



## BOARD OF EDUCATION

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## SUPERINTENDENT

Robert G. Nelson, Ed.D.

## BOARD COMMUNICATIONS – AUGUST 04, 2023

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

### **SUPERINTENDENT – Robert G. Nelson, Ed.D.**

S-1 Robert G. Nelson Superintendent Calendar Highlights

### **DEPUTY SUPERINTENDENT – Misty Her**

DS-1 Kimberly Villescaz The Wallace Foundation Equity Centered Pipeline Initiative

DS-2 Kimberly Villescaz Leadership Development Pipeline and The Wallace Foundation Grant

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

BFS-1 Kim Kelstrom School Services Weekly Update Reports for July 27, 2023

Fresno Unified School District  
Board Communication

**BC Number S-1**

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

Date: August 04, 2023

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Attended PELP at Harvard Business School
- Attended ABC Training at Harvard Business School
- Held interviews for the following positions:
  - Chief Financial Officer
  - Principal
  - Assistant Superintendent
- Attended the Family Goal Kick Off Celebrating Parent University's 15<sup>th</sup> Year at the Maya Theater
- Participated in media training with Scott Rose
- Attended the Principals' Meeting to discuss strike preparation
- Gave interview with Nadra Kareem Nittle, USC, regarding how California schools are handling Artificial Intelligence (AI)
- Spoke at the Principal Institute
- Attended the First Responder Camp luncheon
- Speaking at the New Teacher Conference
- Attending the 2023 Back to School Health Fair/Youth Explosion


Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 08/04/23

Fresno Unified School District  
Board Communication

**BC Number DS-1**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Kimberly Villescaz  
Cabinet Approval: 

Date: August 04, 2023

Phone Number: 457-3660

Regarding: The Wallace Foundation Equity Centered Pipeline Initiative

The purpose of this board communication is to provide the Board an update on the work of the Equity Centered Pipeline Initiative (ECPI) funded by The Wallace Foundation.

Background

Fresno Unified was selected as one of eight districts nationwide to participate in the five year initiative. The grant provides approximately \$4 million to Fresno Unified and up to \$8 million total to support the partnerships with San Diego State University, National University, the California Department of Education (CDE), and the California Commission on Teaching Credentials (CTC). There are seven domains that must be addressed in each year of the grant. Updates are provided in each of the domains.

Leader standards

The district has adopted the California Professional Standards for Educational Leaders (CPSEL) for all site and department leaders. Small groups are in the process of identifying areas of equity within each standard. Handbooks will be created to support leader reflective practice and support.

High quality pre-service principal preparation

The district partnered with San Diego State University in May 2022 to begin Leadership Cohort XVII with twenty participants who graduated in May 2023. The recruitment process has started to select the next group to participate in Cohort XIX. We have partnered with National University to increase the applicant eligibility pool,

Selective hiring and placement

A cross departmental team will be researching and benchmarking practices in other school districts. The affinity group of Black Educators United worked with the Human Resources leadership team to identify areas of concern and possible actions related to recruitment, hiring, and retention.

Evaluation and support

This domain provides for differentiated support for leaders at various stages of their career. New leaders participated in a summer onboarding combined with leadership coaching support. Co-Administrators participated in a summer institute called Leadership Camp that focused on Coaching for Equity. Affinity groups have started and continued to grow to provide an opportunity for networking and support with like groups of leaders. LatinX, AAPI (Asian American Pacific Islander), Men of Color in Educational Leadership (MCEL), Black Women Educators United (BWEU), and African American Principals United (AAPU) all supported our leaders of color.

### Principal supervisors

The supervisors of schools participated in professional learning communities in year one based on their own set of supervisor standards to develop skills as coaches who differentiate support based on principal need. We will be building an aspiring supervisor program to provide opportunities for those principals seeking central office positions.

### Leader tracking system

An information system will be developed to be able to track and access data related to aspiring and existing leaders. A workteam has been doing the foundational work and will be utilizing the Wallace provided technical assistance to begin the development of the system in year three. The data is currently housed in different forms across departments and is not easily accessible for purposes of succession planning, hiring, professional development, and program improvement.

### Systems and sustainability

A District Partnership Team made up of the Superintendent, department leaders, university program leads, state agency leads, and Wallace Foundation representatives meet bimonthly to monitor progress and address actions in the Fresno Unified workplan. Cross departmental workteams have been developed to reduce siloed efforts and ensure leadership development efforts are owned across departments. Wallace domain actions are supported by other funding sources for sustainability.

Fresno Unified serves as the fiscal agent for all partners and monitors workplans and budgets in support of the grant. The total award for year three is \$1.6 million to be distributed as follows: \$800,000 to Fresno Unified, \$300,000 to each university partner, and \$70,000 for the state agencies.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Kimberly Villescaz, Executive Officer of Leadership Development, at 457-3660.

Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 08/04/23

Fresno Unified School District  
Board Communication

**BC Number DS-2**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Kimberly Villescaz, Executive Officer

Date: August 04, 2023

Number: 457-3660

Cabinet Approval:



Regarding: Leadership Development Pipeline and The Wallace Foundation Grant

The purpose of this board communication is to provide the Board an update on leadership development efforts in the system. Our pipeline organizes opportunities and programs for aspiring, new, and existing leaders with an effort to ensure alignment of messaging and cohesion across departments.

Aspiring Leaders

There are currently three internal programs for Aspiring Leaders. The FUSD Leadership Cohort is the preparation program to earn a Preliminary Administrative Services Credential. FUSD is also working alongside National University in a pilot FUSD Preliminary Administrative Services Credential cohort. Fresno Unified is currently partnered with the *Breakthrough Leadership* Program through New Leaders to deliver the rigorous one-year course of study with job embedded learning opportunities resulting in experiences that develop skills for our co-administrators to successfully enter the principalship. There were 16 participants in this past Breakthrough Leadership Program and 7 have received a principalship.

New Leaders

Fresno Unified has an induction model for all new administrators to ensure supports are in place for the first two years in the position. For first time administrators, they are enrolled into the Clear Administrative Services Credential (CASC) Program through a partnership with Fresno County Superintendent of Schools. In addition to targeted professional learning, job-alike networking, goal setting, and ongoing reflection tied to leadership standards, they are assigned an experienced administrative coach for two years. For new principals, the same type of induction support exists although most already hold a clear credential. To ensure they are successful, they are assigned an experienced administrative coach, engage in job alike networking structures every two weeks where department leaders are invited, and receive more frequent interaction with their supervisor. There are currently 86 Year 1 and Year 2 New Leaders receiving induction support in the district.

Existing Leaders

There are established structures for ongoing, role specific professional learning opportunities for principals and co-administrators. We have shifted to more virtual meetings and frequent optional check ins to respond to the current challenges site leaders are facing. There is close coordination between the Leadership Development Department and School Leadership to ensure the alignment of content between the learning of existing leaders to that of aspiring and new leaders as well as to other departments across the system.

## Development Programs

There are opportunities for administrators who are further along the development pipeline to mentor aspiring and new administrators through coaching or by participating in the delivery of course content in the Aspiring and New Leader programs. These leaders are also supported with professional learning to develop their own skills of cognitive coaching. We have continued to add programs and opportunities for leaders in Fresno Unified as needs surface. A partnership with San Diego State University has resulted in the first cohort of 19 doctoral candidates in Educational Leadership. There are also affinity groups for specific groups based on their request for a space to learn with those experiencing the same challenges as a leader in the district, these groups include Asian American Pacific Islander (AAPI), LatinX, Men of Color in Educational Leadership (MCEL), Black Women Educators United (BWEU), African American Principals United (AAPU), and Black Educators United (BEU).

The Leadership Development Department continually seeks to improve and refine the existing design of opportunities for aspiring, new, and existing leaders while also seeking out new and different opportunities as needs surface. During the 2019/2021 school years, Fresno Unified was invited to participate in the Principal Pipeline Learning Community (PPLC) through The Wallace Foundation, one of the premier resources for leadership efforts. The focus was on developing all aspects of the pipeline and led to an invitation to apply for the *Equity Centered Pipeline Initiative*.

## The Wallace Foundation

Following a rigorous application and visitation process, Fresno Unified was selected as the only California school district to participate in the five year initiative. The grant awards up to \$5 million to build upon the current leadership development pipeline and to develop preparation and training programs through partnerships with San Diego State University, National University, the California Department of Education (CDE), and the California Commission on Teaching Credentials (CTC). Being a part of The Wallace Foundation will also provide targeted assistance in a variety of domains while researching the process and publishing the results for the broader knowledge base on leadership development. The grant agreements are in the process of being finalized for the eight participating districts of Baltimore City Public Schools, Winston/Salem Forsyth County Schools, Columbus City School District, District of Columbia, Jefferson County Public Schools, Portland Public Schools, San Antonio Independent School District, and Fresno Unified School District. Once complete, there will be a national press release communicating the involvement of Fresno Unified in the Equity Centered Pipeline Initiative. At that time, the grant will be announced locally.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Kim Villescaz at 457-3656.

Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 08/04/23

Fresno Unified School District  
Board Communication

**BC Number BFS- 1**

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

Prepared by: Kim Kelstrom, Chief Executive

Cabinet Approval:



Date: August 04, 2023

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for July 27, 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 July 27, 2023 are attached and include the following articles:

- New Protections for Pregnant Employees – July 26, 2023
- Fentanyl, Climate Change, Housing: California Wants to Solve These Issues by Borrowing Billions – July 24, 2023
- It's Hard for English Learners to Get the State Seal of Biliteracy. A New Bill Aims to Change That – July 26, 2023

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

Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 08/04/23



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DATE: July 27, 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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It was another quiet week in Sacramento, with the Legislature enjoying the second week of their summer recess. However, there continues to be activity at the federal level, which we detail below.

### **Federal Reserve Raises Rates**

Following a brief pause in rate increases last month, the Federal Reserve (Fed) raised the federal funds rate by 0.25% at the July 26, 2023, meeting of the Federal Open Market Committee (FOMC). The rate increased to a target range of 5.25-5.50%, bringing benchmark borrowing costs to their highest level since early 2001. This increase, the 11th in 17 months, aligns with Fed Chair Jerome Powell's remarks following last month's pause, during which he indicated that future rate hikes were likely.

In its statement regarding the rate increase, the FOMC cited a moderate expansion of economic activity, robust job gains, consistently low unemployment, and elevated inflation. Although headline inflation continues to improve, the current rate of 3.00% still rests above the Fed's ideal.

In his remarks following the announcement of the rate hike, Fed Chair Powell reinforced the FOMC's statement when mentioning the resilience of the economy and very tight labor market, saying there are indications of better balance in supply and demand in the labor market, yet "labor demand still substantially exceeds supply of available workers." With regard to inflation, Fed Chair Powell noted that longer term inflation expectations are "well anchored," and that high inflation imposes "significant hardship." He reiterated the Fed's mandate to "promote stable prices and maximum employment."

The Fed is scheduled to meet again on September 19, 2023.

### **House Adjourns for Summer Recess Without Budget Deal**

In last week's *Update*, we detailed the education provisions in the House Republicans' Labor, Health and Human Services, Education, and Related Agencies bill and noted that they are proposing to slash federal education funding to below the 2006 level. This is one of the 12 appropriations bills that comprise the federal budget.



Today, the House adjourned a day early for its six-week summer recess and won't return to Washington, D.C., until September 12, 2023. This leaves them just 18 days to work with the Democratically controlled Senate to approve the fiscal year (FY) 2024 budget prior to September 30, 2023. If an agreement is not reached by September 30 and a continuing resolution is not signed by President Joe Biden, it will result in a government shutdown on October 1.

Unless the two houses agree to pass the federal government using an omnibus package, it is unlikely that Congress will have enough time to approve the 12 appropriations bills prior to September 30. It is also difficult to believe that the GOP-controlled House will be able to negotiate these issues with the Democratically controlled Senate in just two and a half weeks. This is especially true as House Republicans' appropriations bills include significant cuts to federal spending and are loaded with hot-button political issues such as abortion, which will be opposed by Senate Democrats.

The more likely scenario is that the two houses will approve a continuing resolution prior to October 1 to keep the government funded at FY2023 levels while continuing to negotiate a deal on the FY2024 budget. However, there are several conservative Republicans who have hinted that they would allow the government to shut down if there is no deal in place by the end of September.

### **No Update Week of August 7**

With the Legislature on summer recess, we will be taking a break from our weekly *Update* for the week of August 7-11, 2023. We will use next week's *Update* to provide a preview of the end of the 2023 legislative year.

*Leilani Aguinaldo*

## New Protections for Pregnant Employees

By Danyel Conolley, Sarah Niemann, EdD, and Suzanne Speck  
School Services of California Inc.'s *Fiscal Report*  
July 26, 2023

Ask SSC. . . I have heard there is a new law related to pregnancy leave. Can you share an update?

Yes, the [Pregnant Workers Fairness Act](#) (PWFA) is a new federal law that requires covered employers with 15 employees or more, inclusive of local educational agencies (LEAs), to reasonably accommodate an employee's known limitations related to pregnancy, childbirth, or related medical conditions. This law went into effect on June 27, 2023, and LEAs are already fielding requests to accommodate employees in ways that are new to operations. Of note, the PWFA states specifically that the accommodation can only be denied if it presents the employer with an "undue hardship."

To help employers navigate this new law, the Equal Employment Opportunity Commission posted a FAQ that provides several examples of possible accommodations, including the ability to sit or drink water, receive closer parking, have flexible hours, receive appropriately sized uniforms and safety apparel, receive additional break time to use the bathroom, eat and rest, take leave or time off to recover from childbirth, and be excused from strenuous activities. The [FAQ](#) also lists employer prohibitions such as failing to discuss the accommodation request with the employee, denying employment due to the need for accommodation, retaliation, and requiring the employee to take leave when another reasonable accommodation could be provided. The PWFA is in addition to other laws that provide employment protections and breastfeeding entitlements to employees, such as Title IX, the Americans with Disabilities Act (ADA), the Providing Urgent Maternal Protections for Nursing Mothers Act, and the Family and Medical Leave Act of 1993.

When posed with a request to accommodate an employee that may fall under this new law, the employer has the obligation to meet to discuss the accommodation being requested. The PWFA, similar to the ADA, requires that the employee and the employer engage in an interactive process and that a good-faith conversation take place to identify an appropriate reasonable accommodation. Under the law, the individual is still qualified if the inability to perform the essential function can be reasonably accommodated, the inability to perform the essential function is temporary, or the essential function can be performed in the near future. Prior to this law, pregnancy was not considered a disability under the ADA, and therefore, employees were not entitled to the same accommodation process unless an individual's pregnancy, childbirth, or related medical condition rose to the level of a disability under the ADA.

It is the responsibility of the employer to accommodate an employee to be able to perform the essential functions of their job, but not necessarily to accommodate the preferences of the employee. As always, what is reasonable for one employee may not be reasonable for another employee based on job classifications and essential duties. As this is a new law with a broad scope, it would be prudent for LEAs to consult with their legal advisors when a request is made for an accommodation that may present an undue hardship.

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*Note: The Legislature is poised to put a number of ballot measures before voters in 2024, including a school facilities bond, which still needs to be finalized between lawmakers and the Newsom Administration.*

## **Fentanyl, Climate Change, Housing: California Wants to Solve These Issues by Borrowing Billions**

By Maggie Angst  
*The Sacramento Bee*  
July 24, 2023

Housing for homeless residents living with mental illness. Defenses against wildfires, droughts and floods. New and renovated school campuses. Treatment centers for fentanyl users.

California voters can expect to be asked to approve billions of dollars in bonds in 2024 to help the state address a myriad of pressing issues.

Lawmakers in Sacramento have proposed about a dozen bond measures that they want on ballots in March or November of next year. They include a \$4.7 billion ask for up to 10,000 new behavioral health beds, \$15 billion to make the state more resilient to climate change, \$14 billion to modernize school facilities, and \$10 billion for affordable housing construction.

In a strategic move to boost his chances for victory, Gov. Gavin Newsom is working to secure priority on the March ballot for his proposed \$4.7 billion bond to address the homeless crisis by building new behavioral health beds. But that could mean trouble for sponsors of other bonds jockeying for funds, ballot space and voter support in November.

“Passing multiple bonds on the same ballot is doable, but multiple bonds can also serve to strengthen voter skepticism and opposition arguments around fiscal concerns in ways that can prove fatal,” said Ned Wigglesworth, a longtime California ballot measure strategist.

When lawmakers return from summer recess next month, they’ll make a final push to place their proposals on an upcoming ballot. Bond measures for the March primary ballot must be approved by two-thirds of lawmakers by the end of the legislative session on Sept. 14 and then signed by Newsom. Items for the November election can be voted on until early next summer.

Newsom told reporters recently that he was working closely with Assembly Speaker Robert Rivas’ office to determine “what the priorities are going to look like for November.”

“It’s a pretty comprehensive list of ideas that are out there,” the governor said.

### **California bonds cover housing, education and fentanyl**

There issues covered by proposed bond measures run the gamut, from mental health and homelessness to affordable housing, schools, agriculture, climate change, floods and fentanyl.

Assemblyman Reggie Jones-Sawyer, D-Los Angeles, is selling his \$5.2 billion Fighting Fentanyl Bond Act as the “golden opportunity” to not only curb the use of fentanyl but also other powerful drugs like Xylazine, also known as Tranq, which could cause even more overdose deaths

“We’re poking at the problem,” Jones-Sawyer said about the opioid epidemic. “I want to go ahead and knock it out once and for all.”

Polling is underway now to help legislators and the governor determine what proposals have the best chance for success. As they analyze voter opinion around fiscal issues, some bond requests could be reduced, moved from March to November or crowded out entirely.

The state of California, like corporations and other local, state and federal governments, issues bonds as a way to raise money for certain projects. The state borrows from investors, like a loan, and usually repays with interest over anywhere from 10 to 30 years.

California doesn’t cap how much the state can borrow, but in deciding what to prioritize the Newsom administration will be weighing a number of factors. Those include voter sentiment, the state’s economic outlook and its debt service ratio — the percentage of the state’s general fund that is spent paying down its debt.

Allowing the debt service ratio to rise too high could affect the state’s bond credit rating. The state’s annual debt service from the general fund sits at \$8.1 billion and is expected to grow to \$8.9 billion in 2026-27, according to estimates from the California Department of Finance.

Proposals to take on more debt almost always activate anti-tax groups like the Howard Jarvis Taxpayers Association.

“I don’t think we’re getting a lot of bang for our buck for what we’re spending,” said Jon Coupal, president of the Howard Jarvis Taxpayers Association. “There comes a point at which our political leadership loses all credibility with the voters, and I think we’re at that point.”

### **Selling a bond measure to California voters**

California voters are typically more willing to pass bonds than raise taxes as a way to fund projects. The key to a bond measure’s success, according to political consultant Gale Kaufman, is convincing voters that there is a problem and that putting more funding toward it is the best option.

“That’s where proponents have to spend their money — making sure people understand the rationale for a new bond,” Kaufman said.

Beyond voters’ opinion on a specific issue, Wigglesworth said other factors such as the voters’ trust in government and attitudes on fiscal issues could also play a role.

“Even if voters believe we need action on an issue, it doesn’t always translate into support for more funding for that issue,” he said.

A recent example was Proposition 13, a \$15 billion education bond measure spearheaded by Newsom that was defeated in March 2020 by a six-point margin.

Some chalk up the measure’s failure to confusion over the fact that it shared the same name as the 1978 cap on annual property tax increases. Others say it may have been due to voters’ unease in the early days of the COVID-19 pandemic and the \$15 billion price tag, making it the most expensive school bond measure ever before California voters.

Proposition 13 was the first failed school bond in more than two decades. The last to build and maintain schools was approved in 2016.

Assemblyman Al Muratsuchi, D-Torrance, said he is optimistic that “California voters will get back to what they have done” and support the \$14 billion education bond measure he’s proposed for the November 2024 ballot.

Also vying for a top spot on the ballot are two leading climate bond bills — AB 1567 from Assemblyman Eduardo Garcia, D-Coachella, and SB 867 from Sen. Ben Allen, D-Redondo Beach.

Garcia, Allen and the governor’s team are working to consolidate the proposals into one measure that could become the largest environmental bond measure ever placed on a California ballot. Although the bills are both drafted for March 2024, negotiations are underway over the timing and the size of the ask.

Both bills call for \$15 to \$16 billion to fund projects to control floods, thin forests to prevent wildfires and plant trees in cities to help ease deal with extreme heat.

“We’ve got massive infrastructural challenges, especially around water, drought, wildfires,” Allen said. “These funds are needed ... and we’re going to craft this reasonably and we’re going to make sure we’re not borrowing too much.”

*The Bee Capitol Bureau’s Lindsey Holden contributed to this story.*

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*Note: Assembly Bill 370 (Addis, D-Morro Bay) would modify the criteria for demonstrating proficiency in English and a language other than English for purposes of earning the State Seal of Biliteracy.*

## **It’s Hard for English Learners to Get the State Seal of Biliteracy. A New Bill Aims to Change That**

By Zaidee Stavelly  
*EdSource*  
July 26, 2023

Juan Garcia was proud to walk across a stage this spring at Venture Academy in Stockton to receive a medal for the state seal of biliteracy, proof that he can speak, read and write in English and Spanish.

“It’s a great achievement to have. It opens up so many great opportunities. Just having that extra language opens up a whole other world of people,” Garcia said.

Yet many students, particularly English learners, don’t receive the state seal of biliteracy, even though they are bilingual, because there aren’t enough options to show students are proficient in English, according to some advocates and district and county officials. A bill currently in the Legislature, Assembly Bill 370, aims to change that.

The State Seal of Biliteracy was adopted by California in 2012. High school graduates can receive the gold seal on their high school diploma or transcript if they demonstrate proficiency in English and another

language. In 2021-22, the most recent year with data available, 57,582 students were awarded the seal, in more than 22 different languages, from American Sign Language and Arabic to Urdu and Vietnamese.

Garcia's parents, who are from Mexico, speak Spanish at home. He could speak it conversationally from a young age. But it wasn't until high school, when he took three years of Spanish, including an Advanced Placement class, that he learned to read and write it fluently. He also feels more confident now in his ability to hold long, in-depth conversations in the language. He hopes to use these skills when he opens his own restaurant someday.

Garcia is the second in his family to receive the state seal of biliteracy. His older sister received it, too. But his older brother, who Garcia says had better reading and writing skills in Spanish than he does, wasn't able to obtain the seal.

"He never got the seal despite actually knowing Spanish and English because there weren't that many options," Garcia said. "Without having that certificate, it puts him at a disadvantage. It should be more accessible to people."

According to data from the California Department of Education, half of the students who were awarded the biliteracy seal in 2022 were current or former English learners. The vast majority of those are students who were reclassified as fluent and English proficient, according to 2023 data obtained from several school districts, and from a 2019 report by Californians Together.

Currently, to obtain the State Seal of Biliteracy, a student must show proficiency in both English and another language. There are many different ways a student may show proficiency in a language other than English: by getting a score of 3 or higher on an Advanced Placement exam or a score of 4 or more on the International Baccalaureate (IB) exam; by taking four years of classes in the language with a GPA of 3.0 or higher and demonstrating oral proficiency in the language by passing a district test with a score of proficient or higher; or by passing the SAT II world language exam with a score of 600 or higher.

By contrast, to show proficiency in English, there is only one way: They must complete all English language arts classes required for graduation with a GPA of 2.0 or better, and they must meet or exceed the English language arts portion of California's standardized test in 11th grade. In addition to these requirements, English learners must also show overall English proficiency on the English Language Proficiency Assessment of California.

California was the first state to adopt a seal of biliteracy. Since then, almost all states have followed suit. Advocates say it is easier in many other states to achieve the seal than in California.

"What we're asking of world language students in terms of demonstrating proficiency should be equal to what we're asking of English learners," said Martha Hernandez, executive director of Californians Together, a nonprofit organization that advocates for students who speak a language other than English at home. "English learners had to demonstrate proficiency in a variety of ways that were not required of our world language students. We feel that this bill is just more equitable for all students in California."

Assembly Bill 370 would offer students more options to show proficiency in English. If the bill passes, students could show proficiency in English by either completing all English courses with a 3.0 GPA or by meeting the standard on California's standardized test in 11th grade, instead of requiring both. In addition, the bill would add other ways to show proficiency in English: by completing at least one English language

arts class at a college or university with at least a 3.0 grade point average; by achieving a score of 3 or higher on an English Advanced Placement exam or a score of 4 or higher on an English International Baccalaureate exam; or by achieving a score of 600 or higher on the Evidence-Based Reading and Writing section of the SAT.

The bill would also remove the requirement for students who are English learners in high school to meet overall proficiency on the English Language Proficiency Assessment for California and instead require only the highest score on the oral language portion of the test.

The bill would also add some ways for students to show proficiency in another language: by completing high school level courses in another country in a language other than English with a GPA of 3.0 or above; or by completing a language course at a college or university with a GPA of 3.0 or above. Students would no longer be able to show proficiency in a language other than English through the SAT.

Some district and county office of education officials welcomed the bill.

“Under current legislation, a high school student has literally a one-shot chance, one day in 11th grade to demonstrate proficiency. Meanwhile, there is a portfolio of ways that a student can demonstrate proficiency in a world language,” said Nicole Knight, executive director of English language learner and multilingual achievement at Oakland Unified School District.

Knight said the current requirements for the seal of biliteracy put students who began school as English learners at a disadvantage and give an advantage to students who began school as native English speakers, classified as “English only” students.

“We know who this benefits. All we have to do is to look at the rates at Piedmont High School, where the majority of students are English-only and high socio-economic status and have all the conditions to pass the SBAC [Smarter Balanced Assessment of California] and take AP World Language. And yet the majority of our students in Oakland who live and grow up in multilingual households are not honored for the tremendous linguistic assets they bring,” Knight said.

Almost 1 in 4 high school graduates in Piedmont City Unified received the seal in 2022, versus 1 in 10 graduates in Oakland Unified. Piedmont is a small city surrounded by Oakland in the San Francisco Bay Area. Three percent of Piedmont’s students are from low-income families, versus 77% of Oakland students.

Graciela García-Torres, curriculum specialist for English learner programs and accountability at the Sacramento County Office of Education, said she expects many more students to be eligible for the seal of biliteracy if AB 370 passes.

“Every year we turn down students,” García-Torres said. “The saddest cases are when they definitely are (fluent in English) but because of the criteria being extremely narrowed, we can’t honor it. For example, they have the AP English, but they do not have the CAASPP, because they were not in town or they didn’t see the relevance.”

Amy Brooks Gottesfeld, supervisor of multilingual programs at San Francisco Unified School District, also welcomed the bill.

“SFUSD was one of the first districts to adopt California’s State Seal of Biliteracy in 2013, and the state has modified the criteria for earning the seal over the last 10 years, making it harder for English learners to earn,” Gottesfeld said. “We wholeheartedly support the passage of AB 370, which would lead to more multilingual learners being recognized and celebrated for their multi/bilingualism with a seal of biliteracy on their diplomas.”

AB 370 has sailed through both the Assembly and the Senate so far without opposition. It is currently awaiting a third and final reading in the Senate. If passed, it will then be sent to the governor to be signed.