



**BOARD OF EDUCATION**

Genoveva Islas, President  
Susan Wittrup, Clerk  
Claudia Cazares  
Valerie F. Davis  
Elizabeth Jonasson Rosas  
Andy Levine  
Keshia Thomas

**SUPERINTENDENT**

Robert G. Nelson, Ed.D.

**BOARD COMMUNICATIONS – AUGUST 11, 2023**

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

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

S-1 Robert G. Nelson Superintendent Calendar Highlights

**BUSINESS AND FINANCIAL SERVICES – Patrick Jensen, Chief Financial Officer**

BFS-1 Kim Kelstrom School Services Weekly Update Reports for  
August 03, 2023

BFS-2 Kim Kelstrom August Legislative Committee Meeting

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 11, 2023

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Held press conference regarding Back to School
- Gave interview on Great Day Morning Show, KMPH26 regarding back to school
- Attended the Dailey Board Meeting
- Spoke at the After School Program Kick-Off Professional Development Session
- Gave interview with Rhett Rodriguez, KSEE24, regarding negotiations
- Spoke at the School Safety Assistants Meeting
- Gave interview with Clint Olivier on KMJ regarding negotiations and back to school
- Held Interviews for Director, Human Resources

Approved by Superintendent  
Robert G. Nelson Ed.D. \_\_\_\_\_



Date: 08/11/23

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 11, 2023

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for August 03, 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 August 03, 2023 are attached and include the following articles:

- CDE Releases Mandate Block Grant Application – August 02, 2023
- When Culture Wars Rip Through California School Boards, Should the State Intervene? – July 28, 2023
- Gavin Newsom Running for President? His Fundraising Strategy Signals White House Aspirations – August 01, 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: 08/11/23



1121 L Street

•  
Suite 1060

•  
Sacramento

•  
California 95814

•  
TEL: 916 . 446 . 7517

•  
FAX: 916 . 446 . 2011

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

DATE: August 3, 2023

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

---

---

### **Legislature to Return on August 14**

The Legislature will return from its month-long summer recess on Monday, August 14, 2023, and thus begin the sprint to the end of the first year of the 2023-24 legislative session, where the fate of hundreds of measures will be decided. By September 14, 2023, bills will need to have passed the final two hurdles before being sent to Governor Gavin Newsom for his consideration: the Appropriations Committee and concluding floor votes by the entire Legislature.

Several hundred bills will be heard in the Assembly and Senate Appropriations Committees over three weeks when the Legislature returns to Sacramento on August 14. Most of these bills will go directly to the respective committee's suspense file. The suspense file is a sort of legislative purgatory where measures that are deemed to have a fiscal impact of a certain magnitude are placed until all those measures can be dealt with at once. In many cases, bills that go to the committee's suspense file never come off and are effectively killed without legislators having to cast a vote. Bills have until Friday, September 1, 2023, to pass the Appropriations Committees and proceed to the House floors.

Some of the more significant bills with implications for local educational agencies (LEAs) that are still active and need to clear the Appropriations Committee include:

- Assembly Bill (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 938 (Muratsuchi) would establish new Local Control Funding Formula (LCFF) base grants in 2030-31 that would double those included when the LCFF was established in 2013-14
- AB 1078 (Jackson, D-Moreno Valley) would prohibit LEAs from banning books that contain "inclusive and diverse perspectives" and require a two-thirds vote to remove any instructional materials for any other reason

- AB 1699 (McCarty, D-Sacramento) would require job opportunities for classified employees to be posted for internal applicants 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
- Senate Bill (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 433 (Cortese, D-San Jose) would authorize a permanent classified employee in a nonmerit K-14 district to appeal disciplinary action to an impartial third-party hearing officer paid for by the district and jointly selected by the district and the employee union

The last day for the Legislature to approve bills and send them to Governor Newsom is Thursday, September 14, 2023. The Governor will have until October 14, 2023, to sign or veto legislation. Governor Newsom has already signaled that he will veto any bill that adds costs to the state that are not accounted for in the State Budget, a theme that we saw in many of his veto messages last year.

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

With the Legislature on its last week of summer recess, we will be taking a break from our weekly *Sacramento Update* next week. Unless there is breaking news, we will return to our regular production schedule for the week ending August 18.

*Leilani Aguinaldo*

## **CDE Releases Mandate Block Grant Application**

By Brianna García, Sarah Linette Hodson, and Teddi Wentworth  
School Services of California Inc.'s *Fiscal Report*  
August 2, 2023

The 2023-24 Mandate Block Grant (MBG) [Application](#) is now available for submission on the California Department of Education (CDE) website. According to the CDE website, applications must be submitted electronically by midnight on August 31, 2023. Funding is available to county offices of education, school districts, and charters schools that elect to participate, and allocation rates are included in the [SSC School District and Charter School Financial Projection Dartboard](#).

MBG funding is specifically intended to fund the costs of the programs and activities identified in Government Code Section 17581.6(f). For example, the Education Mandated Cost Network (EMCN), which was established to assist local educational agencies in obtaining reimbursement for the costs incurred in implementing mandates established by the Legislature, has been successful in getting five mandates added to the MBG in the last ten years. The most recent of these mandates was for feminine hygiene products (Assembly Bill [AB] 10 [Garcia, Statutes of 2017]). Last month, EMCN submitted a mandate claim for its successor, AB 367 (Garcia, Statutes of 2021). More information on the MBG can be found [here](#).

---

*Note: A handful of school boards have had tussles with state officials over the past couple of weeks regarding the approval of materials and other issues, which has reignited the debate around local control.*

## **When Culture Wars Rip Through California School Boards, Should the State Intervene?**

By Carolyn Jones  
*CalMatters*  
July 28, 2023

Last week's tussles between state officials and a pair of Southern California school boards may have died down, but they've thrown a spotlight on deeper tensions over who makes decisions for local schools — a rift that's likely to grow as the culture wars escalate.

Both incidents, which garnered national attention, centered on LGBTQ issues and the state's ability to rein in local boards that it says may have violated California's education and civil rights laws.

“We can expect to see more of this as these right-wing groups now follow a scripted playbook and there's a new level of organization,” said Bruce Fuller, a UC Berkeley professor of education and public policy. “And certainly as long as we have an ambitious governor, we can expect to see these battles repeated.”

Last week, Chino police escorted the state's top education official, Superintendent of Public Instruction Tony Thurmond, from a school board meeting after he urged the board to reject a plan he viewed as harmful LGBTQ students. The plan, based on a stalled Assembly bill, called for school staff to notify parents if a child identifies as a gender they weren't assigned at birth. The board ended up approving the proposal 4-1.

Earlier in the month, Gov. Gavin Newsom threatened to fine Temecula Valley Unified \$1.5 million for rejecting a state-approved textbook that included a supplemental lesson on Harvey Milk, the former San Francisco supervisor who was assassinated in 1978. Newsom said the state would order the new textbooks on its own and bill the district. Last week, the board relented and agreed to purchase the new textbooks but review the material related to gay rights, replacing it with a curriculum that reflects “the board’s commitment to exclude sexualized topics of instruction from the elementary school grade levels.”

## **Enforcing the education code**

State officials have several enforcement options when they believe districts have run afoul of the education code. Those include fines, like the one Newsom threatened in Temecula Valley; publicly voicing disapproval, such as Thurmond’s comments in Chino Valley; and investigation and litigation, which Attorney General Rob Bonta said he would pursue in Temecula Valley. The California Department of Education also has a complaint process, which anyone can use if they believe their district isn’t complying with state law.

There’s also legislation. Recently, Thurmond and Newsom have thrown their support behind AB 1078, which would raise the threshold for school districts to ban books, from a simple board majority to a two-thirds majority. The bill would also strengthen the FAIR Act, a state law that requires districts to include the contributions of African American, Native American, Mexican American, LGBTQ and other under-represented groups in history and social studies curriculum.

The bill’s author, Democratic Assemblymember Corey Jackson of Moreno Valley, said legislation like AB 1078 is more important than ever as the state seeks tougher tools to punish districts that stray from civil rights laws.

“These culture wars are being used to generate anger to achieve political goals,” Jackson said. “We have to close as many loopholes as possible.”

The crux of the issue, Jackson said, is local control, the decade-old policy that gives school districts a large degree of autonomy in how they operate. Put forth by then-Gov. Jerry Brown, the Local Control Funding Formula was meant to decentralize state education, allowing districts to tailor their spending policies to the unique needs of their students.

In some cases, Jackson said, local control has gone too far.

“I know my history too well to have faith in local control,” Jackson said. “If a school district discriminates against students, puts politics ahead of education, I honestly don’t have any limits when it comes to limiting local control. ... Once you start creating a climate that is not welcoming to all students you’re mandated to serve, districts need to know: We are coming for you.”

## **Nuances of local control**

Under the previous funding system, schools received money through grants earmarked for specific programs. Under local control, district funding comes through a formula based on how many low-income students, English learners and foster youth are enrolled. School boards, not the state, decide how to spend the money, allowing them a degree of autonomy they didn’t have previously.

But some districts fear that with bills like Jackson's and other recent moves, the state might be taking back some of that control. Recently, the state has added several categorical grants and mandated programs and increased its interest in local school board matters, such as in Temecula Valley and Chino Valley. That's one reason the California School Boards Association has so far opposed Jackson's bill, saying it would pose an unnecessary hardship for the vast majority of school districts that comply with the law, and that the state already has adequate safeguards.

"We are greatly concerned with how (the bill) is drawn from the experience of two or three school districts to apply statewide," the association wrote to the chair of the Senate Education Committee, noting that California has nearly 1,000 school districts.

Troy Flint, the school board association's spokesperson, said districts are hoping that the trend does not continue, even as the culture wars intensify.

"There has been increased encroachment on local control from a budgetary, policy and administrative perspective," he said. "School districts and county offices of education believe that their knowledge base and relationships, as members of the community, are essential in developing and implementing policies that make sense for their particular student populations. So naturally, they are very protective of local control."

A spokesman for Newsom's office said that the governor is committed to local control, and the incident in Temecula Valley was an isolated, egregious example of a district flouting the law.

"Local control is not – and has never been – a license to willfully violate the law," said Ben Chida, the governor's chief deputy cabinet secretary and senior education policy advisor.

Steve Zimmer, California's deputy superintendent for student support services, reiterated the state's support for local control.

"The Superintendent and I are both former school board members. We believe strongly in local control. Local control is a core value of the California public education system," Zimmer said. "But there have to be checks and balances."

## **Increasing vitriol**

Regardless, school boards are likely to remain an epicenter of conflict, especially as the presidential election nears, said Julie Marsh, professor of education policy in the Rossier School of Education and the Sol Price School of Public Policy at the University of Southern California.

"I don't think it's going to die down. School boards have become a pawn in a broader national campaign," Marsh said. "All of this is bringing to a head a classic conflict in education — what's the role of the state? Local control has to be for everyone, but in some districts we're now seeing a need for guardrails."

She worries about the growing lack of civility and threats of violence. In his response to Temecula Valley, Newsom described three of the board members as "radicalized zealots" and "extremists." In Chino Valley, board President Sonja Shaw accused Thurmond of "proposing things that pervert children."



Some of the vitriol began during the pandemic, when angry parents in some parts of the state protested school closures, mask mandates and vaccines. For some parents, the anger grew to encompass how schools teach subjects related to race, sex and other culture war issues.

Capitalizing on some of the dissatisfaction, the state Republican party last year launched the “Parent Revolt” campaign, urging frustrated parents to run for their local school boards. Shaw, the Chino Valley board president, was elected as part of that wave.

Angry rhetoric undoubtedly plays a role in the high turnover rate among superintendents, and the fact that some school boards can’t fill their vacancies, Marsh said. It also deters members of the public from speaking out, for fear of threats or intimidation.

“This is not unique to California and it’s not unique to school boards,” she said. “We’re very concerned about the extreme emotion, the tone, the polarization, the personal attacks. We need some kind of legislation to protect civility in public meetings.”

Fuller agreed that the rhetoric can have a corrosive effect on schools and other institutions. While the governor and state superintendent were right to step in, perhaps they could have settled the conflict behind the scenes, instead of drawing more attention to the matter.

“They could have deployed their influence to expand understanding and engage people with whom they disagree. Instead they became antagonistic to gain political attention,” Fuller said. “They could have settled the issue quietly, rather than spurring it on. There are compelling reasons for the state to intervene in some cases, but why not first try to negotiate an agreement.”

Meanwhile, the battle over the rights of LGBTQ students is likely to continue. Zimmer said the state is looking at various options to pressure Chino Valley to overturn its policy related to LGBTQ students.

The state is also urging students in that district to seek help if they need it. The state’s Department of Education offers numerous resources for LGBTQ students, families and schools.

“We’re very clear that their dignity and humanity matters, and they have a right to a welcoming, safe school environment,” Zimmer said. “Superintendent Thurmond stands behind them and will continue to fight for them.”

---

*Note: There continues to be speculation that Governor Newsom will run for president either in 2024 or 2028 (the Governor terms out on January 4, 2027).*

## **Gavin Newsom Running for President? His Fundraising Strategy Signals White House Aspirations**

By Maggie Angst and David Lightman  
*The Sacramento Bee*  
August 1, 2023

Gov. Gavin Newsom is taking fundraising steps often used by potential presidential candidates, setting up multiple committees that in their first three months have raised and spent millions of dollars.

The three Newsom-affiliated committees are a political action committee, which limits contributions to \$5,000 a year and can donate to individual candidates; a SuperPAC, which can raise unlimited amounts of cash but is restricted from promoting a specific candidate, and a joint fundraising committee, which functions like a bank, mostly collecting and distributing funds to the other groups.

Newsom has repeatedly denied any interest in running for the nation's highest office next year. But whether President Joe Biden wins or loses, there will be no Democratic incumbent in 2028. As governor of the nation's largest state, the big winner of two elections and a recall, Newsom would be well-positioned for a White House run.

Forming the trio of fundraising committees allows prospective candidates like Newsom to begin building a base of support and explore a run for federal office without saying it outright, according to Brendan Glavin, senior data analyst at Open Secrets.

"For someone who has an interest in launching a presidential campaign, these are the first steps you'd take," Glavin said. "I wouldn't say it's set in stone, but certainly you wouldn't do all of these things if you weren't thinking about it."

Nathan Click, a campaign advisor for Newsom, flatly refuted that narrative and pointed to dozens of instances where the governor said he had no interest in the White House.

"That's not what this is about," Click said. "This is all about going deep into the reddest states and helping Democrats where they're on defense."

### **Presidential candidates use a similar strategy to Newsom**

Never Back Down, for instance, is a major player backing Florida Gov. Ron DeSantis, with \$97 million on hand at the end of June. Robert Bigelow a Las Vegas hotel magnate and UFO researcher, gave the SuperPAC \$20 million on March 30.

Unite The Country, which supports President Joe Biden, raised and spent \$49 million during the 2020 election cycle. Make American Great Again, a SuperPAC backing former President Donald Trump, reported \$30.8 million on hand at the end of June.

Newsom's PAC had \$6.2 million on hand at the end of June and the SuperPAC had \$6.3 million. Most of the money going to the committees came from funds raised by the governor during previous campaigns. About \$2 million was raised through a Marin County fundraising event for Biden and another \$1.1 million resulted from email blasts and in-person fundraisers for Democratic parties in red states such as Mississippi, Arkansas, Tennessee, Idaho and Utah, Click said.

The SuperPAC got \$666,666 from the California Conference of Carpenters-Builders and another \$333,333 from Working for Working Americans, a Washington-based SuperPAC that supports building trades unions. It also received \$25,000 from philanthropist Aileen Getty.

"Newsom has made it very clear he would never, ever, ever run for president, but on the off chance that he changes his mind, a lot of this would money would be available to him," said Dan Schnur, a political science professor at USC and former GOP political consultant.

## **California governor takes on red states with new fundraising group**

When he launched the PAC, Newsom said it was his way of fighting back against “rising authoritarianism” and helping “elect leaders in 2024 who believe in democracy.” Newsom seeded it with more than \$10 million from his gubernatorial campaign account.

Since launching the organization in late March, Newsom has campaigned to rebut the GOP agenda and energize pockets of often neglected Democratic voters. Through fundraising emails and events, he has promoted his own agenda by calling for stricter gun control laws, greater access to abortion and protecting the rights of the LGBTQ community.

He’s made at least two cross-country trips, visiting with party leaders and organizers in states such as Arkansas and Mississippi and hosting fundraising events in Idaho and Oregon.

In early April, Newsom met with students of New College of Florida, the small liberal arts school that became a culture war flashpoint under presidential contender and Florida Gov. Ron DeSantis. The Republican governor placed six conservative allies on the college’s board of directors — a move that Newsom said exhibited the Republican governor’s “zest for demonization.”

Newsom also participated in a two-part interview last month with conservative talk show host Sean Hannity where he accused Fox News of airing a “doom loop about California” and defended Biden’s reelection bid.

Most of the spending was done by the Campaign for Democracy PAC. There’s a lengthy list of hotel and travel expenses, as Newsom visited Arkansas, Alabama, Florida and other Southern states earlier this year to promote Democrats.

The governor also paid more than \$100,000 for consulting to Bearstar Strategies, the most powerful political consultancy in California, and \$7,500 for polling, though it’s unclear what the subject of the poll was.

The PAC gave \$10,000 to the Arkansas Democratic Party and helped the Senate campaign of Democratic Rep. Colin Allred, who’s running a longshot campaign against incumbent Republican Sen. Ted Cruz.

### **Details on Newsom’s PAC finances**

- **Campaign for Democracy PAC:** Contributors are limited to \$5,000 per calendar year, and funds cannot come directly from corporations or labor unions. The committee can make contributions to individual candidates, within legal limits. Politicians use these committees to win goodwill and support by giving to candidates around the country. This PAC had \$6.2 million on hand at the end of June.
- **Campaign for Democracy Committee:** This is a “joint fundraising committee.” and may collect contributions from individuals, corporations, and labor because one of its participant committees, Campaign for Democracy Group, is a Super PAC. This committee is like a bank that collects and distributes the funds, but usually does little direct spending on political activity.
- **Campaign for Democracy Group:** This is the pro-Newsom SuperPAC. It can raise and spend unlimited amounts of money, and take contributions from labor unions, corporations, individuals and others. It is restricted from promoting a specific candidate, but can run ads or spend to urge voters to turn out or promote a position. It had \$6.3 million on hand at the end of June.

Fresno Unified School District  
Board Communication

**BC Number BFS-2**

From the Office of the Superintendent

Date: August 11, 2023

To the Members of the Board of Education

Prepared by: Kim Kelstrom, Chief Executive

Cabinet Approval:



Phone Number: 457-3907

Regarding: August Legislative Committee Meeting

The purpose of this board communication is to provide the Board information shared at the August 03, 2023, Legislative Committee Meeting.

**Budget and Economic Update** – Ms. Leilani Aguinaldo provided an update on the budget.

Estimates have been provided for the Equity Multiplier based on 2021/22, however funds will be allocated based on 2022/23 and estimated to be provided in February 2024 and could fluctuate annually. The per pupil estimate is \$627 and for Fresno Unified approximately \$17.4 million. J.E. Young is included in estimates, however 2021/22 was a unique year for on-line learning and was modified in 2022/23.

Universal Transitional Kindergarten has new requirements for early admissions. Prior to turning 4-years old by June 2<sup>nd</sup> will require a class size cap of 20:1 and a 10:1 adult to student ratio. By 2025/26, all Transitional Kindergarten's will require a 10:1 adult to student ratio.

**Legislative Update** – Ms. Aguinaldo provided a legislative update. The Legislature will return August 14<sup>th</sup> and anticipate review of clean up language on the 2023/24 Budget Bill.

The following bills are in the Senate Appropriations Committee:

- AB 247 (Muratsuchi) – Watch – Places a K-14 school facilities bond on the 2024 ballot
- SB 28 (Glazer) – Watch – Places a Pre-K-12 school facilities bond on the 2024 ballot

The following bills are held for review in year two:

- SB 333 (Cortese) – Support – Requires State Department of Social Services to establish the California Success, Opportunity, and Academic Resilience Guaranteed Income Program, which would award high school seniors who are homeless \$1,000 each month for five months from April 01, 2025 to August 01, 2025
- SB 98 (Portantino) – Support – Provide local educational agencies with supplemental education funding based on the difference between enrollment and attendance

The School Services Legislative Committee August 2023 report is attached. The next Legislative Committee meeting is scheduled for September 14, 2023.

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

Approved by Superintendent

Robert G. Nelson Ed.D.



Date: 08/11/23

# Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING  
AUGUST 3, 2023**

**2023-2024 Legislative Session**

**Prepared By:**

**Leilani Aguinaldo  
Director, Governmental Relations**



*Public Education's Point of Reference for Making Educated Decisions*



## ***Table of Contents***

---

|                                       |    |
|---------------------------------------|----|
| Legislative and Economic Update ..... | 1  |
| Bill Report.....                      | 15 |
| Two-Year Bills.....                   | 31 |

# ***Legislative and Economic Update***

**School Services of California, Inc.**  
**Legislative and Economic Update Prepared for:**  
**Fresno Unified School District**  
***Table of Contents***  
**August 1, 2023**

---

**Legislative and Economic Update**

---

Estimates for the LCFF Equity Multiplier Now Available ..... 1

State Budget Affects UTK Acceleration ..... 2

Accelerating UTK . . . “Wait, WHAT?!” ..... 4

*By the Way* . . . Proposition 28 Estimates Updated ..... 7

GOP Proposes Drastic Cuts to Federal Education Funding ..... 8

Senate Advances Bipartisan Funding Bills ..... 10

Court Rules Against SBE In Charter School Appeal..... 12



## Estimates for the LCFF Equity Multiplier Now Available

By: Dave Heckler

July 19, 2023

Senate Bill 114, which was signed into law by Governor Gavin Newsom last week, establishes the Local Control Funding Formula (LCFF) Equity Multiplier.

Classroom-based schools with a non-stability rate of at least 25% of their adjusted cumulative enrollment and a socioeconomically disadvantaged pupil percentage of at least 70% would receive funding based on the adjusted cumulative enrollment for the school, with no school generating less than \$50,000. The adjusted cumulative enrollment is defined as the total number of unduplicated primary and short-term enrollments at the selected entity with an enrollment start date that falls within the academic year.

More details about the new criteria can be found in our recent July 2023 *Fiscal Report* article [“New Criteria for LCFF Equity Multiplier.”](#)

LCFF Equity Multiplier Estimates  
 Fresno Unified Eligible Schools  
 UPP: 88.52%

| School                                   | Non-Stability Rate<br>(percent) | Socioeconomically<br>Disadvantaged<br>(percent) | Adjusted Cumulative<br>Enrollment | Estimated Funding |
|--|---------------------------------|---|-----------------------------------|-------------------|
| Addams Elementary                        | 26.14%                          | 96.20%  | 922                               | \$577,926         |
| Ahwahnee Middle                          | 25.56%                          | 88.10%  | 798                               | \$500,201         |
| Cambridge Continuation High              | 71.62%                          | 91.26%  | 835                               | \$523,393         |
| Columbia Elementary                      | 26.81%                          | 96.06%  | 634                               | \$397,403         |
| Deborah A. Williams Elementary           | 29.77%                          | 98.51%  | 739                               | \$463,219         |
| Del Mar Elementary                       | 30.26%                          | 95.56%  | 608                               | \$381,105         |
| Dewolf Continuation High                 | 73.46%                          | 84.26%  | 324                               | \$203,089         |
| Fort Miller Middle                       | 31.38%                          | 94.99%  | 838                               | \$525,273         |
| Fremont Elementary                       | 25.78%                          | 92.58%  | 512                               | \$320,931         |
| Fresno High                              | 29.87%                          | 89.98%  | 2,454                             | \$1,538,211       |
| Fulton                                   | 78.13%                          | 84.38%  | 32                                | \$50,000          |
| Heaton Elementary                        | 26.58%                          | 94.35%  | 602                               | \$377,344         |
| Herbert Hoover High                      | 30.54%                          | 83.55%  | 2,328                             | \$1,459,232       |
| J. E. Young Academic Center              | 52.09%                          | 92.39%  | 6,541                             | \$4,100,017       |
| McLane High                              | 25.38%                          | 94.53%  | 2,175                             | \$1,363,329       |
| Muir Elementary                          | 32.19%                          | 92.94%  | 581                               | \$364,181         |
| Phoenix Elementary Academy Community Day | 94.74%                          | 98.25%  | 57                                | \$50,000          |
| Phoenix Secondary                        | 90.00%                          | 95.00%  | 120                               | \$75,218          |
| Pyle Elementary                          | 25.42%                          | 92.48%  | 838                               | \$525,273         |

Source data: 2021-22 Stability rate data; 2021-22 P-2 Apportionment data  
 Funding amounts, rates, and list of eligible schools are estimates only and will change as updated data is released.

Only LEAs with eligible schools are listed in this lookup tool.

LCFF Equity Multiplier Estimates  
 Fresno Unified Eligible Schools  
 UPP: 88.52%

| School             | Non-Stability Rate<br>(percent) | Socioeconomically<br>Disadvantaged<br>(percent) | Adjusted Cumulative<br>Enrollment | Estimated Funding   |
|--------------------|---------------------------------|---|-----------------------------------|---------------------|
| Roosevelt High     | 26.88%                          | 92.44%  | 2,619                             | \$1,641,636         |
| Tehipite Middle    | 27.80%                          | 95.49%  | 554                               | \$347,257           |
| Tioga Middle       | 28.02%                          | 90.92%  | 771                               | \$483,277           |
| Vinland Elementary | 28.11%                          | 89.27%  | 587                               | \$367,942           |
| Wilson Elementary  | 27.75%                          | 94.63%  | 764                               | \$478,889           |
| Wolters Elementary | 31.72%                          | 94.75%  | 476                               | \$298,365           |
| <b>Grand Total</b> |                                 |   |                                   | <b>\$17,412,714</b> |

Source data: 2021-22 Stability rate data; 2021-22 P-2 Apportionment data  
 Funding amounts, rates, and list of eligible schools are estimates only and will change as updated data is released.

Only LEAs with eligible schools are listed in this lookup tool.

## State Budget Affects UTK Acceleration

By: Patti F. Herrera, EdD and Wendi McCaskill

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>                                     | <b>Number of additional adults needed to meet the ratio</b><br><b>X</b><br><b>20 minus prior-year statewide K-8 absence rate</b><br><b>X</b><br><b>LCFF<sup>1</sup> TK add-on per ADA<sup>2</sup> rate</b> |
| <b>Class Size Requirement</b>  | <b>Maximum of 20 per class</b>                  | <b>TK ADA as of P-2<sup>3</sup> for classrooms with early enrollment child(ren)</b><br><b>X</b><br><b>LCFF TK GSA<sup>4</sup> per ADA rate</b>   |

<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!

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

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

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.



## ***By the Way . . . Proposition 28 Estimates Updated***

By: Dave Heckler

July 28, 2023

The enactment of the 2023-24 State Budget brought a modest revision to the amount to be provided for Proposition 28, the Arts and Music Education Funding, increasing the total funding to \$938 million. This is an increase of about \$5 million from the estimate in May. To review your local educational agency's estimated allocation, use the lookup tool below.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name                 | Enrollment | Low Income | Enrollment Funding | Low Income Funding | Total Funding |
|-----------------------------|------------|------------|--------------------|--------------------|---------------|
| Addams Elementary           | 800        | 779        | \$87,858           | \$61,236           | \$149,094     |
| Ahwahnee Middle             | 639        | 549        | \$70,176           | \$43,156           | \$113,333     |
| Akira Yokomi Elementary     | 687        | 606        | \$75,448           | \$47,637           | \$123,085     |
| Ann B. Leavenworth          | 772        | 639        | \$84,783           | \$50,231           | \$135,014     |
| Ayer Elementary             | 575        | 515        | \$63,148           | \$40,484           | \$103,631     |
| Aynesworth Elementary       | 530        | 502        | \$58,206           | \$39,462           | \$97,667      |
| Baird Middle                | 598        | 264        | \$65,674           | \$20,753           | \$86,426      |
| Birney Elementary           | 708        | 681        | \$77,754           | \$53,533           | \$131,287     |
| Bullard High                | 2,492      | 1,498      | \$273,676          | \$117,756          | \$391,433     |
| Bullard Talent              | 743        | 392        | \$81,598           | \$30,815           | \$112,412     |
| Burroughs Elementary        | 713        | 684        | \$78,303           | \$53,769           | \$132,072     |
| Calwa Elementary            | 597        | 581        | \$65,564           | \$45,672           | \$111,236     |
| Cambridge Continuation High | 582        | 574        | \$63,916           | \$45,122           | \$109,038     |
| Centennial Elementary       | 713        | 666        | \$78,303           | \$52,354           | \$130,657     |
| Columbia Elementary         | 543        | 533        | \$59,633           | \$41,899           | \$101,532     |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name                        | Enrollment | Low Income | Enrollment Funding | Low Income Funding | Total Funding |
|------------------------------------|------------|------------|--------------------|--------------------|---------------|
| Cooper Middle                      | 538        | 460        | \$59,084           | \$36,160           | \$95,244      |
| David L. Greenberg Elementary      | 559        | 540        | \$61,390           | \$42,449           | \$103,839     |
| Deborah A. Williams Elementary     | 603        | 595        | \$66,223           | \$46,772           | \$112,995     |
| Del Mar Elementary                 | 507        | 487        | \$55,680           | \$38,283           | \$93,962      |
| Design Science Middle College High | 245        | 157        | \$26,906           | \$12,342           | \$39,248      |
| Dewolf Continuation High           | 159        | 147        | \$17,462           | \$11,556           | \$29,017      |
| District Office                    | 212        | 118        | \$23,282           | \$9,276            | \$32,558      |
| Easterby Elementary                | 669        | 620        | \$73,471           | \$48,738           | \$122,208     |
| Eaton Elementary                   | 475        | 322        | \$52,165           | \$25,312           | \$77,478      |
| Edison Computech                   | 798        | 567        | \$87,638           | \$44,571           | \$132,209     |
| Edison High                        | 2,466      | 1,998      | \$270,821          | \$157,061          | \$427,882     |
| Edith B. Storey Elementary         | 564        | 449        | \$61,940           | \$35,295           | \$97,235      |
| Elizabeth Terronez Middle          | 638        | 566        | \$70,066           | \$44,493           | \$114,559     |
| Ericson Elementary                 | 767        | 741        | \$84,233           | \$58,249           | \$142,483     |
| Erma Duncan Polytechnical High     | 1,198      | 1,073      | \$131,567          | \$84,347           | \$215,914     |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name                  | Enrollment | Low Income | Enrollment Funding | Low Income Funding | Total Funding |
|------------------------------|------------|------------|--------------------|--------------------|---------------|
| Ewing Elementary             | 827        | 718        | \$90,823           | \$56,441           | \$147,264     |
| Ezekiel Balderas Elementary  | 651        | 623        | \$71,494           | \$48,973           | \$120,468     |
| Figarden Elementary          | 592        | 454        | \$65,015           | \$35,688           | \$100,703     |
| Florence E. Rata             | 18         | 15         | \$1,977            | \$1,179            | \$3,156       |
| Fort Miller Middle           | 623        | 611        | \$68,419           | \$48,030           | \$116,449     |
| Fremont Elementary           | 433        | 411        | \$47,553           | \$32,308           | \$79,861      |
| Fresno High                  | 2,092      | 1,880      | \$229,748          | \$147,785          | \$377,532     |
| Fulton                       | 18         | 18         | \$1,977            | \$1,415            | \$3,392       |
| Gibson Elementary            | 411        | 234        | \$45,137           | \$18,395           | \$63,531      |
| H. Roger Tatarian Elementary | 466        | 214        | \$51,177           | \$16,822           | \$67,999      |
| Hamilton Elementary          | 803        | 686        | \$88,187           | \$53,926           | \$142,113     |
| Heaton Elementary            | 525        | 507        | \$57,657           | \$39,855           | \$97,511      |
| Herbert Hoover High          | 2,005      | 1,624      | \$220,193          | \$127,661          | \$347,854     |
| Holland Elementary           | 425        | 388        | \$46,674           | \$30,500           | \$77,175      |
| Homan Elementary             | 552        | 519        | \$60,622           | \$40,798           | \$101,420     |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name                    | Enrollment | Low Income | Enrollment Funding | Low Income Funding | Total Funding |
|--------------------------------|------------|------------|--------------------|--------------------|---------------|
| Irwin O. Addicott Elementary   | 42         | 36         | \$4,613            | \$2,830            | \$7,442       |
| J. E. Young Academic Center    | 1,820      | 1,675      | \$199,876          | \$131,670          | \$331,546     |
| Jackson Elementary             | 357        | 341        | \$39,206           | \$26,806           | \$66,012      |
| Jefferson Elementary           | 454        | 439        | \$49,859           | \$34,509           | \$84,369      |
| Juan Felipe Herrera Elementary | 559        | 497        | \$61,390           | \$39,069           | \$100,459     |
| King Elementary                | 585        | 579        | \$64,246           | \$45,515           | \$109,760     |
| Kings Canyon Middle            | 932        | 892        | \$102,354          | \$70,119           | \$172,473     |
| Kirk Elementary                | 377        | 373        | \$41,403           | \$29,321           | \$70,724      |
| Kratt Elementary               | 562        | 446        | \$61,720           | \$35,060           | \$96,780      |
| Lane Elementary                | 573        | 555        | \$62,928           | \$43,628           | \$106,556     |
| Lawless Elementary             | 620        | 516        | \$68,090           | \$40,562           | \$108,652     |
| Lincoln Elementary             | 498        | 488        | \$54,691           | \$38,361           | \$93,053      |
| Lowell Elementary              | 339        | 328        | \$37,230           | \$25,784           | \$63,013      |
| Malloch Elementary             | 450        | 234        | \$49,420           | \$18,395           | \$67,814      |
| Manchester Gate                | 678        | 470        | \$74,459           | \$36,946           | \$111,406     |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name                                 | Enrollment | Low Income | Enrollment Funding | Low Income Funding | Total Funding |
|---|------------|------------|--------------------|--------------------|---------------|
| Mario G. Olmos Elementary                   | 592        | 587        | \$65,015           | \$46,143           | \$111,158     |
| Mayfair Elementary                          | 602        | 587        | \$66,113           | \$46,143           | \$112,256     |
| McCardle Elementary                         | 468        | 375        | \$51,397           | \$29,478           | \$80,875      |
| McLane High                                 | 1,945      | 1,823      | \$213,604          | \$143,304          | \$356,908     |
| Miguel Hidalgo Elementary                   | 580        | 574        | \$63,697           | \$45,122           | \$108,818     |
| Mollie S. Bakman Elementary                 | 722        | 681        | \$79,291           | \$53,533           | \$132,824     |
| Muir Elementary                             | 476        | 450        | \$52,275           | \$35,374           | \$87,649      |
| Nonpublic, Nonsectarian Schools             | 32         | 22         | \$3,514            | \$1,729            | \$5,244       |
| Norseman Elementary                         | 643        | 607        | \$70,616           | \$47,716           | \$118,331     |
| Phillip J Patino School of Entrepreneurship | 243        | 203        | \$26,687           | \$15,958           | \$42,644      |
| Phoenix Elementary Academy<br>Community Day | 21         | 20         | \$2,306            | \$1,572            | \$3,878       |
| Phoenix Secondary                           | 56         | 53         | \$6,150            | \$4,166            | \$10,316      |
| Powers-Ginsburg Elementary                  | 426        | 349        | \$46,784           | \$27,435           | \$74,219      |
| Pyle Elementary                             | 719        | 674        | \$78,962           | \$52,982           | \$131,944     |
| Robinson Elementary                         | 499        | 458        | \$54,801           | \$36,003           | \$90,804      |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name                     | Enrollment | Low Income | Enrollment Funding | Low Income Funding | Total Funding |
|---------------------------------|------------|------------|--------------------|--------------------|---------------|
| Roeding Elementary              | 647        | 598        | \$71,055           | \$47,008           | \$118,063     |
| Roosevelt High                  | 2,228      | 2,045      | \$244,683          | \$160,755          | \$405,439     |
| Rowell Elementary               | 594        | 580        | \$65,234           | \$45,593           | \$110,827     |
| Rutherford B. Gaston Sr. Middle | 821        | 802        | \$90,164           | \$63,044           | \$153,208     |
| Scandinavian Middle             | 764        | 725        | \$83,904           | \$56,992           | \$140,896     |
| Sequoia Middle                  | 858        | 831        | \$94,227           | \$65,324           | \$159,551     |
| Slater Elementary               | 676        | 634        | \$74,240           | \$49,838           | \$124,078     |
| Starr Elementary                | 336        | 145        | \$36,900           | \$11,398           | \$48,298      |
| Sunnyside High                  | 2,879      | 2,597      | \$316,177          | \$204,148          | \$520,325     |
| Sunset Elementary               | 402        | 305        | \$44,148           | \$23,976           | \$68,124      |
| Susan B. Anthony Elementary     | 430        | 417        | \$47,223           | \$32,780           | \$80,003      |
| Tehipite Middle                 | 481        | 472        | \$52,824           | \$37,103           | \$89,928      |
| Tenaya Middle                   | 816        | 535        | \$89,615           | \$42,056           | \$131,671     |
| Thomas Elementary               | 754        | 687        | \$82,806           | \$54,004           | \$136,810     |
| Tioga Middle                    | 670        | 609        | \$73,581           | \$47,873           | \$121,454     |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.

# Proposition 28 | Arts Education Funding

## Fresno: Fresno Unified

| School Name         | Enrollment    | Low Income    | Enrollment Funding | Low Income Funding | Total Funding       |
|---------------------|---------------|---------------|--------------------|--------------------|---------------------|
| Turner Elementary   | 592           | 556           | \$65,015           | \$43,707           | \$108,721           |
| Vang Pao Elementary | 798           | 762           | \$87,638           | \$59,900           | \$147,538           |
| Viking Elementary   | 712           | 650           | \$78,193           | \$51,096           | \$129,289           |
| Vinland Elementary  | 517           | 465           | \$56,778           | \$36,553           | \$93,331            |
| Wawona K-8          | 679           | 523           | \$74,569           | \$41,113           | \$115,682           |
| Webster Elementary  | 315           | 311           | \$34,594           | \$24,447           | \$59,041            |
| Wilson Elementary   | 670           | 651           | \$73,581           | \$51,174           | \$124,755           |
| Winchell Elementary | 681           | 649           | \$74,789           | \$51,017           | \$125,806           |
| Wishon Elementary   | 513           | 479           | \$56,339           | \$37,654           | \$93,992            |
| Wolters Elementary  | 419           | 399           | \$46,015           | \$31,365           | \$77,380            |
| Yosemite Middle     | 674           | 657           | \$74,020           | \$51,646           | \$125,666           |
| <b>Grand Total</b>  | <b>69,327</b> | <b>60,621</b> | <b>\$7,613,628</b> | <b>\$4,765,356</b> | <b>\$12,378,984</b> |

SSC estimates assume \$938 million allocated for Proposition 28, using 2022-23 Free and Reduced Priced Meals Data and a statewide estimate of LEA pre-kindergarten enrollment.

LEA-specific estimates do not include pre-kindergarten pupil counts.



## **GOP Proposes Drastic Cuts to Federal Education Funding**

By: Kyle Hyland and Michelle McKay Underwood

July 21, 2023

Congress is currently moving forward with marking up the 12 government funding bills for fiscal year (FY) 2024 before they head home for their 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 drastically reduce federal funding for education as Republicans seek to reduce spending within the discretionary portion of the budget.

The bill would provide a discretionary total of \$67.4 billion to the Department of Education, which is \$12.1 billion (15%) below the FY 2023 enacted level and \$22.6 billion below the Biden Administration's budget proposal. 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 assert that \$31 billion provided during the pandemic remains unspent and further investments will not be provided until these funds are used
- Maintains funding for special education, school safety programs, charter schools, the Impact Aid Program, and funding for career and technical training grants that support local programs for students who are not seeking a college degree
- Eliminates funding for teacher training programs, the Federal Work-Study Program, the Federal Supplemental Educational Opportunity Grants, Promise Neighborhoods, and Child Care Access Means Parents in School
- Reduces funding for the Office for Civil Rights by 25%

The proposed legislation would effectively slash federal education funding to below 2006 levels, 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 suspends the federal government's \$31.4 trillion borrowing limit through January 1, 2025, requires nondefense spending to be flat for FY 2024 and caps total spending increases for FY 2025 at 1% (see "[Congress Approves Debt Ceiling Legislation](#)" in the June 2023 *Fiscal Report*). However, GOP legislators are proposing to fund programs below the limits established in the deal.

It is important to note that this is the House Republicans' proposal for the FY 2024 education budget, and they still need to work with the Senate and the White House before the end of the process. This level of reductions is a starting point and final appropriations levels are likely to be higher since the Democratically controlled Senate and White House will be negotiating for higher spending levels.

In order to avert a government shutdown, the FY 2024 budget must be in place by October 1, 2023, the beginning of FY 2024, or a continuing resolution needs to be signed. We will continue to provide periodic updates on the FY 2024 federal budget as it is being crafted, including analysis on any implications for local educational agencies. Stay tuned.

## Senate Advances Bipartisan Funding Bills

By: Anjanette Pelletier

July 31, 2023

For the first time in five years, the Senate Appropriations Committee (Committee) has passed all 12 appropriations bills with bipartisan support and achieved this feat before the end of July. The Committee leadership, U.S. Senator Susan Collins (R-ME) and U.S. Senator Patty Murray (D-WA), made good on their commitment to “return this committee to regular order,” while acknowledging that the bills must still pass through the full Senate and the House before being signed into law (see Committee statement [here](#)). As part of this display of bipartisan cooperation, the Committee advanced its bill to fund the fiscal year (FY) 2024 [Labor, Health and Human Services, Education, and Related Agencies](#) with a proposal that provides \$224.4 billion in total funding. Consistent with the debt-limit agreement reached in June, the U.S. Department of Education (ED) is flat funded. However, the Committee prioritized building on the investments of the last two fiscal years with targeted increases included in the bill for education programs as follows:

Elementary and secondary education will see increases of:

- \$175 million for Title I-A grants
- \$20 million for Student Support and Academic Enrichment Grants
- \$10 million for Impact Aid
- \$7 million for English Language Acquisition
- \$35 million to address educator shortages

Special education funding would maintain FY 2023 levels for special education research, the Javits Gifted and Talented grant program, Individuals with Disabilities Education Act (IDEA) preschool grants, and mental health personnel grants. The IDEA Part B grants, currently funded at \$14.2 billion, would receive a \$175 million increase including:

- \$19.5 million for IDEA Part D Personnel Preparation (\$35 million of total funding)
- \$20 million for IDEA Part C grants for infants and families (\$560 million of total funding)

Child care and early learning programs will see growth of:

- \$1 billion for early learning programs
- \$700 million for the Child Care and Development Block Grant
- \$275 million for Head Start
- \$5 million for the Child Care Access Means Parents in School program

Mental health investments continue with additional funding of:

- \$35 million for the Mental Health Block Grant
- \$19 million for the Behavioral Health Workforce Education and Training Program
- \$15 million for Certified Community Behavioral Health Clinics
- \$18 million for the 988 Suicide Prevention Lifeline
- \$100 million within the ED to address the shortage of school-based mental health professionals in our nation’s K-12 schools

Higher education will receive investments in the administration of student aid programs to support affordable repayment plans, fix student loan forgiveness programs, and support borrowers entering repayment. The bill increases the maximum Pell Grant award to \$7,645 for the 2024-25 school year and maintains funding for programs to help students prepare for a post-secondary education success. Additionally, the bill includes increases of:

- \$15 million for the Teacher Quality Partnership program
- \$15 million for the Hawkins Centers of Excellence to address educator shortages

The advancement of the appropriations bills by the Committee comes just in time for lawmakers to head back to their local districts for the August recess and sets the stage for the highly anticipated negotiations to align final funding decisions with members of the House, who proposed a vastly different bill in mid-July with dramatically differing priorities (see [“GOP Proposes Drastic Cuts to Federal Education Funding”](#) in the July 2023 *Fiscal Report*). Stay tuned for the start of negotiations when Congress reconvenes in September.

## Court Rules Against SBE In Charter School Appeal

By: Leilani Aguinaldo, Brianna García, and Wendi McCaskill

July 24, 2023

Since the changes to the charter petition appeal process ushered in by Assembly Bill 1505 (O'Donnell, Statutes of 2019), the State Board of Education (SBE) has heard a number of appeals. One appeal in particular—that of the Napa Foundation for Options in Education, petitioners seeking to establish the Mayacamas Charter Middle School (Mayacamas)—has been in the news lately as the process did not end with the SBE and instead has made its way to the courts.

### Charter School Petition Appeal Process

Before we get into the specifics of this appeal, let us provide you with an overview of how the appeal process works. Per Education Code Section 47605(k), a petition that is denied by a school district for the establishment of a charter school can be submitted to the county board of education (county board) on appeal. If the county board denies the petition, it can be submitted on appeal to the SBE. In this instance, the petitioners must not only provide the petition, but must also provide findings and the documentary record—which is prepared by the school district and county board no later than ten business days after request by the petitioner—along with a written submission detailing, with specific citations to the documentary record, how either the school district or county board, or both, abused their discretion. (Note that this language was in law when the Mayacamas matter was considered by the SBE. Senate Bill [SB] 114 [Committee on the Budget, Statutes of 2023] changed the law and, effective July 1, 2023, the petitioners must show how both the school district and county board abused their discretion. See “[Charter Schools in the 2023-24 State Budget](#)” in the June 2023 *Fiscal Report*.)

Within 30 days of the submittal of the appeal to the SBE, the school district or county board can submit written opposition detailing, with specific citations to the documentary record, how they did not abuse their discretion in denying the petition. Either one can also submit supporting documentation or evidence from the documentary record that was considered when making their decision.

The SBE's Advisory Commission on Charter Schools (ACCS) must then hold a public hearing to review the appeal and documentary record and submit a recommendation to the SBE as to whether there is sufficient evidence to hear the appeal or whether the SBE should summarily deny review of the appeal based on the documentary record. Whether or not the ACCS submits a recommendation, the SBE must consider the appeal and either hear it or summarily deny review based on the documentary record. If it hears the appeal, then the SBE can either affirm the determination of the school district or county board, or both, or reverse *only* upon a determination that there was an abuse of discretion. (Note that SB 114 amended this language as well and the SBE can only reverse if there was an abuse of discretion by both the school district and county board.)

## Mayacamas Petition and Appeal

With this statutory process in mind, let us turn to the case of Mayacamas. In December 2021, the Napa Valley Unified School District (USD) denied the petition for the establishment of Mayacamas. Mayacamas subsequently appealed the denial to the Napa County Board of Education (Napa County) who, in March 2022, also denied the petition, at which point Mayacamas submitted an appeal to the SBE. The ACCS held a public hearing and accepted the California Department of Education's (CDE) recommendation that the SBE hear the appeal. As it pertained to the first action—whether to hear the appeal or summarily deny the review—the CDE recommended that the SBE hear the appeal as Mayacamas submitted sufficient evidence and there were no grounds to summarily deny. As to the second action—whether to affirm or reverse the denial—the CDE recommended the SBE affirm the decision to deny as Mayacamas failed to show an abuse of discretion.

The SBE took two votes. The first, to affirm the decision, failed by a vote of 5-6. The second vote to reverse the decision was approved by a vote of 6-5. The SBE determined that both the district and the county board abused their discretion. First, Napa Valley USD did not provide a fair and impartial hearing process and second, Napa County did not satisfy the level of evidence needed to demonstrate that the charter school would substantially undermine existing services, offerings, or programs. Subsequently, both Napa Valley USD and the California School Boards Association's Educational Legal Alliance filed petitions for writs of mandate arguing that the SBE abused its discretion when it reversed denial of the petition, and on June 29, 2023, the Superior Court agreed.

## California Superior Court Decision

The Superior Court found that "...the State Board abused its discretion in reversing the District Board's and County Board's decision to deny the Charter School petition. The State Board erred in finding that the stated bases constituted grounds to overturn their decision." It noted that under an abuse of discretion standard, an agency cannot determine if it would have made a different decision, but instead is "limited to determining whether the decision of the agency was arbitrary, capricious, entirely lacking in evidentiary support, or unlawfully or procedurally unfair." It found that the SBE's oral arguments contained "hallmarks of independent judgement review" and emphasized that the SBE is limited to an abuse of discretion review. In granting the writ, the Superior Court stated, "As there was no proper legal basis for the State Board's decision in the matter, the State Board decision must be set aside."

## Next Steps

In response, the CDE placed an item on the SBE agenda for its July 2023 meeting to set aside its reversal and comply with the writ. However, the item was subsequently pulled. Per the SBE agenda available on its website, "Item 17 was not heard at the Request of Napa Foundation for Options in Education, who has filed Notices of Appeal in *Napa Valley Unified School District v. California State Board of Education and California School Boards Association's Education Legal Alliance v. California State Board of Education.*" So, final determination of this matter is still up in the air.

As briefly referenced in the summary of law at the beginning of this article, the Legislature made changes to the Education Code due to this matter. It not only made the changes noted above, but

it also clarified 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 a petition.

We will continue to monitor developments in this matter and post a *Fiscal Report* article once the courts rule on the appeal filed by the Napa Foundation for Options in Education. In the meantime, we would encourage school district and county boards to ensure they are clearly documenting their decisions and following procedures as set out by law, as well as involving legal counsel as appropriate.

# ***Bill Update***



**SCHOOL SERVICES OF CALIFORNIA, INC.**

**Legislative Report Prepared for:  
Fresno Unified School District  
Status as of August 1, 2023**

| <i>Bill No./<br/>Author</i> | <i>Title</i>   | <i>Position</i> | <i>Current Status</i>             | <i>Page</i> |
|-----------------------------|--|-----------------|-----------------------------------|-------------|
| <b>Employees</b>            |  |                 |                                   |             |
| AB 5<br>Zbur                | The Safe and Supportive Schools Act  | Support         | Senate Appropriations Committee   | 18          |
| AB 238<br>Muratsuchi        | California Student Teacher Support Grant Program   | Support         | Senate Appropriations Committee   | 18          |
| AB 1555<br>Quirk-Silva      | Transitional Kindergarten: Teacher Assignments: Qualification Requirements   | Support         | Senate Desk                       | 18          |
| AB 1699<br>McCarty          | K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings   | Oppose          | Senate Appropriations Committee   | 18          |
| AB 1722<br>Dahle,<br>Megan  | Pupil Health: Credentialed School Nurses, Registered Nurses, and Licensed Vocational Nurses  | Support         | Senate Appropriations Committee   | 19          |
| <b>Facilities</b>           |  |                 |                                   |             |
| AB 247<br>Muratsuchi        | Education Finance: School Facilities: Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024 | Watch           | Senate Appropriations Committee   | 19          |
| AB 249<br>Holden            | Water: Schoolsites: Lead Testing: Conservation   | Support         | Senate Appropriations Committee   | 20          |
| SB 28<br>Glazer             | Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024                           | Watch           | Assembly Appropriations Committee | 20          |
| SB 499<br>Menjivar          | School Facilities: School Extreme Heat Action Plan Act of 2023   | No Position     | Assembly Appropriations Committee | 21          |
| SB 532<br>Wiener            | San Francisco Bay Area Toll Bridges: Tolls: Transit Operating Expenses   | Support         | Assembly Appropriations Committee | 21          |
| SB 760<br>Newman            | School Facilities: All-Gender Restrooms  | No Position     | Assembly Appropriations Committee | 21          |

| <b>Governance and District Operations</b>        |  |             |  |    |
|--|--|-------------|--|----|
| AB 275<br>Ward                                   | School Governance: Governing Boards: Pupil Members: Compensation   | Support     | Senate Floor—Third Reading                           | 22 |
| AB 1637<br>Irwin                                 | Local Government: Internet Websites and Email Addresses  | Oppose      | Senate Appropriations Committee—Suspense File        | 22 |
| SB 328<br>Dodd                                   | Political Reform Act of 1974: Contribution Limits  | Support     | Assembly Appropriations Committee                    | 22 |
| <b>Instruction</b>                               |  |             |  |    |
| AB 714<br>McCarty                                | Pupil Instruction: Newcomer Pupils: Curriculum Frameworks: High School Coursework and Graduation Requirements: Exemptions and Alternatives | Support     | Senate Appropriations Committee                      | 23 |
| <b>Miscellaneous</b>                             |  |             |  |    |
| AB 278<br>Reyes                                  | High Schools: Dream Resource Center Grant Program  | Support     | Senate Appropriations Committee—Suspense File        | 23 |
| <b>Nutrition</b>                                 |  |             |  |    |
| AB 1178<br>Rivas, Luz                            | School Nutrition: Guardian Meal Reimbursement  | Support     | Senate Appropriations Committee—Suspense File        | 24 |
| SB 348<br>Skinner                                | Pupil Meals  | Support     | Assembly Appropriations Committee                    | 24 |
| <b>School Safety and Student Discipline</b>      |  |             |  |    |
| AB 599<br>Ward                                   | Suspensions and Expulsions: Tobacco  | No Position | Senate Appropriations Committee                      | 24 |
| AB 1165<br>McCarty                               | Pupil Discipline: Racist Bullying, Harassment, or Intimidation: Restorative Justice Practice   | Support     | Signed by the Governor, Chapter 22, Statutes of 2023 | 25 |
| AB 1445<br>Arambula                              | The Neng Thao Drowning Prevention Safety Act   | Support     | Senate Floor—Third Reading                           | 25 |
| SB 274<br>Skinner                                | Suspensions and Expulsions: Willful Defiance: Interventions and Supports   | No Position | Assembly Appropriations Committee                    | 25 |
| <b>State Budget, Education Finance, and LCFF</b> |  |             |  |    |
| AB 938<br>Muratsuchi                             | Education Finance: Local Control Funding Formula: Base Grants: Classified and Certificated Staff Salaries                                  | No Position | Senate Appropriations Committee                      | 26 |

| <b>Student Health</b>      |   |         |  |    |
|----------------------------|---|---------|--|----|
| AB 19<br>Patterson,<br>Joe | Pupil Health: Opioid Antagonists  | Support | Senate Appropriations<br>Committee—Suspense File | 26 |
| AB 230<br>Reyes            | Menstrual Products: Menstrual<br>Equity for All Act of 2021   | Support | Senate Appropriations<br>Committee—Suspense File | 27 |
| AB 483<br>Muratsuchi       | Local Educational Agency: Medi-<br>Cal Billing Option   | Support | Senate Appropriations<br>Committee               | 27 |
| AB 659<br>Aguiar-<br>Curry | Cancer Prevention Act   | Support | Senate Appropriations<br>Committee               | 27 |
| AB 915<br>Arambula         | Pupil Health: Drug Education:<br>Opioid Overdose Training Program                                     |         | Senate Appropriations<br>Committee               | 27 |
| SB 10<br>Cortese           | Pupil Health: Opioid Overdose<br>Prevention and Treatment:<br>Melanie’s Law                           | Support | Assembly Appropriations<br>Committee             | 28 |
| SB 234<br>Portantino       | Opioid Antagonists: Schools,<br>College Campuses, Stadiums,<br>Concert Venues, and Amusement<br>Parks | Support | Assembly Appropriations<br>Committee             | 28 |
| SB 283<br>Ochoa<br>Bogh    | Pupil Health: Asthma Management   | Support | Assembly Appropriations<br>Committee             | 28 |
| SB 541<br>Menjivar         | Sexual Health: Contraceptives:<br>Immunization  | Support | Assembly Appropriations<br>Committee             | 29 |
| <b>Transportation</b>      |   |         |  |    |
| AB 579<br>Ting             | Schoolbuses: Zero-Emission<br>Vehicles  | Support | Senate Appropriations<br>Committee               | 29 |
| SB 88<br>Skinner           | Pupil Transportation: Driver<br>Qualifications  | Watch   | Assembly Appropriations<br>Committee             | 30 |

## Employees

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

**Amended:** 5/2/2023

**Title:** The Safe and Supportive Schools Act

**Status:** Senate Appropriations Committee

**Position:** Support

**Summary:**

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

### [AB 238 \(Muratsuchi\)](#)

**Amended:** 4/17/2023

**Title:** California Student Teacher Support Grant Program.

**Status:** 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 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.

### [AB 1699 \(McCarty\)](#)

**Amended:** 5/18/2023

**Title:** K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings

**Status:** Senate Appropriations Committee

**Position:** Oppose

**Summary:**

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

---

**AB 1722 (Dahle, Megan)****Amended:** 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.

---

**Facilities**

---

**AB 247 (Muratsuchi)****Amended:** 7/13/2023**Title:** Education Finance: School Facilities: Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024**Status:** Senate Appropriations 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. SB 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 Appropriations 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.

---

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

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

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

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

---

**SB 499 (Menjivar)****Amended:** 5/18/2023**Title:** School Facilities: School Extreme Heat Action Plan Act of 2023**Status:** Assembly Appropriations 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.

---

**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.

---

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

## Governance and District Operations

### [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.

### [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.

### [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.



## Instruction

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

**Amended:** 5/18/2023

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

**Status:** Senate Appropriations Committee

**Position:** Support

#### **Summary:**

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

## Miscellaneous

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

**Amended:** 3/16/2023

**Title:** High Schools: Dream Resource Center Grant Program

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

**Position:** Support

#### **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

## Nutrition

### [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.

### [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.

---

**[SB 274 \(Skinner\)](#)****Amended:** 7/3/2023**Title:** Suspensions and Expulsions: Willful Defiance: Interventions and Supports**Status:** Assembly Appropriations 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.

## State Budget, Education Finance, and LCFF

### [AB 938 \(Muratsuchi\)](#)

**Amended:** 7/13/2023

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

**Status:** Senate Appropriations 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

## Student Health

### [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.

---

**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.

---

**AB 483 (Muratsuchi)****Amended:** 7/13/2023**Title:** Local Educational Agency: Medi-Cal Billing Option**Status:** Senate Appropriations Committee**Position:** Support**Summary:**

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

---

**AB 659 (Aguiar-Curry)****Amended:** 7/3/2023**Title:** Cancer Prevention Act**Status:** Senate Appropriations Committee**Position:** Support**Summary:**

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

---

**AB 915 (Arambula)****Amended:** 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.

---

**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.

---

**SB 234 (Portantino)****Amended:** 7/13/2023**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 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 allows students to carry and administer an opioid antagonist at school or at school activities.

---

**SB 283 (Ochoa Bogh)****Amended:** 3/23/2023**Title:** Pupil Health: Asthma Management**Status:** Assembly Appropriations Committee**Position:** Support**Summary:**

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

---

**SB 541 (Menjivar)****Amended:** 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

---

**Transportation**

---

**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.

---

**SB 88 (Skinner)****Amended:** 6/19/2023**Title:** Pupil Transportation: Driver Qualifications**Status:** Assembly Appropriations 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



**Legislative Report Prepared for:  
Fresno Unified School District  
Status as of August 1, 2023**

**Two-Year Bills**

| <i>Bill No./<br/>Author</i>                      | <i>Title</i>   | <i>Position</i> | <i>Current Status</i>  | <i>Page</i> |
|--|--|-----------------|--|-------------|
| <b>Accountability and Assessments</b>            |  |                 |  |             |
| AB 237<br>Wallis                                 | Intradistrict and Interdistrict Transfers: Low-performing Pupils   | No Position     | Assembly Appropriations Committee—Suspense File                  | 33          |
| AB 728<br>Jackson                                | School Accountability: Local Control and Accountability Plans  | Watch           | Assembly Education Committee                                     | 33          |
| <b>Employees</b>                                 |  |                 |  |             |
| AB 796<br>Weber                                  | Athletic Trainers  | Support         | Senate Business, Professions, and Economic Development Committee | 34          |
| SB 765<br>Portantino                             | Teachers: Retired Teachers: Teacher Preparation  |                 | Assembly Public Employment and Retirement Committee              | 34          |
| <b>Instruction</b>                               |  |                 |  |             |
| SB 767<br>Rubio                                  | Elementary Education: Kindergarten   | Support         | Senate Appropriations Committee—Suspense File                    | 34          |
| <b>Miscellaneous</b>                             |  |                 |  |             |
| SB 333<br>Cortese                                | Homeless Pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program | Support         | Assembly Education Committee                                     | 35          |
| <b>School Safety and Student Discipline</b>      |  |                 |  |             |
| SB 31<br>Jones                                   | Encampments: Sensitive Areas: Penalties  | Oppose          | Senate Public Safety Committee                                   | 35          |
| <b>State Budget, Education Finance, and LCFF</b> |  |                 |  |             |
| SB 98<br>Portantino                              | Education Finance: Additional Education Funding  | Support         | Assembly Education Committee                                     | 35          |

| <b>Student Health</b> |  |         |   |    |
|-----------------------|--|---------|---|----|
| AB 1314<br>Essayli    | Gender Identity: Parental Notification                         |         | Assembly Education Committee                  | 36 |
| AB 1362<br>Davies     | Pupil Instruction: Adopted Course of Study: Physical Education | Support | Assembly Education Committee                  | 36 |
| SB 472<br>Hurtado     | Pupil Health: Opioid Overdose Reversal Medication              | Support | Senate Appropriations Committee—Suspense File | 36 |

## 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.

## Employees

### [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.

### [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.

## 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.

## Miscellaneous

### [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.

## 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.

## State Budget, Education Finance, and LCFF

### [SB 98 \(Portantino\)](#)

**Title:** Education Finance: Additional Education Funding

**Status:** Assembly Education Committee

**Position:** Support

#### **Summary:**

This bill would, beginning with the 2023-24 fiscal year, provide local educational agencies (LEAs) with supplemental education funding, in addition to their Local Control Funding Formula (LCFF) entitlement. The funding would be based on the difference between what the LEA would have received if LCFF funds were apportioned using enrollment numbers, and what the LEA did receive under the LCFF using average daily attendance information. At least 30% of the supplemental funds would have to be used to address chronic absenteeism and habitual truancy. In addition, there is a maintenance of effort requirement such that LEAs would need to maintain at least the same per-pupil spending level on staff who address chronic absenteeism and habitual truancy as in the 2019-20 school year.

## Student Health

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

**Amended:** 3/9/2023

**Title:** Gender Identity: Parental Notification

**Status:** Assembly Education Committee

**Position:**

**Summary:**

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

### [AB 1362 \(Davies\)](#)

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

**Status:** Assembly Education Committee

**Position:** Support

**Summary:**

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

### [SB 472 \(Hurtado\)](#)

**Amended:** 4/17/2023

**Title:** Pupil Health: Opioid Overdose Reversal Medication

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

**Position:** Support

**Summary:**

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