
54. Other Operating Expenses	174,632	2.76	2.30	-25.58%	253,837	3.00	2.50	-19.09%	316,823	3.71	3.09
55. Communications	2,327	0.04	0.03	-61.63%	4,375	0.05	0.04	-16.06%	8,190	0.10	0.08
56. Total Operating Expenses	\$1,773,107	\$28.00	\$23.33	-7.97%	\$2,463,193	\$29.09	\$24.24	-4.38%	\$2,601,574	\$30.42	\$25.35
57. Total Expenses	\$141,031,828	\$2,226.94	\$1,855.78	-4.13%	\$191,590,735	\$2,262.73	\$1,885.61	-2.59%	\$198,621,636	\$2,322.79	\$1,935.66
58. Surplus / (Deficit) <sup>4</sup>	\$18,324,353	\$289.35	\$241.12	88.50%	\$34,894,346	\$412.11	\$343.42	84.59%	\$30,046,114	\$351.38	\$292.81
<b>Beginning Reserve Balance</b>											
59. Encumbered Reserves											
60. OPEB Irrevocable Trust	\$63,880,407				\$63,880,407				\$63,880,407		
61. Reserve Liability for IBNR	\$23,227,320				\$23,227,320				\$23,227,320		
62. Total Encumbered Reserves	\$87,107,727				\$87,107,727				\$87,107,727		
63. Unencumbered Reserves	\$69,297,400				\$69,297,400				\$69,297,400		
64. Total Reserves	\$156,405,127				\$156,405,127				\$156,405,127		
65. Operating Surplus / (Deficit)	\$18,324,353				\$34,894,346				\$30,046,114		
66. Transfer In from Reserves	\$0				\$0				\$0		
67. Adjusted Unencumbered Reserves	\$87,621,753				\$104,191,746				\$99,343,514		
68. Target Unencumbered Reserves <sup>5</sup>	\$31,340,406				\$31,931,789				\$33,103,606		
<b>Ending Reserve Balance</b>											
69. Encumbered Reserves											
70. OPEB Irrevocable Trust	\$63,880,407				\$67,380,407				\$67,380,407		
71. Reserve Liability for IBNR	\$23,227,320				\$25,051,521				\$25,051,521		
72. Total Encumbered Reserves	\$87,107,727				\$92,431,928				\$92,431,928		
73. Unencumbered Reserves	\$87,621,753				\$104,191,746				\$99,343,514		
74. Total Reserves	\$174,729,480				\$196,623,674				\$191,775,442		

<sup>1</sup> Current + Projected Period amount calculated based on tenthly budget amounts, not monthly

<sup>2</sup> District contribution subject to final negotiations

<sup>3</sup> Difference from Budget percentages calculated based on Monthly Cost per Active

<sup>4</sup> Surplus / (Deficit) percentage calculated as Total Expenses (row 58) divided by Total Budgeted Income (row 18)

<sup>5</sup> Target Unencumbered Reserved calculated as 2.0 months of total annual expenses.

<sup>6</sup> Current + Projected period only includes \$10 assessment fee through April 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  
Prepared by: Ashlee Chiarito, Executive Officer  
Cabinet Approval:

Date: July 28, 2023

Phone Number: 457-3661

Regarding: July Legislative Committee Meeting

The purpose of this board communication is to provide the Board information shared at the July 13, 2023, Legislative Committee Meeting.

**Budget and Economic Update** – Ms. Leilani Aguinaldo provided an update on the 2023/24 State Budget. The state budget was enacted on July 10, 2023. New details that emerged from the budget include:

- Provide the statutory 8.22% Local Control Funding Formula (LCFF) cost-of-living adjustment
- Create the “LCFF Equity Multiplier” for LEAs with school sites that have prior-year non-stability rates of 25% and 70% of students who are socioeconomically disadvantaged
- Reduce the Arts, Music, and Instructional Materials Discretionary Block Grant from \$3.56 billion to \$3.36 billion
- Reduce Learning Recovery Emergency Block Grant funds by \$1.1 billion, with the intent to restore \$378.65 million in each of fiscal years 2025/26 to 2027/28
- Universal Transitional Kindergarten extended licenses from 2022/23 to 2024/25 and by 2025/26 will need to have adult to student ratio of 10:1 and cap size at 20 students
- Charter schools were allowed an auto extension for renewals for one additional year

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

- AB 1699 (McCarty) – Oppose – 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
- AB 714 (McCarty) – Support – Requires California Department of Education to issue guidance for resources available for newcomer students
- AB 278 (Reyes) – Support – Requires the creation of a Dream Resource Center at high schools to provide students, including undocumented students, with resources that include financial aid support, social services, state-funded immigration legal services, academic opportunities, and parent and family workshops

The School Services Legislative Committee July 2023 report is attached. The next Legislative Committee meeting is scheduled for August 03, 2023.

If you have any questions pertaining to the information in this communication or require additional information, please contact Ashlee Chiarito at 457-3661 or Patrick Jensen at 457-6226.

Approved by Deputy Superintendent

Misty Her



Date: 07/28/23



# Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING  
JULY 13, 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**  
*Table of Contents*  
**July 12, 2023**

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## New Details Emerge on the 2023-24 State Budget

By: Michelle McKay Underwood

June 27, 2023

A week prior to the new fiscal year, a package of trailer bills was released by the Legislature, reflecting additional details of the 2023-24 State Budget. High-level staff were clear to point out that a final deal has not been reached between the Legislature and Governor Gavin Newsom, but these bills represent the “legislative-executive discussions of recent weeks.”

Within the package, and of the most relevance to education, are Senate Bill (SB) 114 (education omnibus) and SB 115 (Proposition 28 clean-up). Today, June 27, 2023, the Legislature approved SB 114 and SB 115, and they are on their way to Governor Newsom’s desk for his action. It is important to note that while these bills may not be changed by the Governor when they arrive at his desk, as always, subsequent bills could change these provisions.

With these caveats in mind, we believe it is critically important for local educational agencies (LEAs) to understand the framework of the 2023-24 State Budget, as of this writing.

SB 114, which is a 400-page bill making various changes to the Education Code, would:

- Provide the statutory 8.22% Local Control Funding Formula (LCFF) cost-of-living adjustment
- Create the “LCFF Equity Multiplier” for LEAs with school sites that have prior-year nonstability rates of 25% and 70% of students who are socioeconomically disadvantaged
  - This item in particular is significantly different from previous iterations of the Equity Multiplier and relies on a specific definition of “socioeconomically disadvantaged” and the little-known “nonstability rate”
- Reduce the Arts, Music, and Instructional Materials Discretionary Block Grant from \$3.56 billion to \$3.36 billion
- Reduce Learning Recovery Emergency Block Grant funds by \$1.1 billion, with the intent to restore \$378.65 million in each of fiscal years 2025-26 to 2027-28
- Provide \$80 million ongoing to support county court and community school operations
- Delay \$550 million for the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program to 2024-25
- Shift \$1 billion from the Hybrid and Zero-Emission Truck and Voucher Incentive Project and for related infrastructure to 2024-25 and 2025-26
- Make changes to the Expanded Learning Opportunities Program (ELOP), including exempting ELOP from licensing requirements and requiring third-party operators of ELOP to immediately report to their LEA partners any health- or safety-related issues

- Extend the August 1, 2023, deadline for credentialed teachers to earn 24 units (or its equivalent) or a child development teacher permit or an early childhood education specialist credential to August 1, 2025
- Require transitional kindergarten (TK) classrooms to maintain a ratio of 1 adult to 10 students in 2025-26 with the intent to provide funding to pay for the costs associated with lower classroom ratios
- Allow LEAs to enroll children whose fourth birthday falls between June 2 and September 1—or early enrollment children—under certain circumstances in TK
- Extend the term of all charter schools whose petitions expire between January 1, 2024, and June 30, 2027, by one additional year
- Extend the moratorium on nonclassroom-based charter schools by an additional year

SB 115, which is a relatively brief bill clarifying provisions of Proposition 28 for implementation, would:

- Allow Proposition 28 payments to be issued through the Department Principal Apportionment program
- Provide a feasible way to calculate funds for and issue funds to preschool programs
- Clarify methods to collect data on and recover unexpended funds
- Change the responsible party for submitting a waiver from the principal of a school site to the LEA

As the 2023-24 State Budget is finalized over the coming days and weeks, we will dig into the details of these new provisions of law through a series of *Fiscal Report* articles, with an emphasis on the significant changes since the May Revision. Ultimately, the upcoming [School Finance Conference](#) will provide a comprehensive overview of the 2023-24 State Budget, its effects on LEAs, and how to implement these changes locally. Stay tuned.

# FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

## State Revenues Tracking With Projections

By: Patti F. Herrera, EdD and Wendi McCaskill

June 22, 2023

The Department of Finance's (DOF) latest state revenue data suggests that tax receipts for the 2022-23 fiscal year are tracking with revised estimates included in the May Revision. While this is welcome news after consecutive months of collections coming in lower than projections, it is important to remember that the forecast for total state revenues generated from the "Big Three" taxes was adjusted in January and further reduced in May to reflect incoming receipts more accurately. Across the three major taxes, revenue projections declined by over \$12.0 billion from last summer.

### 2022-23 Big Three Taxes Forecast (In millions)

	2022 Enacted Budget	Governor's Budget	May Revision	Difference From Enacted Budget
Personal Income Tax	\$137,506	\$128,905	\$122,769	(\$14,737)
Corporation Tax	\$38,464	\$38,482	\$42,091	\$3,627
Sales and Use Tax	\$33,992	\$32,851	\$33,072	(\$920)
<b>TOTAL</b>	<b>\$209,962</b>	<b>\$200,238</b>	<b>\$197,932</b>	<b>(\$12,030)</b>

Source: 2022-23 Governor's Budget and May Revision General Fund Revenue Forecast

Nevertheless, the latest state revenues indicate that updated forecasts better reflect actual collections. According to the DOF, year-to-date revenues for the 2022-23 fiscal year are \$195 million below estimates; however, \$173 million of the shortfall is attributable to a processing delay in May income tax withholdings. Without the delay, revenues would have been only \$22 million below estimates. The DOF also highlights that personal income and corporate income tax refunds were also \$813 million higher than projections at the end of May but warns readers that the state will not know its full revenue picture until after all 2022 taxes are filed in October since nearly all residents and some corporations were granted filing extensions. Below are the year-to-date and May receipts for the "Big Three" taxes.

	May 2023		2022-23 Year-to-Date	
	Forecast	Actual	Forecast	Actual
Personal Income Tax	\$5,849	\$5,672	\$85,622	\$85,252
Corporation Tax	\$753	\$600	\$23,670	\$23,516
Sales and Use Tax	\$4,336	\$4,281	\$31,318	\$31,263

Despite California's softening revenues, the state remains a global economic competitor, maintaining its rank as the 5th largest economy in the world. The state's gross domestic product increased to \$3.6 trillion (up \$225 billion from the previous period). Like the rest of the nation, the

state's economy faces downward pressure from persistently high inflation, which, while abating, is still above the Federal Reserve's target 2.0% rate at 4.0% for the U.S. and at 4.2% for California.

Other key economic indicators tell a mixed story. The labor market remains strong, with U.S. unemployment ticking up modestly to 3.7% in May and California's unemployment rate unchanged at 4.5%. Meanwhile, the state's real estate sector continues to struggle despite recent modest improvements. While single- and multi-family housing permits increased 1% from March 2023, they are still down 21.4% from last April. The median price of a single-family home in California increased 3% from April 2023 to \$836,110 (down 6.4% from last May). Existing family home sales are down 23.6% from last May, while the average year-to-date sales volume is 35.1% lower than the same period last year. The reduction in existing home sales could be driven by homeowners who are reluctant to sell and buy new homes due to higher mortgage rates.



## New Criteria for LCFF Equity Multiplier

By: Dave Heckler

June 30, 2023

One of the key pieces of Governor Gavin Newsom's K-12 education plan in the State Budget is the Local Control Funding Formula (LCFF) Equity Multiplier. The LCFF Equity Multiplier is intended to provide additional ongoing resources to targeted student populations to help close historic disparities in student performance.

In January, Governor Newsom proposed \$300 million ongoing for the grant, with funding based on the number of pupils at schools with a federal free meal eligible percentage of greater than 85% for high schools and 90% for elementary and middle schools.

The education omnibus budget trailer bill ([Senate Bill 114](#)) changes the methodology for determining eligible schools. The LCFF Equity Multiplier will now use stability rate data to direct funding to local educational agencies with schools that have a nonstability rate greater than 25% and more than 70% of their student population identified as socioeconomically disadvantaged.

“Nonstability rate” is defined as “the percentage of pupils who are either enrolled for less than 245 continuous days between July 1 and June 30 of the prior school year or exited from school between July 1 and June 30 of the prior school year due to either truancy, expulsion, or for unknown reasons and without stable subsequent enrollment at another school as identified in the stability rate data file.” For purposes of the LCFF Equity Multiplier, socioeconomically disadvantaged is defined as:

- Neither of the pupil's parents has a high school diploma
- The pupil is eligible for free or reduced-price meals under the federal National School Lunch Program, including by direct certification
- The pupil is a migratory child for purposes of Part C line 37 (commencing with Section 6391) of Subchapter I of Chapter 70 of Title 20 of the United States Code
- The pupil is a homeless child or youth
- The pupil is a foster youth
- The pupil is enrolled in a county juvenile court school

Stay tuned for more details and analysis of the LCFF Equity Multiplier as well as an updated lookup tool listing eligible schools and funding estimates.

## Charter Schools in the 2023-24 State Budget

By: Brianna García

June 29, 2023

While not yet signed by Governor Gavin Newsom, the education omnibus budget trailer bill ([Senate Bill \[SB\] 114](#)) makes numerous changes to charter school law. The following provides an overview of those changes.

### Renewal Extension

Due to the COVID-19 pandemic and suspension of the California School Dashboard (Dashboard) in 2020, Assembly Bill (AB) 130 (Committee on Budget, Statutes of 2021) provided all charter schools whose petitions would have expired on or between January 1, 2022, and June 30, 2025, an automatic two-year extension of their charter petition term. SB 114 extends the term by another year for those charter schools whose term expires on or between January 1, 2024, and June 30, 2027.

### Abuse of Discretion

[AB 1505](#) (O'Donnell, Statutes of 2019) took effect January 1, 2020. In combination with [AB 1507](#) (Smith, Statutes of 2019), these bills provided the first comprehensive changes to charter school law since the inception of the Charter School Act of 1992. Among the changes was a new process for charter petition appeals.

Prior to AB 1505, the typical charter school would apply to a school district and, if denied, submit an appeal to the county board of education. If denied by the county board, it would then submit an appeal to the State Board of Education (SBE). In each case, the county board and SBE were effectively conducting their own independent review of the charter petition. With the implementation of AB 1505, this process changed drastically. While charter schools still submit the appeal to the applicable county board, if the county board denies the appeal and it is submitted to the SBE on appeal, the SBE can only reverse the denial of the charter petition if it determines that the school district and/or county board of education abused their discretion when denying the petition.

SB 114 makes a change to this language. Upon enactment, SB 114 states that the SBE can only reverse the denial of a charter petition if it determines that *both* the county board and school district abused their discretion. In other words, the denial stands if one or the other is not found to have abused their discretion. Further, SB 114 clarifies that abuse of discretion is the most deferential standard of review and, therefore, the SBE must give deference to the decisions of the two governing boards to deny the petition.

### Local Control and Accountability Plan

Along with a similar change for school districts and county offices of education, beginning with the Local Control and Accountability Plan (LCAP) adopted for the 2023-24 school year, charter schools will be required to present a midyear report on the LCAP Annual Update and Local Control Funding Formula Budget Overview for Parents on or before February 28 of each year. The report

must be made at a regularly scheduled meeting of the governing board and will include an update on: 1) all available midyear outcome data related to the metrics identified in the current year's LCAP; and 2) all available midyear expenditure data on all actions identified in the current year's LCAP.

### **Nonclassroom-Based Charter School Moratorium**

AB 1505 also placed a two-year moratorium on the approval of petitions for the establishment of new nonclassroom-based charter schools—from January 1, 2020, to January 1, 2022. AB 130 extended this moratorium for an additional three years to January 1, 2025. Now, SB 114 is extending the moratorium for another year to January 1, 2026.

In addition, by October 1, 2023, the Legislative Analyst's Office (LAO) and the Fiscal Crisis and Management Assistance Team (FCMAT) must study the processes used to determine funding for nonclassroom-based charter schools. The study is meant to identify and make recommendations on potential improvements to the process, including enhancing oversight and reducing fraud, waste, and abuse. Further, by March 1, 2024, the LAO and FCMAT must report their observations and recommendations to the Legislature, the Department of Finance, the California Department of Education, and the executive director of the SBE.

### **Charter School Definitions**

As a result of AB 1507, which required that charter schools—and any resource centers, satellite facilities, and/or meeting spaces—be located within the boundaries of their chartering authorities, new language was needed to address numerous newly configured charter schools (see "[The 2020-21 State Budget and Charter Schools—Part 2](#)" in the July 2020 *Fiscal Report*). Definitions were created as part of [SB 98](#) (Committee on Budget and Fiscal Review, Statutes of 2020) to address the newly configured charter schools and the impacts to school funding. One of these definitions was an "acquiring charter school," which is a state charter school that is deemed a continuing charter school because it was wholly combined with one or more other affected state charter school(s). This language was originally operational through June 30, 2023, from which point any charter school meeting the definition would no longer be regarded as a continuing charter school. [AB 181](#) (Committee on Budget, Statutes of 2022) extended the operational date through June 30, 2025. SB 114 extends the operational date by another year to June 30, 2026, and applies the extension to the various sections of the Education Code to which the definition applies.

There are numerous other changes within the State Budget that apply to school districts, county offices of education, and charter schools alike. We will cover all these changes at our upcoming [School Finance Conference](#).

## ***By the Way . . . Arts Education Credentialing Reminders***

By: Danyel Conolley

June 28, 2023

The Proposition 28 (2022): Arts and Music in Schools Funding Guarantee and Accountability Act creates increased demand in credentialing needs in the arts education service area due to the funding requirements which require employment of educators to provide arts instruction. Staffing in this high-need area can be difficult during the teacher shortage and local educational agencies (LEAs) should be equipped to consider every pathway to ensure that educators serving in the arts education assignment are appropriately credentialed.

The California Commission on Teacher Credentialing (CTC) issued credentialing guidance to assist LEAs in credential monitoring in arts and music programs. Of note is the reminder that non-credentialed personnel or volunteers cannot be the teacher of record for courses for which students receive a grade and/or the course counts towards the required daily instructional minutes. Additional information regarding credentialing pathways for arts and music, and other teacher certification requirements, can be accessed [here](#) on the CTC website.

## Rivas Sworn in as Assembly Speaker

By: Kyle Hyland

June 30, 2023

Today, June 30, 2023, Assemblymember Robert Rivas (D-Salinas) was sworn in as the new Speaker of the California State Assembly. Rivas succeeds Assemblymember Anthony Rendon (D-Lakewood) who held the gavel for nearly seven and a half years, the second longest tenure in California history, exceeding the tenure of legendary former Speaker of the Assembly Jesse Unruh by five days (Willie Brown's record tenure of 14.5 years will remain intact due to California's 12-year term limit for legislators).

The June 30 swearing-in ceremony was part of a succession plan that the Assembly Democratic Caucus approved back in November 2022 after a contentious six-hour meeting.

The Speaker is the presiding officer and chief leadership position of the California State Assembly. The Speaker controls the flow of legislation in the chamber and also decides the committee chairs and the members who sit on the committees.

Former Speaker Rendon installed his committee chairs back in January and it is unknown at this time if Rivas plans on making changes to those chair assignments before the end of the 2023 legislative year. It is also unknown whether Rivas will grant his committee chairs the same autonomy that Rendon afforded his. Rendon effectively gave his chairs discretion to set their own agenda on the bills heard in their committee. This means that under Rendon's leadership, chairs were allowed to unilaterally decide whether or not a bill was heard.

If committee chairs and membership do change, we will keep you posted as these important changes are announced.

## Bill Seeks to Impose Penalties for Book Banning

By: Patti F. Herrera, EdD, and Wendi McCaskill

July 7, 2023

Assembly Bill (AB) 1078, by Assemblymember Corey Jackson (D-Moreno Valley) was amended late last month to establish procedures to ensure public school agencies comply with state laws requiring that they provide students with “comprehensive, culturally competent, and accurate instruction about the history, experiences, and viewpoints from different communities in California.” The bill, which contains a provision that would make it operative immediately upon signature of Governor Gavin Newsom if he should sign it, passed out of the Senate Education Committee on party lines.

As amended on June 28, 2023, AB 1078 would require school districts to follow certain protocols and would install fiscal penalties on school districts that fail to comply. Specifically, the bill states the intent of the California State Legislature to protect the constitutional right of students to free public education that “combat[s] bias against pupils within their schools” and creates an equitable and inclusive learning environment for historically minoritized and marginalized students.

Specifically, AB 1078:

- Adds to the requirement that local educational agencies (LEAs) adopt policies protecting against discrimination, harassment, intimidation and bullying that “all acts of the governing board or body of the local educational agency superintendent of the school district, and the county superintendent of schools in enacting policies and procedures that govern the [LEA]” are applicable under the policy
- Requires the California Department of Education (CDE) to develop guidance and materials, no later than January 1, 2025, to ensure that Californians have information about educational laws and policies about their right to access accurate and inclusive curricula
- Expands the role of county superintendents’ oversight responsibilities in enforcing the use of state textbooks and instructional materials and creates a remediation process when a county superintendent finds that a school district does not have sufficient textbooks and instructional materials, as a result of a district governing board resolution, a reported unresolved complaint, or an audit exception
- Amends the Uniform Complaint Procedure (UCP) process to authorize complainants to file a complaint directly with the State Superintendent of Public Instruction (SSPI) if the insufficiency of textbooks or instructional materials is “the result of an act by the governing board of the school district, or the governing board’s failure to remedy [a found] deficiency” and authorizes the SSPI to directly intervene before an investigation is conducted
- Amends law to bar local governing boards from prohibiting the use of “an existing textbook, other instructional material, or curriculum that contains inclusive and diverse perspectives” and authorizes governing boards to remove existing textbooks only with two-thirds vote approval of the governing board

- Amends local requirements regarding public hearings related to the determination that the school district has sufficient, standards-aligned textbooks or instructional materials, or both, to require the governing board to submit a copy of a resolution that there are insufficient textbooks and materials to the county superintendent within three days after the governing board hearing

Noncompliance would result in two different types of fiscal consequences to a school district.

Per the provisions of this bill, a fiscal penalty would be imposed when the SSPI determines that a school district's textbooks or instructional materials are insufficient. The fiscal penalty is in the amount of the district's Instructional Materials Block Grant apportionment received for the 2012-13 fiscal year, adjusted for each year's cost-of-living adjustment through the fiscal year in which the district's noncompliance was determined. The fiscal penalty would be levied as reduction to a district's Local Control Funding Formula allocation.

In addition, the CDE may purchase textbooks or instructional materials in the event that the SSPI determines an insufficiency in textbooks or instructional materials pursuant to a request from the county superintendent or the expanded UCP process. The amount necessary for the textbook or instructional material purchased by the CDE would be considered a loan. If the district does not repay the loan based on an agreed upon repayment schedule, at the request of the SSPI, the State Controller's Office will reduce the district's Principal Apportionment or another apportionment of state funds to recoup the funds.

AB 1078 will be heard next by the Senate Appropriations Committee.

# ***Bill Update***



**SCHOOL SERVICES OF CALIFORNIA, INC.**

**Legislative Report Prepared for:  
Fresno Unified School District  
Status as of July 12, 2023**

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
<b>Employees</b>				
AB 5 Zbur	The Safe and Supportive Schools Act	Support	Senate Education Committee	15
AB 238 Muratsuchi	California Student Teacher Support Grant Program	Support	Senate Appropriations Committee	15
AB 796 Weber	Athletic Trainers	Support	Senate Business, Professions, and Economic Development Committee	15
AB 1555 Quirk-Silva	Transitional Kindergarten: Teacher Assignments: Qualification Requirements	Support	Senate Desk	16
AB 1699 McCarty	K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings		Senate Labor, Public Employment, and Retirement Committee	16
AB 1722 Dahle, Megan	Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses	Support	Senate Appropriations Committee	16
SB 765 Portantino	Teachers: Retired Teachers: Teacher Preparation		Assembly Public Employment and Retirement Committee	16
<b>Facilities</b>				
AB 247 Muratsuchi	Education Finance: School Facilities: Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024	Watch	Senate Governance and Finance Committee	17
AB 249 Holden	Water: School Sites: Lead Testing: Conservation	Support	Senate Education Committee	17
SB 28 Glazer	Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024	Watch	Assembly Education Committee	18
SB 499 Menjivar	School Facilities: School Extreme Heat Action Plan Act of 2023	No Position	Assembly Education Committee	18

SB 532 Wiener	San Francisco Bay Area Toll Bridges: Tolls: Transit Operating Expenses	Support	Assembly Appropriations Committee	19
SB 760 Newman	School Facilities: All-Gender Restrooms	No Position	Assembly Education Committee	19
<b>Governance and District Operations</b>				
AB 275 Ward	School Governance: Governing Boards: Pupil Members: Compensation	Support	Senate Floor—Third Reading	19
AB 1637 Irwin	Local Government: Internet Websites and Email Addresses	Oppose	Senate Appropriations Committee—Suspense File	19
SB 328 Dodd	Political Reform Act of 1974: Contribution Limits	Support	Assembly Appropriations Committee	20
<b>Instruction</b>				
AB 714 McCarty	Pupil Instruction: Newcomer Pupils: Curriculum Frameworks: High School Coursework and Graduation Requirements: Exemptions and Alternatives		Senate Education Committee	20
<b>Miscellaneous</b>				
AB 278 Reyes	High Schools: Dream Resource Center Grant Program		Senate Appropriations Committee—Suspense File	20
SB 333 Cortese	Homeless Pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program	Support	Assembly Education Committee	21
<b>Nutrition</b>				
AB 1178 Rivas, Luz	School Nutrition: Guardian Meal Reimbursement	Support	Senate Appropriations Committee—Suspense File	21
SB 348 Skinner	Pupil Meals	Support	Assembly Appropriations Committee	21
<b>School Safety and Student Discipline</b>				
AB 599 Ward	Suspensions and Expulsions: Tobacco	No Position	Senate Appropriations Committee	22
AB 1165 McCarty	Pupil Discipline: Racist Bullying, Harassment, or Intimidation: Restorative Justice Practice	Support	Signed by the Governor, Chapter 22, Statutes of 2023	22
AB 1445 Arambula	The Neng Thao Drowning Prevention Safety Act	Support	Senate Floor—Third Reading	22

SB 274 Skinner	Suspensions And Expulsions: Willful Defiance: Interventions and Supports	No Position	Assembly Education Committee	23
<b>State Budget, Education Finance and LCFF</b>				
AB 938 Muratsuchi	Education Finance: Local Control Funding Formula: Base Grants: Classified and Certificated Staff Salaries	No Position	Senate Labor, Public Employment, and Retirement Committee	23
SB 98 Portantino	Education Finance: Additional Education Funding	Support	Assembly Education Committee	24
<b>Student Health</b>				
AB 19 Patterson, Joe	Pupil Health: Opioid Antagonists	Support	Senate Appropriations Committee—Suspense File	24
AB 230 Reyes	Menstrual Products: Menstrual Equity for All Act of 2021	Support	Senate Appropriations Committee—Suspense File	24
AB 483 Muratsuchi	Local Educational Agency: Medi- Cal Billing Option	Support	Senate Health Committee	25
AB 659 Aguiar- Curry	Cancer Prevention Act	Support	Senate Education Committee	25
AB 915 Arambula	Pupil Health: Drug Education: Opioid Overdose Training Program		Senate Appropriations Committee	25
SB 10 Cortese	Pupil Health: Opioid Overdose Prevention and Treatment: Melanie's Law	Support	Assembly Appropriations Committee	26
SB 234 Portantino	Opioid Antagonists: Schools, College Campuses, Stadiums, Concert Venues, and Amusement Parks	Support	Assembly Appropriations Committee	26
SB 283 Ochoa Bogh	Pupil Health: Asthma Management	Support	Assembly Education Committee	26
SB 541 Menjivar	Sexual Health: Contraceptives: Immunization	Support	Assembly Appropriations Committee	27
<b>Transportation</b>				
AB 579 Ting	Schoolbuses: Zero-Emission Vehicles	Support	Senate Appropriations Committee	27
SB 88 Skinner	Pupil Transportation: Driver Qualifications	Watch	Assembly Education Committee	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 Appropriations 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:** 7/6/2023

**Title:** Athletic Trainers

**Status:** Senate Business, Professions, and Economic Development 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.

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**AB 1555 (Quirk-Silva)****Amended:** 3/30/2023**Title:** Transitional Kindergarten: Teacher Assignments: Qualification Requirements**Status:** Senate Desk**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.

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**AB 1699 (McCarty)****Amended:** 5/18/2023**Title:** K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings**Status:** Senate Labor, Public Employment, and Retirement 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.

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**AB 1722 (Dahle, Megan)****Amended:** 7/5/2023**Title:** Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses**Status:** Senate Appropriations Committee**Position:** Support**Summary:**

As amended, it 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. The LEA also must seek approval from its local governing board before hiring a licensed vocational nurse.

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**SB 765 (Portantino)****Amended:** 6/30/2023**Title:** Teachers: Retired Teachers: Teacher Preparation**Status:** Assembly Public Employment and Retirement Committee**Position:****Summary:**

As amended, this bill exempts retired teachers from the postretirement compensation limit under the Teachers' Retirement Law administered by the California State Teachers' Retirement System who return to the classroom to teach to fill a critical need, among other provisions.

## Facilities

### [AB 247 \(Muratsuchi\)](#)

**Amended:** 6/15/2023

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

**Status:** Senate Governance and Finance 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. Senate Bill (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:** 6/22/2023

**Title:** Water: Schoolsites: Lead Testing: Conservation

**Status:** Senate Education Committee

**Position:** Support

#### **Summary:**

As amended on June 22, 2023, this bill would require, by January 1, 2027, a community water system that serves a school site receiving federal Title I funds to test for lead in all of the school site's potable water system outlets that were constructed or modernized before January 1, 2010. The bill would require the community water system to report its findings to the applicable school or LEA and to the State Water Resources Control Board. The bill would require the LEA or school, if the lead level exceeds five parts per billion, to notify the school's parents and guardians, take immediate steps to make inoperable and shut down all potable water system outlets where the excess lead levels may exist, and work to ensure that a lead-free source of drinking water is provided for pupils. The bill would also require that if a potable water system outlet is replaced because of excess levels of lead, the community water system test the replacement outlet. The bill would require the school site, LEA, and State Water Resources Control Board to make the results of the school site lead sampling publicly available.

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**SB 28 (Glazer)**

**Title:** Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024

**Status:** Assembly 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.

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**SB 499 (Menjivar)**

**Amended:** 5/18/2023

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

**Status:** Assembly Education Committee

**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.

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**SB 532 (Wiener)****Amended:** 6/29/2023**Title:** San Francisco Bay Area Toll Bridges: Tolls: Transit Operating Expenses**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

This bill originally would have exempted fiscal disclosure requirements for local tiered-tax and bond measures from the 75-word cap on local ballot labels. However, the bill has now been amended into a bill on toll bridges and will thus be taken off the next report.

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**SB 760 (Newman)****Amended:** 5/18/2023**Title:** School Facilities: All-Gender Restrooms**Status:** Assembly Education Committee**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.

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**Governance and District Operations**

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**AB 275 (Ward)****Amended:** 6/19/2023**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.

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**AB 1637 (Irwin)****Amended:** 6/29/2023**Title:** Local Government: Internet Websites and Email Addresses**Status:** Senate Appropriations Committee—Suspense File**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, 2029, 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.



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**SB 328 (Dodd)****Amended:** 6/28/2023**Title:** Political Reform Act of 1974: Contribution Limits**Status:** Assembly Appropriations Committee**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.

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**Instruction**

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**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.

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**Miscellaneous**

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**AB 278 (Reyes)****Amended:** 3/16/2023**Title:** High Schools: Dream Resource Center Grant Program**Status:** Senate Appropriations Committee—Suspense File**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

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**SB 333 (Cortese)****Amended:** 7/3/2023**Title:** Homeless Pupils: California Success, Opportunity, and Academic Resilience (SPAR) 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.

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**Nutrition**

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**AB 1178 (Rivas, Luz)****Amended:** 7/3/2023**Title:** School Nutrition: Guardian Meal Reimbursement**Status:** Senate 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.

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**SB 348 (Skinner)****Amended:** 6/30/2023**Title:** Pupil Meals**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

As amended, 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 breakfast or lunch to students in a noncongregate setting on short days
- 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 Appropriations 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:** Signed by the Governor, Chapter 22, Statutes of 2023

**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 requires the pupil to participate in a restorative justice program.

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

**Amended:** 6/15/2023

**Title:** The Neng Thao Drowning Prevention Safety Act

**Status:** Senate Floor—Third Reading

**Position:** Support

#### **Summary:**

As amended on June 15, 2023, this bill would authorize a local, state, or national drowning or injury prevention organization to provide informational materials to any public school regarding specified topics relating to drowning prevention. The bill would authorize, not require, beginning with the 2024-25 school year, upon receipt of the informational materials, a public school to provide the informational materials to parents, legal guardians, or caregivers at the time the pupil enrolls at the school and at the beginning of each school year.

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**SB 274 (Skinner)****Amended:** 7/3/2023**Title:** Suspensions and Expulsions: Willful Defiance: Interventions and Supports**Status:** Assembly Education Committee**Position:** No Position**Summary:**

Extends the current permanent ban on suspending a student or recommending for expulsion on the basis of willful defiance from kindergarten through 5th grade, to students in 6<sup>th</sup> through 12th grade and prohibits a student from being suspended or expelled on the sole basis of being truant, tardy, or otherwise absent from school.

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**State Budget, Education Finance, and LCFF**

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**AB 938 (Muratsuchi)****Amended:** 6/21/2023**Title:** Education Finance: Local Control Funding Formula: Base Grants: Classified and Certificated Staff Salaries**Status:** Senate Labor, Public Employment, and Retirement 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 the 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

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**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.

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**Student Health**

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**AB 19 (Patterson, Joe)**

**Amended:** 6/22/2023

**Title:** Pupil Health: Opioid Antagonists

**Status:** Senate Appropriations Committee—Suspense File

**Position:** Support

**Summary:**

As amended on June 22, 2023, this bill would only require local educational agencies to maintain at least two units of naloxone hydrochloride if they have elected to have a school nurse or trained personnel administer naloxone hydrochloride.

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**AB 230 (Reyes)**

**Amended:** 3/27/2023

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

**Status:** Senate 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.

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**AB 483 (Muratsuchi)**

**Title:** Local Educational Agency: Medi-Cal Billing Option

**Status:** Senate Health 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.

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**AB 659 (Aguar-Curry)**

**Amended:** 7/3/2023

**Title:** Cancer Prevention Act

**Status:** Senate Education 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.

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**AB 915 (Arambula)**

**Amended:** 7/10/2023

**Title:** Pupil Health: Drug Education: Opioid Overdose Training Program

**Status:** Senate Appropriations Committee

**Position:**

**Summary:**

As amended, this bill requires the California Department of Public Health to develop an opioid overdose training program and toolkit to be made available to high schools for students to be trained on how to identify and respond to an opioid overdose. The toolkit will be available upon request to those high schools that opt to host the program.

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**SB 10 (Cortese)****Amended:** 6/30/2023**Title:** Pupil Health: Opioid Overdose Prevention and Treatment: Melanie's Law**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

This bill adds to the list of requirements for a comprehensive school safety plan for schools serving students in grades 7-12, 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.

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**SB 234 (Portantino)****Amended:** 7/3/2023**Title:** Opioid Antagonists: Schools, College Campuses, Stadiums, Concert Venues, and Amusement Parks**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

This bill requires all public schools and community colleges to have an opioid antagonist at all times and to ensure at least two employees are aware of the location. 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. As amended, the bill also permits LEAs to allow students to carry and administer an opioid antagonist if there is a statement from a physician confirming that the student has met the requirements for administering the opioid antagonist and a statement from the student's parent/guardian.

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**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.

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**SB 541 (Menjivar)****Amended:** 6/30/2023**Title:** Sexual Health: Contraceptives: Immunization**Status:** Assembly Appropriations Committee**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

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**Transportation**

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**AB 579 (Ting)****Amended:** 6/29/2023**Title:** Schoolbuses: Zero-Emission Vehicles**Status:** Senate Appropriations 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.



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**SB 88 (Skinner)****Amended:** 6/19/2023**Title:** Pupil Transportation: Driver Qualifications**Status:** Assembly Education Committee**Position:** Watch**Summary:**

This bill would place various requirements upon a driver who is compensated by a local educational agency (LEA) to transport students, including requiring these drivers to be mandated reporters, participate in drug and alcohol testing, and complete at least ten hours of specified training and annual refresher courses. The bill would require any vehicle used to provide pupil transportation by an LEA to be inspected and equipped with a first aid kit and a fire extinguisher.

This bill was recently amended to exempt parents and guardians who are compensated for driving their own child to school, such as when included in an individualized education plan. Additionally, the bill would also exempt a school employee from the bill's provisions when the employee provides transportation to pupils for a field trip, before or after school activity, or athletic program if both of the following occur:

- An LEA makes a reasonable effort to secure a driver who meets the requirements of the bill
- When an LEA is unable to secure a driver who meets the requirements of the bill, the LEA informs the parent or guardian of the pupil being transported that the driver transporting their pupil does not meet the requirements of this bill

## Two-Year Bills

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
<b>Accountability and Assessments</b>				
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
<b>Instruction</b>				
SB 767 Rubio	Elementary Education: Kindergarten	Support	Senate Appropriations Committee—Suspense File	30
<b>School Safety and Student Discipline</b>				
SB 31 Jones	Encampments: Sensitive Areas: Penalties	Oppose	Senate Public Safety Committee	31
<b>Student Health</b>				
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.

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**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 E&EP-1**

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

Date: July 28, 2023

Phone Number: 457-3749

Regarding: ODP Business Solutions Contribution to Del Mar Elementary School

The purpose of this communication is to provide the Board information about Del Mar Elementary being selected as a recipient of ODP Business Solutions (Office Depot) Start Proud! Back-to-School Program through the work of The Foundation for Fresno Unified Schools.

Each year 18 Title 1 elementary schools are selected across the US to be the recipient of the ODP Start Proud! Back-to-School Program

- The school is awarded 1,000 backpacks filled with \$120 worth of school supplies (\$120,000 value)
- One teacher from the school is selected to receive the All Star Teacher award: \$2,000 worth of equipment and supplies
- The Principal is awarded \$20,000 Office Depot merchandise cards to use on behalf of the school site.
- ODP will host a back-to-school assembly/celebration for the receiving school site on the first day of school.

The Foundation for Fresno Unified Schools utilized this year's adopt-a-school wish list to help identify Del Mar based on their needs. The adopt-a-school wish list will be used to identify a middle school for any extra backpacks received once outfitting Del Mar students.

The Foundation for Fresno Unified Schools is collaborating with the Del Mar Elementary School Principal, Nicole Woods, and FUSD Communications to broadcast this gift from ODP well in advance of the start of school so parents know they will not need to purchase backpacks and supplies for students.

The total contribution from ODP has a monetary value of \$142,000.

If you have any questions or need further information, please contact Wendy McCulley at 457-3749.

Approved by Deputy Superintendent  
Misty Her 

Date: 07/28/23

Fresno Unified School District  
Board Communication

**BC Number E&EP-2**

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

Date: July 28, 2023

Phone Number: 457-3749

Regarding: Giving Tuesday

The purpose of this communication is to provide the Board information about this year's Giving Tuesday campaign which will occur on November 28, 2023.

This friendly competition between the regions will take place on this day from 12:00 AM to 11:59 PM. Like last year, each Board member will represent their respective region, with the Superintendent representing a special eighth region – consisting of our alternative education, magnet, and schools supporting our students with special needs. Last year we had 180 donations totaling \$11,195.

2022 Giving Tuesday Results and Scholarship Recipients:

- Edison Region Dollars: \$5,545, Samaria Simpson
- Fresno High Region Dollars: \$1,695, Paris Lawson
- Magnet, Specialty & Alternative Education Region Dollars: \$1,240, Annabelle Raley
- McLane Region Dollars: \$895, Lisa Chareunsouk
- Hoover Region Dollars: \$490, Emily Vue
- Bullard Region Dollars: \$570, Keana Hokama
- Roosevelt Region Dollars: \$395, Emily Varela Maria
- Sunnyside Region Dollars: \$365, Marco Suarez

In 2022 there were two Giving Tuesday challenges. Trustee Thomas, representing the Edison region, won both challenges for the largest number of donors by noon and the largest donation of the day. This year we would like to have more challenges throughout the day. Challenges are a simple and fun way to obtain sponsors for Giving Tuesday, as well as get donors excited to give. An example of a sponsorship could be a business matching donations for your region for any given hour, up to a certain amount. The Foundation is asking each Trustee to help find a challenge sponsor for their region. If you have a business or an alumnus that you think would be interested helping your region with a challenge sponsorship, please contact Andrew Scherrer. Every sponsor you bring in will help provide more scholarship money for your region 2022 Giving Tuesday Results & Scholarship Recipients.

If you have any questions or need further information, please contact Andrew Scherrer at 457-3842.

Approved by Deputy Superintendent


Misty Her



Date: 07/28/23

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: Pamela Taylor, Administrator &  
Marie Williams, Ed.D., Instructional Superintendent  
Cabinet Approval: 

Date: July 28, 2023

Phone Number: 457-3748

Regarding: Elementary History-Social Science Instructional Materials

The purpose of this board communication is to provide the Board information regarding the alignment of Fresno Unified's currently adopted kindergarten through sixth grade History-Social Science instructional materials to the Fair, Accurate, Inclusive, and Respectful Education Act (FAIR Act – Senate Bill 48) and outline the process and timeline for the upcoming History-Social Science instructional materials adoption.

The FAIR Act states instructional materials shall accurately portray the cultural and racial diversity of society including the “role and contributions of Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups to the total development of California and the United States” (Senate Bill 48 Sec. 4 section 60040.b).

The following History-Social Science instructional materials are used in elementary classrooms:

- MacMillan/McGraw-Hill *California Vistas* for kindergarten through fifth grade
- Holt *World History Ancient Civilizations* for sixth grade

These instructional materials align with the 1998 California History-Social Science (CA HSS) standards but do not comply with the FAIR Act nor the 2016 CA HSS Framework as they were adopted prior to these education requirements. Although the currently adopted materials are not in compliance with the FAIR Act and the CA HSS Framework, supplemental lessons that meet these requirements have been created and made available via the Curriculum, Instruction and Professional Learning Department website. All teachers provide factual, inclusive, and age-appropriate teaching of history – of which LGBTQ+ contributions are a part.

During the 2024/25 school year, the district will adopt kindergarten through sixth instructional materials that align with the 2016 CA HSS State Standards Framework and the FAIR Act. The adoption process will adhere to *Education Code* (Section 60002) which states: “Each district board shall provide for substantial teacher involvement in the selection of instructional materials and shall promote the involvement of parents and other members of the community in the selection of instructional materials.”

If you have any questions pertaining to the information in this communication, or require additional information, please contact Pamela Taylor at 457- 3748.

Approved by Deputy Superintendent  
Misty Her 

Date: 07/28/23