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Robert G. Nelson, Ed.D.

## **BOARD COMMUNICATIONS – MARCH 15, 2024**

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, Ed.D. Superintendent Calendar Highlights

### **BUSINESS & FINANCIAL SERVICES – Patrick Jensen, Chief Officer**

BFS-1 Kim Kelstrom School Services Weekly Updates  
BFS2 Kim Kelstrom March Legislative Committee Meeting

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

E&EP-1 Andrew Scherrer, Ed.D. The Foundation for Fresno Unified Schools  
“Spill the Tea” Event Recap  
E&EP-2 Andrew Scherrer, Ed.D. The Foundation for Fresno Unified Schools  
Suit Drive Kick-Off

### **INSTRUCTIONAL DIVISION – Natasha Baker, Ed.D., Chief Officer**

ID-1 Marie Williams, Ed.D. English Learner Board Report Updates  
ID-2 Marie Williams, Ed.D. Student Parent Support Program  
ID-3 Marie Williams, Ed.D. Cullinan Education Center

### **OPERATIONAL SERVICES – Paul Idsvoog, Chief Officer**

OS-1 Alex Belanger Agreement with RSS Consulting, LLC

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: March 15, 2024

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Site visits at Cambridge, McLane, and Wishon
- Met with the Latino Education Roundtable
- Attended CART Board Meeting and CART Joint Annual Meeting
- Attended ForeFront Power Ribbon Cutting Event
- Held principal interviews
- Attended Si Se Puede Conference
- Attended Marjaree Mason Birthday Soiree

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



Date: 03/15/24

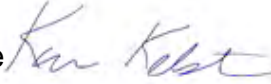
Fresno Unified School District  
Board Communication

**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: March 15, 2024

Phone Number: 457-3907

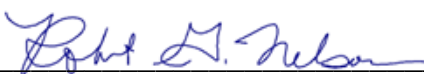
Regarding: School Services Weekly Update Reports for March 07, 2024

The purpose of this board communication is to provide the Board with a copy of the School Services of California's (SSC) Weekly Update Reports. Each week SSC provides an update and commentary on different educational fiscal issues. In addition, they include different articles related to education issues. The SSC Weekly Update Reports for March 07, 2024, are attached and include the following articles:

- Proposition 28 Audit Procedures Published – March 05, 2024
- Here's What Happened in California's Primary Election While You Were Sleeping – March 06, 2024
- California Schools Gained Billions During COVID-19. Now the Money is Running Out – March 05, 2024

If you have any questions pertaining to the information in this communication, or require additional information, please contact Kim Kelstrom at (559) 457-3907.

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



Date: 03/15/24



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

DATE: March 7, 2024

TO: Robert G. Nelson  
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: ***SSC's Sacramento Weekly Update***

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### **Proposition 1 Too Close to Call**

On Tuesday, millions of Californians participated in the state's 2024 primary election and decided who they want to see on the November 5, 2024, General Election ballot for U.S. President, U.S. Senate (for one seat), U.S. House (for all 52 congressional districts), State Senate (for 20 districts), and State Assembly (for all 80 districts). There were also elections for local school boards, municipal government positions, and local ballot measures such as local school bonds and parcel taxes.

Much different than previous years, voters only saw one statewide measure on the primary ballot, Proposition 1 (2024). If approved, Proposition 1 would authorize \$6.38 billion in state general obligation bonds to fund housing for homeless individuals and veterans with mental health or substance abuse disorders. It would also amend the Health Services Act to provide additional behavioral health services.

Proposition 1 was the only measure on the ballot as Governor Gavin Newsom worked with the Legislature to ensure no other statewide proposal was placed before voters on the March ballot (only the Legislature can place statewide measures on the primary ballot).

With about half of the ballots counted, Proposition 1 is too close to call with 50.2% voting yes and 49.8% voting no. The yes column is currently leading by less than 15,000 votes. With the margin this close, it may take days or even weeks to know if the measure has been approved.

While not an education measure, the success of Proposition 1 could gauge how successful other bond proposals might be this November, including a school facilities bond.

As we have written previously, the Legislature is looking to work with the Newsom Administration on placing a school facilities bond proposal before voters on the November 5, 2024, General Election ballot. There are currently two bills, Assembly Bill (AB) 247 (Muratsuchi, D-Torrance) and Senate Bill (SB) 28 (Glazer, D-Orinda), that would place a bond before voters in

November. Knowing that lawmakers will only place one school facilities bond before voters, the authors and proponents of these measures will need to work together to come up with one proposal.

Two big issues that still need to be decided are the overall price tag of the school facilities bond and whether to include the California State University (CSU) and University of California (UC) systems in the proposal. Right now, AB 247 is pegged at \$14 billion and includes transitional kindergarten through the California Community Colleges system, while SB 28 would cost \$15.5 billion and includes preschool through the CSU and UC systems.

While the success or failure of Proposition 1 is in no way tied to the success or failure of a hypothetical school facilities bond, the school facilities bond could be on a ballot with several other bond proposals and if voters are starting to feel bond fatigue, it could spell defeat for any new bond spending.

Lawmakers have until Thursday, June 27, 2024, to qualify a statewide school facilities bond for the November 5, 2024, General Election ballot.

### **Preliminary Data Shows Positive PIT Revenues for February**

After months of sober economic news and unperforming revenues, the preliminary data for personal income tax (PIT) looks positive. PIT is the largest of the “big three” tax revenues, making up nearly two-thirds of the state’s general fund revenues.

According to a [blog post](#) from the Legislative Analyst’s Office, the Legislature’s nonpartisan policy and fiscal advisor, monthly PIT withholding for February came in at \$1.2 billion, or 16% above projections included in Governor Newsom’s 2024-25 State Budget proposal.

However, since the state collected half of this amount (roughly \$600 million) on leap day, February’s month-to-month comparison is difficult to interpret. The state also collected a large amount of equity compensation withholding on February 20th, which had the effect of lifting the month’s withholding total by an additional \$500 million compared to 2023. Overall, PIT withholding is running 1% above projections included in the 2024-25 State Budget proposal and 3% above the prior year.

The February income tax gains offset a portion of the weak revenue news in December and January, as reported in the Department of Finance’s (DOF) bulletin [last month](#).

While the preliminary data for February is encouraging, we do not know how large of a dent this increase will have on the State Budget deficit. Moreover, it will take a lot more than one month of positive revenue news to erase the large deficit that the state is currently facing. We will know a lot more about where the state is when the DOF releases their March bulletin later this month.

*Leilani Aguinaldo*

## Proposition 28 Audit Procedures Published

By Matt Phillips, CPA, and Wendi McCaskill  
School Services of California Inc.'s *Fiscal Report*  
March 5, 2024

The Education Audit Appeals Panel (EAAP) posted the 2023-24 supplemental audit guide which includes additions and amendments to the original 2023-24 audit guide that was released in July 2023. The audit guide details audit procedures to standardize the testing performed by independent auditors as part of compliance with [Education Code Section \(EC § 41020\)](#), which requires local educational agencies (LEAs) to engage in an annual audit of their financial statements.

One of the most intriguing additions this year is related to the funding generated from Proposition 28, Arts and Music in Schools. Recall that voters passed Proposition 28, which provides an additional 1% of funding, relative to the Proposition 98 guarantee, and the funding is intended to supplement services for art education. A number of questions were outstanding when the Education Code was established, and the audit procedures will provide some clarity on what the auditors will review beginning with the 2023-24 fiscal year audit. The audit procedures include the following steps:

- **Certification**—LEAs are required to certify each year that the funding will be used to supplement, not supplant, arts education funding. Auditors will review the certification to verify that it was completed in accordance with law. Note that the California Department of Education (CDE) made certification available through an optional data entry screen in the Principal Apportionment Data Collection for the purpose of meeting the certification requirements.
- **Annual reporting**—LEAs must annually approve a report, post the report on the LEA's website, and submit the report to the CDE for posting on the CDE's website. The format of the report will be developed and provided by the CDE. Note that LEAs must develop an expenditures plan for each school site, but the school site plans are not subject to the annual audit procedures.
- **Expenditures**—LEAs must expend funds for arts education programs. Auditors will sample expenditures and verify that the expenditures were in accordance with [EC § 8821\(a\)](#).
- **Supplement, not supplant**—LEAs must use the funds to supplement existing funds used for arts education programs. Auditors will review documentation of revenue and arts education programs expenditures provided by the LEA to show that the Proposition 28 funds supplemented existing funds using the following format:

A.	Total expenditures for arts education program in the prior fiscal year
B.	Less: Expenditures from (A.) that were from Resource 6770
C.	Less: Expenditures from (A.) that were from funding sources, excluding Resource 6770, not available in the audit year
D.	Plus: Revenue from resources newly available in the audit year for arts education programs, excluding Resource 6770

E.	Determine the amount of audit year expenditures on arts education programs, excluding expenditures from Resource 6770
F.	Verify (E.) is equal or greater to the sum of (A. – D.)

- **80/20 rule**—LEAs must spend at least of 80% of the funds on certificated or classified salaries and benefits that align with arts education programs. Auditors will review annual expenditures to verify that no less than 80% was for allowable salaries and benefits. The exception to this rule is if an LEA has obtained a waiver, or if the LEA has enrollment of less than 500 students.
- **Administrative costs**—LEAs can charge up to 1% of administrative costs, including indirect costs. Auditors will verify that no more than 1% of administrative costs were charged.

The audit procedures provide a framework so that LEAs will know how auditors are required to verify compliance with the law which is codified in [EC § 8820-8822](#). The full text of the revised audit guide can be found [here](#). For more information on this topic, and other items in the audit guide, please join for us for our upcoming webinar, "[The Audit Challenge—Updated and New Considerations.](#)"

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*Note: The last day for counties to certify their primary election results is April 4.*

## Here’s What Happened in California’s Primary Election While You Were Sleeping

By Andrew Sheeler  
*The Sacramento Bee*  
March 6, 2024

California’s 2024 primary Election Day came and went, and now, as counties continue to tabulate the votes, some candidates are looking ahead to November.

Here’s a look at the unofficial results, as of early Wednesday morning. Check out all of The Bee’s [election results here](#).

President Joe Biden easily won the California Democratic presidential primary, with a commanding 89.4% of the vote.

On the Republican presidential primary side, former President Donald Trump swept the race, winning 78.4% of the vote, while former South Carolina Gov. Nikki Haley trailed with just 18% of the vote. The Associated Press projected a Trump victory Tuesday evening. A win secures Trump all of the Republican delegates for the state, a major move toward his eventual party nomination.

In Sacramento, city council candidates Phil Pluckebaum and Eric Guerra garnered more than 50% of the vote, likely negating the need for a runoff election.

Keep in mind that mail-in ballots postmarked for Tuesday will continue to be accepted until March 12, and so it could be days or even weeks before we know the final results.

Also keep in mind that California's primary is known as a "jungle primary," where the top two vote-getters — regardless of political party — move on to the November general election. This can lead to Democrat vs. Democrat and Republican vs. Republican races.

## **Ballot measures**

**Proposition 1**, to restructure the Mental Health Services Act and approve a \$6.4 billion bond: 50.3% yes and 49.7% no.

## **Congress**

- U.S. Senator (partial term): Republican Steve Garvey 34.4%. Democrat Adam Schiff 30.9%. Democrat Katie Porter 16.1%. Democrat Barbara Lee 9.4%.
- U.S. Senator (full term): Democrat Adam Schiff 33.3%. Republican Steve Garvey 32.2%. Democrat Katie Porter 13.9%. Democrat Barbara Lee 7.4%.

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*Note: In a series of grants known as Elementary and Secondary School Emergency Relief, the federal government gave California schools \$23.4 billion to pay for everything from air purifiers to after-school tutoring.*

## **California Schools Gained Billions During COVID-19. Now the Money is Running Out**

By Carolyn Jones  
*CalMatters*  
March 5, 2024

After years of cash windfalls, California schools are bracing for a stretch of austerity that could jeopardize students' already precarious recovery from the pandemic.

An end to billions of dollars in federal Covid relief funds, declining enrollment, staff raises, hiring binges and stagnant state funding should combine over the next few months to create steep budget shortfalls, with low-income districts affected the most.

"The fiscal cliff is going to vary," said Marguerite Roza, director of the Edunomics Lab at Georgetown University. "The districts that got the most Covid relief dollars, those that have the most low-income students, are going to face the biggest losses."

In his budget proposal released in January, Gov. Gavin Newsom largely spared schools, keeping intact popular initiatives like transitional kindergarten, universal school meals, community schools and after-school programs. He proposed dipping into reserves and delaying some expenses to make up a projected multi-billion-dollar shortfall.

But the exact numbers are shifting. The Legislative Analyst's Office predicted that the shortfall may be much higher than Newsom calculated and cuts will be unavoidable. Newsom will release a revised budget in May, and the Legislature has until June 15 to pass a final budget.



Meanwhile, federal Covid relief funding for schools will end in September. In a series of grants known as Elementary and Secondary School Emergency Relief, the federal government gave California schools \$23.4 billion to pay for everything from air purifiers to after-school tutoring.

That funding was distributed based on the number of low-income students districts have. Districts with lots of low-income students got more money, which means they'll lose the most when the funding ends.

In the beginning of the pandemic, schools tended to spend the money on one-time expenses, like tablets and Wi-Fi hotspots for students attending school remotely. But as schools reopened, they started spending money on ongoing programs intended to help students catch up academically and recover from the mental health hardships of remote learning. That could include tutors, longer school days or summer and after-school programs.

San Bernardino City Unified used \$8 million of its \$230 million in Covid relief funds to beef up its after-school program. Thanks to the extra funding, the district has been able to offer free after-school activities, tutoring, transportation and mental health support at every school.

### **Keeping the 'sparkle in kids' eyes'**

Mia Cooper, a parent with three children in San Bernardino City Unified, said her childrens' after-school program has been a life-saver. In fact, it's the main reason they want to go to school, she said.

They not only benefit from tutoring, but they get to enjoy ballet and acting lessons, field trips to science museums and Disneyland, robotics classes, performances by folklórico dance troupes and other fun activities.

During the pandemic, one of Cooper's daughters was withdrawn and depressed, but the after-school program helped her reconnect with friends and fall in love with school again. Keeping the program intact should be a priority, Cooper said.

"The kids were exposed to so many different activities and cultural things," she said. "If a program is working for kids and we're seeing good outcomes, I think it's something we need to keep. ... We shouldn't lose that sparkle in kids' eyes."

### **A budget reckoning for some districts**

But some district's use of Covid relief funds could worsen their budget prospects, Roza said. Districts that invested one-time funds in ongoing expenses, such as new staff, raises and bonuses, might be headed for a reckoning. Nationwide, school staff increased 2% since the pandemic while enrollment decreased 2%, according to Georgetown's Edunomics Lab.

Salaries for existing teachers have risen, too. Districts in San Francisco, Oakland, San Diego and Los Angeles – all of which have declining enrollment – agreed to hefty teacher raises and bonuses in the past year.

Still, the fiscal outlook is not as dire as it was during the 2008 recession, said Julien Lafortune, a research fellow at the Public Policy Institute of California. School funding generally in California has risen dramatically since then, lifting California from the bottom half of states in school funding to above the

national average. In addition, the state's shift to the Local Control Funding Formula a decade ago has provided more money for students with higher needs, although inequities persist.

But that doesn't mean these cuts won't hurt, Lafortune said, especially for students who were most affected by the pandemic. Low-income, Black and Latino students disproportionately bore the brunt of school closures, research has shown, because they were more likely to suffer economically from the pandemic, less likely to have adequate technology at home, and less likely to have a parent available to help them with distance learning.

"It's not like the Great Recession, but I think the challenges are greater now," Lafortune said. "A lot of the academic progress we made was erased by the pandemic."

Roza worries that arguments over potential cuts in the next year will eclipse concern over learning loss. Potential school closures and teacher layoffs will inevitably elicit loud protests, but school boards should stay focused on services that directly help students, such as math tutoring and literacy, she said.

"Some districts will be focusing on staff retention instead of kids' needs," Roza said.

These decisions may be so divisive that Roza predicts a high rate of turnover among school administrators and board members unwilling to make unpopular decisions. She also expects to see some districts refuse to make sufficient cuts and risk insolvency or state takeover.

### **Planning pays off in Fresno**

Fresno Unified is among the districts facing a double whammy of declining enrollment and a large loss of relief funds. The 70,000-student district received more than \$787 million in state and federal relief money, one of the largest allotments in California.

But the district was careful to build reserves, rely on state grants when possible and not overly invest in ongoing staff salaries. Instead, it used most of its money to train teachers in math and literacy, extend the school day and provide a high-quality summer program. It also brought in social workers, restorative justice counselors, attendance specialists and other staff to boost students' mental health.

The investments have apparently paid off. The number of students meeting California's math benchmark rose almost 3 percentage points last year, even as the state average remained unchanged. And chronic absenteeism fell significantly, from 51% in 2022 to 35% last year.

Still, the district expects to make some cuts, probably affecting the district office but not schools directly — at least at first, said the district's chief financial officer, Patrick Jensen.

"It's like we're in a boat and we can see a storm coming," Jensen said. "We're not going to be dashed against the rocks but we still need to find a safe harbor."

San Bernardino City Unified, among California's lowest-income districts, also received a high relief funding payout: \$230 million for 46,000 students. But the district isn't anticipating a financial disaster once the funding expires. It plans to shift some of its state block grant money to pay for programs funded with relief money, where necessary, and has been conservative with planning. It's also closely monitoring the state budget and economic outlook, said Associate Superintendent Terry Connick.

But there's still likely to be some cuts, and the district will have to look closely at what programs have been effective and which didn't live up to expectations. In addition to the after-school program, a "resident guest teacher" program had positive results, Connick said. The district hired substitute teachers to work one-on-one or in small groups with students who were the furthest behind. The \$4.5 million program, which was at every school, resulted in higher test scores among the highest-needs students.

So far, it looks like the district will be able to keep both programs, at least for the next few years, Connick said.

"People call it a (Elementary and Secondary School Emergency Relief) cliff because the money just ends," Connick said. "But for us it will hopefully be a gentle slope."

Fresno Unified School District  
Board Communication

**BC Number BFS-2**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Kim Kelstrom, Chief Executive  
Cabinet Approval:

Date: March 15, 2024

Phone Number: 457-3934

Regarding: March Legislative Committee Meeting

The purpose of this board communication is to provide the Board information shared at the March 07, 2024, Legislative Committee Meeting.

**Budget and Economic Update:**

Ms. Aguinaldo provided a budget and economic update.

The Legislative Analyst's Office (LAO) issued a report weeks after the Governor's Proposed Budget and estimates the deficit will grow by \$7.7 billion from the Governor's proposal. The LAO agrees with the Governor regarding fundings; however, they recommend utilizing the reserve instead of Proposition 98 funding. In addition, the LAO recommends a 0% COLA, reduction in universal school meal rates, and reduction of Expanded Learning programs.

The Governor's budget proposed a change to the Learning Recovery Block Grant which would include a needs assessment. The needs assessment must include interventions to address the needs of chronic absenteeism and performance on state standardized English Language Arts and mathematics. Funds must be expended by 2027/28.

**Legislative Update** – The following bill proposals were discussed:

- AB 1917 (Muratsuchi) – Support – Requires governing board members to receive training in K-12 public education governance laws at least every four years.
- AB 1821 (Ramos) – Support – Commencing with the 2025/26 school year, any instruction on the Spanish missions in California or the Gold Rush Era shall also include instruction regarding the treatment of Native Americans during those periods.
- AB 2097 (Berman) – Watch – Requires schools and charter schools to offer computer science by 2030/31 to be added as a high school graduation requirement.
- AB 2222 (Rubio, Blanca) – Watch – Requires all public schools to teach students to read using the "science of reading," a phonics-based approach to reading with training completed by June 30, 2027.
- AB 2268 (Muratsuchi) – Support – Removes transitional kindergarten students from the requirement to assess the English language development of students whose primary language is not English.
- AB 2429 (Alvarez) – Support – Starting in 2026/27, if a school district or charter requires a health education course as a graduation requirement, then must include instruction in dangers associated with fentanyl use.
- AB 2927 (McCarty) – Support – Starting in 2026/27, requires districts to offer at least a one-semester course in personal finance.

- SB 1094 (Limón) – Support – Requires social sciences to include principles of democracy and the state and federal constitutions and complete one civic engagement at least once in grades 1-6 and once in grades 7-8.
- AB 2137 (Quirk-Silva) – Support – Requires districts with at least 15 homeless pupils to include in the Local Control and Accountability Plan (LCAP) specific actions to facilitate the enrollment, attendance, participation, retention, and educational success of homeless pupils.
- Ab 2595 (Rivas, Luz) – Support – Requires the Department of Education to establish a pilot process for meals served to guardians of eligible pupils in the summer meal program.
- AB 2711 (Ramos) – Support – Starting July 01, 2026, a student shall not be suspended or expelled for unlawfully possessing, using, or being under the influence of a controlled substance, an alcoholic beverage, or an intoxicant of any kind, or use of tobacco or products containing tobacco or nicotine.
- AB 3038 (Essayli) – Oppose – Requires a school district or charter school to hire or contract with at least one armed school resource officer to be present at each school while pupils are present on campus.
- SB 1011 (Jones) – Watch – Prohibits a homeless person from being around a public or private school within 500 feet.
- SB 1026 (Smallwood-Cuevas) – Watch – Requires a school district that have a police or sheriff contract to specify parameters of the use of weapons and roles and responsibilities of personnel on school campus.
- AB 2052 (Jones-Sawyer) – Support – Requires the Department of Health and California Department of Education Office of School-Based Health Programs to award grants for expansion, renovation, and retrofitting of existing school centers. Preference will be given to schools with more than 55% unduplicated pupils.
- SB 954 (Menjivar) – Support – By 2025/26, public schools to make free internal and external condoms available to all pupils in grades 9 to12.
- SB 976 (Skinner) – Watch – Prohibits an addictive social media platform from providing an addictive feed to a minor without parental consent.
- SB 1318 (Wahab) – Support –On or before July 01, 2026, the bill requires school districts to update its pupil suicide prevention policy.

The School Services Legislative Committee March 2024 report is attached. The next Legislative Committee meeting is scheduled for April 04, 2024.

If you have any questions pertaining to the information in this communication or require additional information, please get in touch with Ashlee Chiarito at (559) 457-3934 or Patrick Jensen at (559) 457-6226.

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



Date: 03/15/24

# Fresno Unified School District

**LEGISLATIVE COMMITTEE MEETING  
MARCH 7, 2024**

**2023-2024 Legislative Session**

**Prepared By:**

**Leilani Aguinaldo  
Director, Governmental Relations**



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



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# ***Legislative and Economic Update***



**School Services of California, Inc.**  
**Legislative and Economic Update Prepared for:**  
**Fresno Unified School District**  
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**March 5, 2024**

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**Legislative and Economic Update**

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# FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

## LAO to Legislature: Deteriorating Budget Condition Ahead

By: Patti F. Herrera, EdD

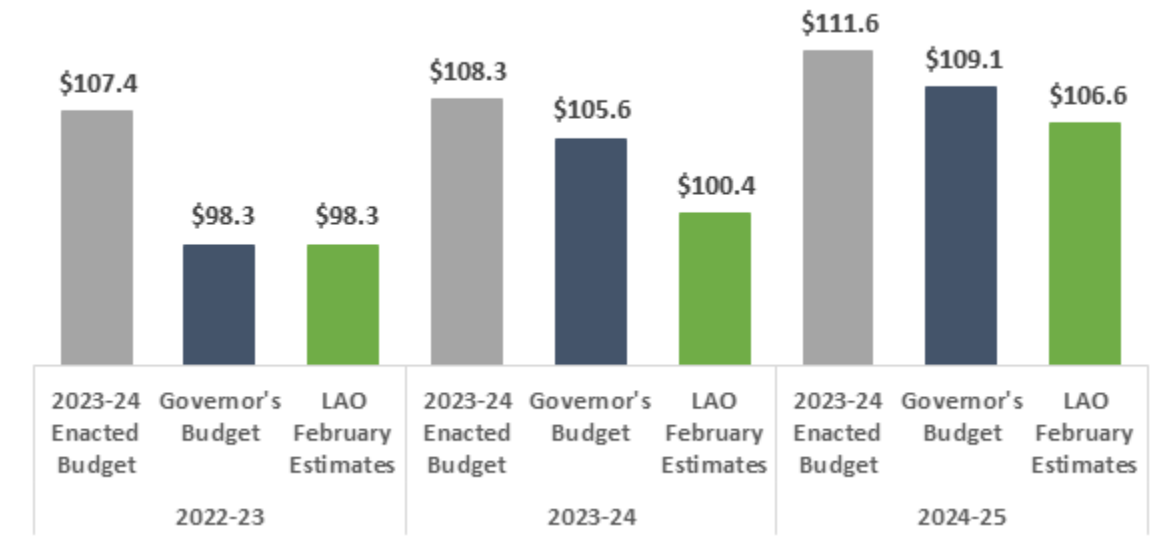
February 21, 2024

The Legislative Analyst's Office (LAO) issued two separate reports on February 15, 2024, analyzing Proposition 98 and Governor Gavin Newsom's education budget proposal within the context of a deteriorating budget condition. The analyses acknowledge that when the Governor issued his 2024-25 Governor's Budget on January 10, 2024, he was:

- Solving an estimated \$58 billion State Budget deficit (for comparison, during the height of the COVID-19 recession, the 2020-21 Enacted Budget addressed a \$54 billion deficit)
- Addressing unanticipated reductions in available revenues to K-12 school and community college agencies in the prior and current year with \$13.7 billion in spending solutions—\$8 billion of which is attributable to a funding maneuver the LAO strongly recommends the Legislature reject
- Proposing an additional \$1.4 billion in new K-12 one-time and ongoing spending, with the largest share attributable to funding a 0.76% cost-of-living adjustment (COLA) (\$628 million)

The LAO evaluates the Governor's January fiscal policy and spending proposals highlighting that, under its most recent revenue estimates, the State Budget and Proposition 98 deficits are likely to grow by May. Specifically, they estimate that the Proposition 98 minimum guarantee could drop by another \$7.7 billion from the Governor's Budget estimates in 2023-24 and 2024-25 (see Figure 1).

**Figure 1. Changes in the Proposition 98 Minimum Guarantee (in billions)**



## Addressing the 2022-23 Proposition 98 Reduction

Perhaps the most problematic proposal included in the Governor’s Budget from the LAO’s perspective is how the Administration intends to protect school and community college agencies from a \$9.1 billion decrease in the 2022-23 (or prior year) minimum guarantee through an unprecedented interest-free internal borrowing of state cash resources that would exacerbate out-year State Budget deficits by accounting for the payback of the “loan” over five years beginning in 2025-26. In a separate [analysis](#), the LAO highlights multiple fiscal policy concerns with the proposal, including that it would create a binding future budget obligation for the Legislature and would require non-education government programs and services to bear the cost of the borrowing.

## Evaluating the Governor’s K-12 Spending Plan

The LAO’s fiscal concerns about the Governor’s education spending plan are not limited to the treatment of the 2022-23 minimum guarantee. Its concerns extend to the Administration’s new ongoing and one-time investments that amount to \$1.4 billion in new spending. To this point, the LAO highlights that if the Legislature were to reject the Governor’s above-mentioned funding maneuver and state and Proposition 98 resources were to decline by the LAO’s February estimates, it would need to solve a \$14 billion Proposition 98 problem across the budget window. The LAO identifies several alternatives for the Legislature to consider, including:

- Using the Proposition 98 reserve to allow K-12 and community college agencies to retain the cash resources the state provided in 2022-23 (in lieu of the Governor’s funding maneuver)
- Providing no COLA for 2024-25
- Rejecting most of the Governor’s new spending proposals
- Reducing spending in existing programs through policy adjustments
- Sweeping some unallocated education funds

## Analysis of Key Education Policy Proposals

Finally, the LAO analyzes several education policy proposals proffered by the Governor in January, including the proposals related to school meals, the education workforce, and the attendance recovery and instructional continuity programs. Below is a brief summary of a few key analyses and recommendations.

- **School Meals:** Since the inception of the universal school meals program, state costs have increased significantly. Current estimates would bring program costs to approximately \$2 billion by the end of 2024-25. The LAO offers several ways to contain program expenditures by establishing lower rates, suspending the automatic COLA for the program and make inflationary adjustments annually as part of the budget process, eliminate or suspend the budgetary provision that requires the state to automatically backfill any projected program shortfalls, and revisit the policy for community eligibility schools.

- **Educator Workforce:** The Governor’s Budget includes several proposals related to the educator workforce; however, relative to the proposal to eliminate the requirement for aspiring educators to pass the basic skills proficiency exam, the LAO recommends the Legislature approve it while also finding and addressing other barriers to entry into the profession.
- **Attendance Recovery and Instructional Continuity Programs:** The Governor’s Budget contains three proposals to address student attendance and learning opportunities: (1) the attendance recovery proposal, (2) the instructional continuity in the event of emergencies proposal, and (3) the instructional continuity proposal for classroom-based students needing short-term remote learning options. The LAO highlights the complications with each proposal while acknowledging the intent to improve student attendance and, relative to the attendance recovery proposal, to allow for average daily attendance recovery and reduce local chronic absenteeism rates. Overall, the LAO suggests that, under existing budget conditions, the state likely cannot support the costs of the attendance recovery proposal and that it would be logistically challenging for local agencies to implement in the near-term. For the instructional continuity program, the LAO argues that the exemptions to the 15-day participation limit is too broad and that it may not be reasonable to expect local agencies experiencing unexpected emergency events to provide instruction within five calendar days.

The Assembly and Senate budget subcommittees responsible for the education budget are slated to hear the Governor’s Proposition 98 proposals on February 27 and 28, respectively. The hearing and ensuing discussions may provide early indications of the Legislature’s positions on some of the Governor’s proposals. Stay tuned.

# FISCAL REPORT

PUBLIC EDUCATION'S POINT OF REFERENCE FOR MAKING EDUCATED DECISIONS

## January 2024 State Cash Receipts Below Forecast

By: John Gray and Patti F. Herrera, EdD

February 20, 2024

State General Fund cash receipts for the month January 2024 were almost 20% below the most recent updated Governor's Budget forecast. The California Department of Finance's (DOF) February 2024 *Finance Bulletin* highlighted that fiscal year-to-date cash receipts are down 4.8% below forecast, as noted in Figure 1 below. As the Governor's Budget forecast was recently updated at the end of November 2023, the year-to-date shortfall to forecast is almost all related to the January 2024 cash receipts.

The bulk of the month's shortfall was due largely to lower-than-expected personal income tax receipts. Withholdings were down by \$1 billion (10.8%) while estimated payments were down by almost \$4 billion (36.1%) for January. Monthly withholdings represent a more real-time indicator of economic activity while estimated payments are often more volatile and tied to stock market compensation as noted in the *Finance Bulletin*.

Both corporation and sales and use tax revenues were down slightly on both a monthly and year-to-date basis by 4.6% and 1.1%, respectively.

Figure 1: 2023-24 Comparison of Actual and Forecast Agency General Fund Revenues (Dollars in Millions) Year-to-Date through January 2024

Revenue Source	Forecast	Actual	Difference	Percent Difference
Personal Income	\$76,176	\$71,491	-\$4,685	-6.2%
Corporation	\$21,506	\$20,527	-\$980	-4.6%
Sales and Use	\$18,756	\$18,557	-\$199	-1.1%
Total*	\$121,467	\$115,586	-\$5,882	-4.8%

\*Includes other agency cash receipts

Regarding labor market conditions, the DOF noted that California's unemployment rate rose by 0.2% in December 2023 to 5.1%. Also, 3,600 Californians dropped out of the labor force causing the labor participation rate to fall to 62.0%, a decrease of 0.2% from November 2023. The U.S. unemployment rate remained at 3.7%.

In California, construction is an important economic driver and leading economic indicator. Building activity is slowing down with the number of building permits down 2.0% from November 2023 and down 2.9% from a year ago. December 2023 year-to-date permits of 56,000 single-family homes and 54,000 multi-family units were down 6.0% and up 0.6%, respectively.

With the Governor's Budget forecast barely a month old, January's revenues are not encouraging when compared to the recently revised forecast. While it is too early to tell, we will be monitoring and reporting as we head towards the Governor's May Revision.

## Can COLA Be Reduced?

By: John Gray and Patti F. Herrera, EdD

February 13, 2024

In light of the Legislative Analyst's Office updated estimates indicating that state General Fund revenues are likely to be \$24 billion lower than what Governor Gavin Newsom projected on January 10, 2024, it begs the question as to whether lawmakers may consider foregoing funding the statutory cost-of-living adjustment (COLA) in 2024-25 for the Local Control Funding Formula (LCFF) and select categorical programs.

Prior to the enactment of the LCFF in 2013, when Proposition 98 resources were insufficient to pay for the statutory COLA, the state would apply a "deficit factor" to local revenue limits, reducing the per-student amount law entitled local educational agencies (LEAs) to receive by an agreed upon percentage. For example, if the state applied an 11% deficit factor to revenue limits, LEAs would receive only 89 cents of every dollar to which they were entitled. Applying a deficit factor to LEA General Fund apportionments required legislative action and the signature of the governor. In its ten-year history, LCFF apportionments have never been subject to a deficit factor the way that revenue limits were during economic downturns, and it is unlikely that they ever will be.

The reason is because in 2019, as part of the 2019-20 Enacted Budget, statute was amended to authorize the Director of the Department of Finance to reduce the statutory COLA for LCFF and select categorical programs when the amount needed to fund it exceeds K-12 education's share (89%) of Proposition 98 resources. Specifically, law provides the Director unilateral authority to reduce COLA to equal what Proposition 98 can afford but not less than zero. When the Director uses this authority, law requires them to report any amounts or percentages reduced from COLA to the Legislature before the enactment of the annual State Budget. The Director's authority requires no action by the Legislature nor governor.

While the LCFF has never been subject to a deficit factor, you may recall that during the height of the COVID-19 recession when the state faced a \$54 billion budget problem, LEAs received no COLA for the 2020-21 fiscal year. Despite the unilateral authority for the Director to provide no COLA, the 2020-21 education omnibus trailer bill (Senate Bill [SB] 98) amended law, specifying that COLA would be zero. SB 98 was passed by the Legislature and signed by Governor Newsom on June 29, 2020.

We cannot know what California legislators or Governor Newsom will do if the state's budget condition worsens over the next four months, but we know how impactful COLA is for local budgeting and planning. When Governor Newsom issues his May Revision, he will provide the official estimate of the 2024-25 statutory COLA as all the necessary data points to compute it will be available. We, of course, will cover this, as well as all the major features of the Governor's revised budget, at our May Revision Workshop on May 21, 2024. For more information about or to register for the workshop, click [here](#).

## Changes Proposed for Learning Recovery Emergency Block Grant

By: Leilani Aguinaldo

February 13, 2024

The 2024-25 Governor's Budget released on January 10, 2024, included mention of statutory changes to the Learning Recovery Emergency Block Grant (LREBG), and details are now available in the proposed legislative language that accompanies the budget proposal, also known as the trailer bill language. The LREBG proposal effectuates a [settlement agreement](#) reached in *Cayla J. et al v. State of California*, a lawsuit filed in 2020 on behalf of a group of Oakland and Los Angeles families who argued that students fell behind during remote learning and the state was not doing enough to mitigate the learning loss that ensued.

Local educational agencies (LEAs) originally received \$7.9 billion in one-time funds for the LREBG as part of the 2022-23 Enacted Budget, which must be expended by the end of the 2027-28 school year. The 2023-24 Enacted Budget reduced the grant by \$1.1 billion. The funds may be used to “establish learning recovery initiatives . . . that, at a minimum, support academic learning recovery and staff and pupil social and emotional well-being” (Education Code Section 32526 [c][1]).

Under Governor Gavin Newsom's current proposal, LEAs must develop a needs assessment for the use of any unencumbered block grant funds starting July 1, 2024. The needs assessment must identify students in the greatest need of learning recovery supports based on chronic absenteeism and performance on state standardized English language arts and mathematics assessments. The needs assessment also must include the interventions, aligned with the allowable uses of the LREBG, that the LEA will pursue to address the needs of the identified students. The California Department of Education will provide assistance for developing the needs assessment. In addition, school districts that are identified for differentiated assistance may also receive support from their county office of education in conducting the needs assessment.

To ensure accountability for how LEAs use LREBG funds that are unencumbered as of July 1, 2024, expenditures for these funds will be included in Local Control and Accountability Plans for the 2025-26 through 2027-28 fiscal years. LEAs will be required to include at least one metric to monitor the impact of actions or services utilizing LREBG funds. LEAs also must explain the rationale for implementing these actions or services which must be supported by research.

While the proposal seeks to focus the use of unencumbered LREBG funds on students in the greatest need of learning recovery supports, the allowable uses for the LREBG have not been narrowed. In fact, the proposal would allow the grant to also be used for professional development on the 2023 Mathematics Framework. However, many questions have been raised about the intent and the mechanics for the July 1, 2024, cut off for encumbered funds. Furthermore, the settlement calls for at least \$2 billion in unencumbered funds to be captured by the proposal. The Department of Finance has admitted that it does not currently have an estimate for how much of the LREBG funds are unencumbered, but in March, it expects to have an estimate of unencumbered funds as of June 30, 2023. Additional details to define what “encumbered” means will require consultation with the attorneys that crafted the settlement.

The trailer bill language, including the proposed changes related to the LREBG, will be considered by the Legislature over the next few months. Any significant changes to the proposal or failure to adopt the proposal will impact the settlement, including possibly returning to court for trial. Stay tuned for future *Fiscal Report* articles that will provide any available updates regarding the LREBG proposal.



# Proposals for the 2024-25 State Budget and K-12 Education

## Instructional Continuity

The Governor's Budget proposes several instructional continuity measures

### Attendance Recovery Time

Allow for Saturday school, intersessional school, and before/after school attendance

- Generates average daily attendance-based funding
- Mitigates chronic absenteeism

### Hybrid/Remote Instruction

Encourages local educational agencies (LEAs) to provide additional hybrid/remote instruction options for students unable to attend school in person

### Instruction for Emergencies

For emergencies lasting longer than five days, LEAs would be required to offer

- Remote instruction, or
- Support to enroll in a neighboring LEA

The Governor's Budget proposes \$6 million one-time Proposition 98 funding to research and develop models of hybrid learning to support attendance and to develop a methodology for more detailed absence data reporting to the state

## Instructional Continuity and Attendance Recovery Proposal—Part One

By: Patti F. Herrera, EdD and Wendi McCaskill

February 7, 2024

### Part One: Attendance Recovery Expansion and COE Research Grants

The proposed 2024-25 education omnibus budget trailer bill, posted February 1, 2024, includes the details behind Governor Gavin Newsom's instructional continuity and attendance recovery proposal. The proposal consists of four primary elements.

This is Part One of a two-part *Fiscal Report* series to provide information on the instructional continuity and attendance recovery proposal. This article will cover:

- Expanded provisions for recovering student attendance due to absences, and
- \$6 million in grant funding to county offices of education (COE) for research on more nuanced pupil absence data reporting and models of hybrid and remote learning.

Part Two will cover the remaining elements of the instructional continuity and attendance recovery proposal, which are:

- Additional conditions of approval of Requests for Allowance of Attendance Due to Emergency Conditions (Form J-13A) in the instance of closures or material decreases of attendance for five days or more, and
- The establishment of instructional continuity programs accompanied by changes to the independent study programs.

### Makeup Attendance/Attendance Recovery

Under current law, school districts and COEs can generate what is commonly referred to as “makeup attendance” for apportionment through weekend classes held on Saturdays or Sundays. Makeup attendance is generated per the statutory provisions for weekend classes in Education Code Section 37223. Under existing law, charter schools cannot generate makeup attendance for apportionment. If enacted, the Governor's proposal would establish attendance recovery provisions that will permit school districts, COEs, and classroom-based charter schools to generate makeup attendance through weekend classes as well as instruction during before and after school and intersession periods. Attendance generated through these attendance recovery provisions could be used to make up lost attendance for apportionment, as well as to reduce a local educational agency's chronic absenteeism rate.

The generation of makeup attendance as proposed by the Governor would require in-person instruction under the immediate supervision of a certificated employee of the LEA. This is consistent with the current supervision requirements for in-person instruction that must be met to generate attendance or instructional time during the regular school day. Makeup attendance could be generated in 15-minute increments, with a full day of attendance generated once the number of instructional minutes required to meet the minimum day requirements is met. There would be a

cap of 15 days of makeup attendance recovered per student each school year, and a limit of no more than one day of makeup attendance generated per calendar day. Students enrolled in nonclassroom-based programs would be precluded from generating attendance through an attendance recovery program.

Attendance recovery/makeup attendance provisions would require the engagement of students in educational activities substantially equivalent to activities offered in the regular instructional program and in compliance with class size and pupil-to-teacher ratios.

Although makeup attendance is not explicitly included in current audit guide procedures, the proposed legislation for expanded attendance recovery opportunities explicitly requires verification of the adoption of attendance recovery provisions in the Guide for Annual Audits of K-12 Local Education Agencies. Noncompliance could result in losses of makeup attendance.

### **One-Time Proposition 98 Funding of \$6 Million**

The instructional continuity and attendance recovery proposal also includes a \$6 million appropriation of which \$2 million would be allocated to a COE to research student information systems in order to identify opportunities to more accurately track student absences by reason. The remaining \$4 million would be allocated to a COE to research models of hybrid and remote learning and provide guidance and resources to LEAs to build their own hybrid and remote learning programs.

We will track these proposals through the budget process and report out on their progress and outcome.

We will review and discuss the instructional continuity and attendance recovery proposals in our upcoming [Instructional Time and Attendance Planning](#) webinar on February 20, 2024, along with existing law on instructional time and attendance provisions and helpful considerations for the 2024-25 school year.

## Instructional Continuity and Attendance Recovery Proposal—Part Two

By: Patti F. Herrera, EdD and Wendi McCaskill

February 9, 2024

Part Two: Proposed Form J-13A, Instructional Continuity, and Independent Study Changes

This is Part Two in a series of *Fiscal Report* articles (see “[Instructional Continuity and Attendance Recovery Proposal](#)” for Part One) to provide information on the instructional continuity and attendance recovery proposal included in Governor Gavin Newsom’s 2024-25 education budget. In the first article, we provided more detailed information on the attendance recovery proposal and the \$6 million proposed for grants to county offices of education (COEs). This article will cover the proposed changes to the Form J-13A requirements, the proposed establishment of the instructional continuity program, and changes to the independent study program.

### Attendance and Instructional Time Recovery in Emergencies

Current law establishes the Form J-13A process which provides an opportunity for local educational agencies (LEAs) to recover lost attendance and instructional time resulting from school closures or material losses of attendance caused by unforeseen emergencies. The J-13A process requires approval from the State Superintendent of Public Instruction. Approval is conditioned upon substantiation of qualifying events, and losses of attendance and instructional time as well as a certified plan to offer independent study to students impacted by the emergency within ten days of the closure or material decrease in attendance.

The instructional continuity and attendance recovery proposal would amend the conditions that must be met to receive credit for attendance and instructional time through the Form J-13A process. The changes would include a plan for offering instruction, that would allow for continuity of learning to students impacted by the emergency event, within five calendar days of the first day of the school closure or material loss of attendance through the 2024-25 school year.

Beginning with the 2025-26 school year, emergency events that cause school closures or material losses of attendance of five days or more would condition approval of Form J-13A requests on the LEA that experienced the emergency event offering affected students access to in-person or remote instruction. This may include support to students and families to enroll or be temporarily reassigned to another LEA.

### Instructional Continuity Programs

The Governor’s proposal would establish instructional continuity programs. If enacted, instructional continuity programs would permit students in school districts, classroom-based charter schools, and COEs to generate average daily attendance (ADA) under the general supervision of a certificated employee based on the combined time value of asynchronous and synchronous work product and participation. Participation in instructional continuity programs would be limited to 15 cumulative days per school year with some exceptions that would permit longer participation with documented justification. The instructional continuity program is similar to existing independent study programs and would require adopted and implemented policies,

written agreements, and be subject to the same age limits, geographic restrictions, and use of fund restrictions currently in place for independent study programs.

### **Independent Study**

The Governor's proposal would remove the requirement that school district students participate in independent study for at least three consecutive days to generate independent study ADA. The proposal would also remove provisions and exceptions in traditional and course-based independent study statute specific to students participating for fewer than 15 days.

The provisions that would establish instructional continuity programs include multiple conditions of apportionment and explicitly require the inclusion of instructional continuity programs in the Guide for Annual Audits of K-12 Local Education Agencies beginning with the procedures for the 2024-25 audit guide.

At this stage, these are proposed changes to current law, which we will continue to track and report out on as we move through the budget process.

## New Senate Leader Makes Committee Chair Changes

By: Kyle Hyland

February 9, 2023

This past Monday, February 5, 2024, Senator Mike McGuire (D-Healdsburg) was sworn in as the new President pro Tempore of the California Senate.

McGuire succeeds Senator Toni Atkins (D-San Diego) who held the post for almost six years. Atkins was the first woman as well as the first openly gay member to serve as leader of the state's upper house. Since Atkins is terming out at the end of 2024, she willingly stepped aside for McGuire to assume the role of President pro Tempore (see "[McGuire Chosen as the Next Senate Leader](#)" in the September 2023 *Fiscal Report*) and now has her eyes set on the 2026 gubernatorial election.

With the transition complete, McGuire announced on Thursday that he was making several changes to the committee chair assignments. These changes are done for a variety of political and practical reasons, such as a former committee chair being termed out of the Legislature soon. We detail some of those changes below.

On the budget side, McGuire has appointed Senator Scott Wiener (D-San Francisco) to replace Senator Nancy Skinner (D-Berkeley) as chair of the Senate Budget and Fiscal Review Committee. Senator Skinner terms out of the Legislature at the end of 2024.

McGuire announced that Senator John Laird (D-Santa Cruz) will retain his chairmanship of the Senate Budget Subcommittee No. 1 on Education. This is the subcommittee that vets the K-12 and higher education proposals for the State Budget.

On the policy side, McGuire has tapped Senator Anna Caballero (D-Merced) to replace Senator Anthony Portantino (D-Burbank) as chair of the Senate Appropriations Committee. This is an important committee as any policy bill that is deemed to have a fiscal impact must pass this committee to reach the Senate floor. Senator Portantino terms out at the end of 2024 and is running for the 30th congressional district seat, which is being vacated by Democrat Adam Schiff as he is running for the U.S. Senate.

McGuire announced that Senator Josh Newman (D-Fullerton) will retain his chairmanship of the Senate Education Committee.

The Senate Rules Committee will officially ratify the committee memberships and chair assignments next Wednesday, February 14, 2024.

# ***Bill Update***

**SCHOOL SERVICES OF CALIFORNIA, INC.**

**Legislative Report Prepared for:  
Fresno Unified School District  
Status as of March 5, 2024**

**New 2024 Bills**

<i>Bill No./ Author</i>	<i>Title</i>	<i>Position</i>	<i>Current Status</i>	<i>Page</i>
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AB 1917 Muratsuchi	Local Educational Agencies: Governance Training		Assembly Education Committee	16
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AB 2097 Berman	Pupil Instruction: High Schools: Computer Science Education Courses: Graduation Requirements		Assembly Education Committee	17
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AB 2429 Alvarez	Pupil Instruction: Health Education Courses: Fentanyl		Assembly Education Committee	17
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<b>School Safety and Student Discipline</b>				
AB 2711 Ramos	Suspensions and Expulsions: Controlled Substances: Tobacco: Alcohol: Plans and Protocols		Assembly Education Committee	19
AB 3038 Essayli	School Safety: Armed School Resource Officers		Assembly Desk	19
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SB 1026 Smallwood- Cuevas	School Safety: Law Enforcement Agencies: Contracts		Senate Education Committee	20
<b>Student Health</b>				
AB 2052 Jones- Sawyer	School-Based Health and Education Partnership Program		Assembly Health Committee	20
SB 954 Menjivar	Sexual Health: Contraceptives		Senate Education Committee	21
SB 976 Skinner	Social Media Youth Addiction Law		Senate Judiciary Committee	21
SB 1318 Wahab	Pupil Health: Suicide Prevention Policies: Pupil Mental Health Crisis		Senate Education Committee	22

### Two-Year Bills

<b>Bill No./ Author</b>	<b>Title</b>	<b>Position</b>	<b>Current Status</b>	<b>Page</b>
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AB 238 Muratsuchi	California Student Teacher Support Grant Program	Support	Senate Floor—Inactive File	23
AB 796 Weber	Athletic Trainers	Support	Assembly Public Safety Committee	23
<b>Facilities</b>				
AB 247 Muratsuchi	Education Finance: School Facilities: Transitional Kindergarten Through Community College Public Education Facilities Bond Act of 2024	Watch	Senate Appropriations Committee—Suspense File	24

SB 28 Glazer	Education Finance: School Facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2024	Watch	Assembly Appropriations Committee—Suspense File	24
SB 499 Menjivar	School Facilities: School Extreme Heat Action Plan Act of 2023	No Position	Assembly Appropriations Committee—Suspense File	25
<b>Governance and District Operations</b>				
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AB 599 Ward	Suspensions and Expulsions: Tobacco	No Position	Senate Appropriations Committee—Suspense File	26
<b>State Budget, Education Finance, and LCFF</b>				
AB 938 Muratsuchi	Education Finance: Local Control Funding Formula: Base Grants: Classified and Certificated Staff Salaries	No Position	Senate Floor—Inactive File	27
SB 98 Portantino	Education Finance: Additional Education Funding	Support	Assembly Education Committee	27
<b>Student Health</b>				
AB 19 Patterson, Joe	Pupil Health: Opioid Antagonists	Support	Assembly Appropriations Committee—Suspense File	28
AB 915 Arambula	Pupil Health: Drug Education: Opioid Overdose Training Program		Senate Appropriations Committee—Suspense File	28
SB 283 Ochoa Bogh	Pupil Health: Individualized Asthma Action Plan	Support	Assembly Appropriations Committee—Suspense File	28

## New 2024 Bills

### Governance and District Operations

#### [AB 1917 \(Muratsuchi\)](#)

**Title:** Local Educational Agencies: Governance Training

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill would require all local educational agency (LEA) governing board members to receive training in K-12 public education governance laws at least once every four years. The training would include:

- Open meeting laws, including the Ralph M. Brown Act
- Public education school finance laws, including laws related to the creation and approval of an LEA budget
- Laws related to personnel and employees
- Public school accountability laws related to pupil learning and achievement

The training may be provided by an LEA, an association of LEAs, or a different entity.

### Instruction

#### [AB 1821 \(Ramos\)](#)

**Title:** Pupil Instruction: Course of Study: Social Sciences: Treatment of Native Americans

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Commencing with the 2025-26 school year, any instruction on the Spanish missions in California or the Gold Rush Era shall also include instruction regarding the treatment of Native Americans during those periods.

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**AB 2097 (Berman)**

**Title:** Pupil Instruction: High Schools: Computer Science Education Courses: Graduation Requirements

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill requires school districts and charter schools to offer computer science in accordance with the following timeline:

- By the 2026-27 school year, in at least one high school per school district
- If a school district has only one high school, then by no later than the 2027-28 school year
- By the 2027-28 school year, for all charter schools maintaining any of grades 9 to 12
- By the 2027-28 school year, at least 50 percent of the high schools per school district
- By the 2028-29 school year, all high schools in a school district

Commencing with pupils graduating in the 2030-31 school year, computer science is added as a high school graduation requirement and may be taught as part of a course that meets the A–G requirements for the University of California and the California State University.

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**AB 2222 (Rubio, Blanca)**

**Title:** Science of Reading: Accreditation: Professional Development: Instructional Materials

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Requires all public schools to teach students to read using the “science of reading,” a phonics-based approach to reading. By March 1, 2026, local educational agencies shall ensure participation in the California Department of Education-approved professional development and training, and by June 30, 2027, teachers of students in grades transitional kindergarten-5 must have completed the training.

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**AB 2268 (Muratsuchi)**

**Title:** English Learners: English Language Proficiency Assessment

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill removes transitional kindergarten students from the requirement to assess the English language development of students whose primary language is not English.

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**AB 2429 (Alvarez)**

**Title:** Pupil Instruction: Health Education Courses: Fentanyl

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Starting with the 2026-27 school year, if a school district or charter school requires a health education course as a graduation requirement, then the course must include instruction in the dangers associated with fentanyl use.

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**[AB 2927 \(McCarty\)](#)**

**Title:** Pupil Instruction: High School Graduation Requirements: Personal Finance

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Starting in 2026-27 school year, requires local educational agencies (LEAs) to offer at least a one-semester course in personal finance to students in grades 9-12. Starting in the 2029-30 school year, adds a one-semester course in personal finance to the list of high school graduation requirements. LEAs may opt to require a full-year course in personal finance. The course may be fulfilled with an existing personal finance course that meets A-G University of California and California State University requirements.

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**[SB 1094 \(Limón\)](#)**

**Title:** Pupil Instruction: Course of Study: Social Sciences: Civic Engagement

**Status:** Senate Education Committee

**Position:**

**Summary:**

This bill requires social sciences to include principles of democracy and the state and federal constitutions. In addition, it also requires pupils to complete one civic engagement with a local, state, or national governmental institution, at least once while in grades 1-6 and at least once while in either grade 7 or 8.

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**Miscellaneous**

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**[AB 2137 \(Quirk-Silva\)](#)**

**Title:** Homeless and Foster Youth

**Status:** Assembly Education Committee

**Position:**

**Summary:**

This bill would make various changes related to homeless and foster youth. Among its provisions, this bill would require local educational agencies (LEAs) with at least 15 homeless pupils to include in the Local Control and Accountability Plan (LCAP) specific actions to facilitate the enrollment, attendance, participation, retention, and educational success of homeless pupils. If the number of homeless pupils identified is less than 10% of the number of pupils identified as eligible for free or reduced-price meals, then the LEA is required to include in the LCAP strategies for ensuring the accurate identification of homeless pupils. The district must consult with its homeless liaison to develop actions to address these requirements.

## Nutrition

### [AB 2595 \(Rivas, Luz\)](#)

**Title:** School Nutrition: Guardian Meal Reimbursement

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Requires the California Department of Education (CDE) to establish a pilot process for federal summer meal program operators to receive state reimbursement, adjusted annually for inflation, for meals served to guardians of eligible pupils receiving a meal pursuant to a summer meal program hosted at a public library. Requires the CDE to develop guidance for summer meal program operators participating in the federal Seamless Summer Option or the Summer Food Service Program on how to serve guardians a meal at public library summer meal program sites.

## School Safety and Student Discipline

### [AB 2711 \(Ramos\)](#)

**Title:** Suspensions and Expulsions: Controlled Substances: Tobacco: Alcohol: Plans and Protocols

**Status:** Assembly Education Committee

**Position:**

**Summary:**

Starting July 1, 2026, a student shall not be suspended or expelled for unlawfully possessing, using, or being under the influence of a controlled substance, an alcoholic beverage, or an intoxicant of any kind.

Starting July 1, 2026, a student shall not be suspended or expelled for having possessed or used tobacco or products containing tobacco or nicotine.

By July 1, 2026, requires local educational agencies to adopt a plan to address pupils who possess or use tobacco, a controlled substance, or alcohol on school property. The plan must be youth-informed and include specific information on where, on campus and in the community, pupils can receive education, treatment, or support for substance use. The plan must include specified protocols when an incident occurs.

### [AB 3038 \(Essayli\)](#)

**Title:** School Safety: Armed School Resource Officers

**Status:** Assembly Desk

**Position:**

**Summary:**

This bill would require a school district or a charter school to hire or contract with at least one armed school resource officer authorized to carry a loaded firearm to be present at each school during regular school hours and any other time when pupils are present on campus.

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**SB 1011 (Jones)**

**Title:** Encampments: Penalties

**Status:** Senate Public Safety Committee

**Position:**

**Summary:**

Prohibits a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon a street or sidewalk if a homeless shelter is available to the person. Prohibits a person from sitting, lying, sleeping, or storing, using, maintaining, or placing personal property upon a street, sidewalk, or other public property within 500 feet of a public or private school, an open space, or a major transit stop.

**SSC Comment:** Fresno USD opposed a similar bill—SB 31 (Jones)—in 2023 that would have prohibited 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. SB 31 failed passage in the Senate Public Safety Committee.

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**SB 1026 (Smallwood-Cuevas)**

**Title:** School Safety: Law Enforcement Agencies: Contracts

**Status:** Senate Education Committee

**Position:**

**Summary:**

This bill requires local educational agencies that have a police department or that contract with a police or sheriff's department or a private licensed security agency to specify both of the following:

- The parameters on the use of weapons, including handcuffs, pepper spray, batons, and firearms, on the school campus
- The roles and responsibilities of personnel on a school campus, for the purpose of ensuring the safety of personnel and pupils

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**Student Health**

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**AB 2052 (Jones-Sawyer)**

**Title:** School-Based Health and Education Partnership Program

**Status:** Assembly Health Committee

**Position:**

**Summary:**

Existing law establishes the Public School Health Center Support Program. This bill requires the Department of Public Health to collaborate with the California Department of Education's Office of School-Based Health Programs to award grants for expansion, renovation, and retrofitting of existing school health centers. Preference shall be given to centers that are in medically underserved areas, experiencing health disparities in child and adolescent access to care, and schools with more than 55% unduplicated pupils.

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**SB 954 (Menjivar)**

**Title:** Sexual Health: Contraceptives

**Status:** Senate Education Committee

**Position:**

**Summary:**

By the 2025-26 school year, requires public schools to make free internal and external condoms available to all pupils in grades 9 to 12. The condoms shall be placed in a minimum of two locations on school grounds where the condoms are easily accessible to pupils during school hours without requiring assistance or permission from school staff. Pupils shall be notified through existing school communication channels that free condoms are available and where the condoms can be obtained on school grounds.

This bill also requires public schools serving grades 7 to 12 to allow condoms to be made available through educational or public health programs, such as organizations providing instruction for purposes of the California Healthy Youth Act, pupil peer health groups, pupil health fairs, and school-based health centers.

This bill prohibits a retail establishment from refusing to furnish nonprescription contraception to a person solely on the basis of age by means of any conduct, such as requiring the customer to present identification for purposes of demonstrating their age.

**SSC Comment:** Fresno USD supported a similar bill—SB 541 (Menjivar)—in 2023. SB 541 was vetoed by Governor Newsom because it would have created an unfunded mandate for local educational agencies.

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**SB 976 (Skinner)**

**Title:** Social Media Youth Addiction Law

**Status:** Senate Judiciary Committee

**Position:**

**Summary:**

Prohibits an addictive social media platform from providing an addictive feed to a minor without parental consent. Prohibits an addictive social media platform from sending notifications to minors between 12:00 a.m.-6:00 a.m. and 8:00 a.m.-3:00 p.m., from Monday through Friday from September through May, unless the operator has obtained parental consent.

An addictive social media platform must enable a parent to:

- Prevent their child from receiving notifications between specific hours chosen by the parent
- Limit their child's access to the platform to a length of time per day specified by the parent
- Limit their child's ability to view the number of likes or other forms of feedback on pieces of media within an addictive feed
- Require that the default feed provided to the child when entering the platform be one in which pieces of media are not prioritized for display based on information provided by the user
- Set their child's account to private mode

“Addictive social media platform” means an Internet website, online service, online application or mobile application, that offers or provides users with an addictive feed that is not incidental to the provision of that internet website, online service, online application, or mobile application.

“Addictive feed” means an Internet website, online service, online application, or mobile application, or a portion thereof, in which multiple pieces of media generated or shared by users are, either concurrently or sequentially, recommended, selected, or prioritized for display to a user based, in whole or in part, on information provided by the user, or otherwise associated with the user or the user's device.



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**SB 1318 (Wahab)**

**Title:** Pupil Health: Suicide Prevention Policies: Pupil Mental Health Crisis

**Status:** Senate Education Committee

**Position:**

**Summary:**

On or before July 1, 2026, this bill requires a local educational agency (LEA) to update its pupil suicide prevention policy to also address crisis prevention protocols in the event of a pupil mental health crisis. If an LEA contracts with a security officer or school peace officer, but does not have a school mental health professional, then the LEA shall discuss whether funding should be redirected to hiring a school mental health professional.

## Two-Year Bills

### Employees

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

**Amended:** 4/17/2023

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

**Status:** Senate Floor—Inactive File

**Position:** Support

**Summary:**

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

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**[AB 796 \(Weber\)](#)**

**Amended:** 7/6/2023

**Title:** Athletic Trainers

**Status:** Assembly Public Safety Committee

**Position:** Support

**Summary:**

This bill would enact the Athletic Training Practice Act, which would require an athletic trainer to register their certification with the newly created Athletic Trainer Registration Committee (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 or 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.

## 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—Suspense File

**Position:** Watch

#### **Summary:**

Assembly Bill (AB) 247 would place a school bond on the 2024 statewide ballot 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.

**SSC Comment:** 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 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.

### [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—Suspense File

**Position:** Watch

#### **Summary:**

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

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

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

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**SB 499 (Menjivar)****Amended:** 5/18/2023**Title:** School Facilities: School Extreme Heat Action Plan Act of 2023**Status:** Assembly Appropriations Committee—Suspense File**Position:** No Position**Summary:**

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

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

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**Governance and District Operations**

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**SB 328 (Dodd)****Amended:** 6/28/2023**Title:** Political Reform Act of 1974: Contribution Limits**Status:** Assembly Appropriations Committee—Suspense File**Position:** Support**Summary:**

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

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**Miscellaneous**

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**SB 333 (Cortese)****Amended:** 7/3/2023**Title:** Homeless Pupils: California Success, Opportunity, and Academic Resilience (SOAR) Guaranteed Income Program**Status:** Assembly Education Committee**Position:** Support**Summary:**

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

## Nutrition

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

**Amended:** 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.

## School Safety and Student Discipline

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

**Amended:** 3/28/2023

**Title:** Suspensions and Expulsions: Tobacco

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

**Position:** No Position

#### **Summary:**

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

## State Budget, Education Finance, and LCFF

### **AB 938 (Muratsuchi)**

**Amended:** 9/1/2023

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

**Status:** Senate Floor—Inactive File

**Position:** No Position

#### **Summary:**

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

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

As amended, the bill also includes 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

### **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

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

**Amended:** 6/22/2023

**Title:** Pupil Health: Opioid Antagonists

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

**Position:** Support

**Summary:**

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

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### [AB 915 \(Arambula\)](#)

**Amended:** 7/10/2023

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

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

**Position:**

**Summary:**

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

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### [SB 283 \(Ochoa Bogh\)](#)

**Amended:** 8/14/2023

**Title:** Pupil Health: Individualized Asthma Action Plan

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

**Position:** Support

**Summary:**

Starting with the 2024-25 school year, requires local educational agencies (LEAs) to create an individualized asthma action plan for a student with asthma and encourages LEAs to provide professional development for staff that includes information about symptoms and common triggers of asthma.

Fresno Unified School District  
Board Communication

**BC Number E&EP-1**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Andrew Scherrer, Ed.D., Executive Officer  
Engagement & External Partnerships  
Cabinet Approval: *Wendy McCulley*

Date: March 15, 2024  
Phone Number: 457-3749

Regarding: The Foundation for Fresno Unified Schools "Spill the Tea" Event Recap

The purpose of this communication is to provide the Board with a recap of the recent Spill the Tea event held on March 07, 2024, in honor of International Women's Month.

The event, held at The Painted Table Event Center, saw an impressive turnout with nearly 180 attendees. Guests were treated to insightful moderated discussions from panelists representing various industry sectors, including education, law enforcement, government, agriculture, mental health, and food services.

Key Highlights:

- Panel Discussions: Attendees had the opportunity to engage with student panelists as well as professionals from different sectors, gaining valuable insights and perspectives on a wide array of topics.
- Sponsorship: The success of the event was made possible by the generous support of sponsors such as US Bank and Curriculum Associates to name a few. Additionally, table sponsors included Diversity, Equity, and Inclusion, College and Career Readiness, Career Technical Education, Parent University, Lexia Learning, and Engage2Learn.
- Formation of Women's Affinity Group: The gathering served as the kickoff for our Women's Affinity group, a vital component of our Circle of Excellence and advisory groups. These groups will play a crucial role in connecting the Central Valley community to the mission of The Foundation for Fresno Unified Schools.

As we reflect on the success of the Spill the Tea event, we look forward to the continued engagement and impact of our Women's Affinity group and other advisory groups. These initiatives will further strengthen our ties to the community and advance the Foundation's mission of supporting Fresno Unified Schools.

Thank you for your ongoing support and commitment to our cause.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Wendy McCulley at (559) 457-3885.

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

*Robert G. Nelson*

Date: 03/15/24



Fresno Unified School District  
Board Communication

**BC Number E&EP-2**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Andrew Scherrer, Ed.D.  
Engagement & External Partnerships  
Cabinet Approval: *Wendy McCulley*

Date: March 15, 2024

Phone Number: 457-3749

Regarding: The Foundation for Fresno Unified Schools Suit Drive Kick-Off

The purpose of this communication is to provide the Board an update on our Suit Drive Initiative as we enter our second year, along with the additional outreach efforts undertaken by the Foundation team.

In our inaugural year, we made significant strides, collecting approximately 2,000 items of professional clothing, demonstrating the generosity and support of our community. This year, we have expanded our reach and impact through strategic partnerships. We are excited to announce our partnership with Neighborhood Industries and sponsorships from US Bank and McCormick Barstow.

In addition to these partnerships, our Foundation team has been actively engaged in outreach efforts. We have recently been featured on news stations ABC 30 and KSEE24 to raise awareness about the Suit Drive. Furthermore, our team has canvassed all areas near our external drive locations to maximize community participation and ensured our various outlets have received the press release.

Currently, we have several internal drives underway, with organizations such as EECU, City of Fresno, and Fresno Unified actively participating. External drives are scheduled throughout the week at various locations during normal business hours, including Starbucks on Kern Street, Anthropologie in Figarden Shopping Center, J. Crew Factory in Riverpark Shopping Center, and Neighborhood Industries' two locations: Neighborhood Thrift and Black Marketplace. The kick-off event to officially start the Suit Drive will be held on Monday, March 18, 2024, at 8:30 a.m. at Neighborhood Thrift.

On April 09, 2024, we will host a shopping event at McLane High School for all high school students in Fresno, providing them with access to the collected items. Subsequently, the items will be distributed to each high school after the event concludes.

Our goal this year is ambitious—we aim to collect over 5,000 items. With the support of our partners and community, we are confident we can achieve this milestone and continue making a positive impact on the lives of students in Fresno Unified Schools.

Thank you for your ongoing support and commitment to our Suit Drive Initiative.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Wendy McCulley at (559) 457-3885.

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

*Robert G. Nelson*

Date: 03/15/24



**March 18 - 22, 2024**

Give your gently used suits, shirts, skirts, ties and professional wear a new life for a student's first interview, presentation or internship.

## FUSD Drop-Off Locations

Education Center  
(District Office)

Center for Professional  
Development  
("E" Street)

First Floor Lobby

Front Entrance / Lobby

## Other Locations

Neighborhood Thrift  
10:00am - 4:00pm

J.Crew Factory  
10:00am - 7:00pm

BlkMktPlc  
Mon: 12:00pm - 5:00pm  
Tues-Fri: 11:00am - 6:00pm

Anthropologie  
10:00am - 7:00pm

Starbucks (Kern/N St.)  
5:30am - 6:00pm



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Fresno Unified School District  
Board Communication

**BC Number ID-1**

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

Date: March 15, 2024

Phone Number: 457-3731

Regarding: English Learner Board Report and Updates

The purpose of this board communication is to provide the Board information on the content of the Board Presentation from the English Learner Services Multilingual/Multicultural department on April 10, 2024. The Board presentation will include updates and reports regarding the following:

- English Learner Demographics
- Review of Department Goals
- Reclassification Data
- English Learner Progress Indicator Growth (ELPI) Growth
- Language Assessment Center
- Migrant Education
- Newcomer Support
- Dual Language Immersion Program
- Professional Learning

If you have any questions pertaining to the information in this communication or require additional information, please contact Erica Piedra at (559) 457-3928.


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



Date: 03/15/24

Fresno Unified School District  
Board Communication

**BC Number ID-2**

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

Date: March 15, 2024

Phone Number: 457-3731

Regarding: Student Parent Support Program

The purpose of this board communication is to provide the Board with information regarding the Student Parent Support Program.

The Student Parent Support Program aims to empower pregnant and parenting students in Fresno Unified School District and ensure successful high school graduation and preparation for future careers.

Students receive customized support from their student parent navigator in many areas. Students are supported with credit attainment to ensure they earn the necessary credits for graduation. When necessary, students are supported to enroll in adult education and specialty school programs or transfer to specialty schools whose programs best meet their changing needs. Attendance monitoring and support are also provided, and students taking a leave of absence, while managing parental responsibilities, can complete their studies independently. Additionally, students are provided with essential social services to address their broader needs.

Program enrollment can be initiated by self-referral or peer referral. The school nurse plays a crucial role in identifying students through health-related concerns while guidance counselors pinpoint individuals who may benefit from the program. School social workers focus on referrals rooted in social and emotional needs, and referrals from external organizations, dedicated to supporting parenting students, enhance the district's ability to reach and assist a broad spectrum of students.

Currently, the Student Parent Support Program supports 70 parenting students. Of those parents, 15 of their children are enrolled in Fresno Unified Child Development Centers (13 at Roosevelt Child Development Center and two at LaVera Williams Child Development Center). This ensures comprehensive childcare for families served and allows parenting students to complete their schooling. Parenting students are also supported to enroll their children in non-Fresno Unified childcare programs.

If you have any questions pertaining to the information in this communication or require additional information, please contact Maria Ceballos at (559) 457-3623.


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



Date: 03/15/24

Fresno Unified School District  
Board Communication

**BC Number ID-3**

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

Date: March 15, 2024

Phone Number: 457-3731

Regarding: Cullinan Education Center

The purpose of this board communication is to provide the Board with information regarding schools currently providing literacy tutoring through Cullinan Education Center in their after-school programs. Schools currently partnering with Cullinan Education Center are Bullard Talent, Del Mar, Starr, Pyle, Malloch, Hidalgo, Tatarian, Adams, Aynesworth, and Kirk.

Cullinan Education Center provides tutors, supervisors, curriculum, and training. Tutors work with up to 75 students for four hours per day to build skills in phonemic awareness, phonics, and spelling.

As part of the Every Child is a Reader literacy initiative, several regions will work with Cullinan Education Center to provide additional training to classroom teachers and paraprofessionals. Information regarding additional trainings will be shared during the April 10, 2024, Board of Education meeting.

If you have any questions pertaining to the information in this communication or require additional information, please contact Marie Williams at (559) 457-3673.


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



Date: 03/15/24

Fresno Unified School District  
Board Communication

**BC Number OS-1**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Alex Belanger  
Cabinet Approval: 

Date: March 15, 2024

Phone Number: 457-6126

Regarding: Agreement with RSS Consulting, LLC

The purpose of this board communication is to provide additional information on a request for approval of an agreement with RSS Consulting, LLC in the amount of \$100,000. The item will appear on the March 20, 2024, board agenda.

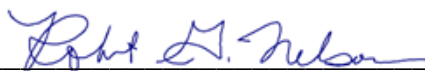
The scope of work is organized into three (3) parts, all of which inform the others. The tasks for each part of the project are iterative and lead to a decision-making framework that will guide district staff in making decisions about facilities project prioritization. Additional information pertaining to each part in the scope of work is attached to this communication with a proposal dated March 11, 2024. The purpose of this agreement is to meet the Board's request and is a continuation of the Fresno Unified School District Board commitment to support Equity Based Facilities Planning.

Metrics to assist in the progress and effectiveness of the proposed project include:

- Community Engagement - Community engagement is central to the project's success as it aims to empower communities and incorporate their priorities into decision-making. The level of community participation, diversity representation, and satisfaction with the engagement process can indicate the effectiveness of outreach efforts and the degree to which the community feels heard and valued.
- Equity Engagement - Developing an equity index aligned with the district's mission and values is critical for ensuring facilities planning prioritizes equity and addresses historical disparities. These metrics assess the timeliness, alignment, and stakeholder satisfaction with the equity index, reflecting the project's success in creating a framework for equitable decision-making.
- Decision-Making Framework - The decision-making framework guides how capital funding priorities are determined, impacting resource allocation across the district. These metrics evaluate the efficiency of finalizing the framework, the comprehensiveness of criteria integration, and the transparency of the process, ensuring that decisions align with equity goals and are well-understood by stakeholders.

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

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



Date: 03/15/24



Proposal for Fresno Unified School District Equity-Based  
Facilities Planning and Community Engagement

March 11, 2024

Mr. Alex Belanger  
Chief Executive, Facilities Management & Planning, Maintenance & Operations

Fresno Unified School District  
2309 Tulare Street  
Fresno, CA 93721

Re: Scope of Services for Capital Planning Stakeholder Engagement

Mr. Belanger,

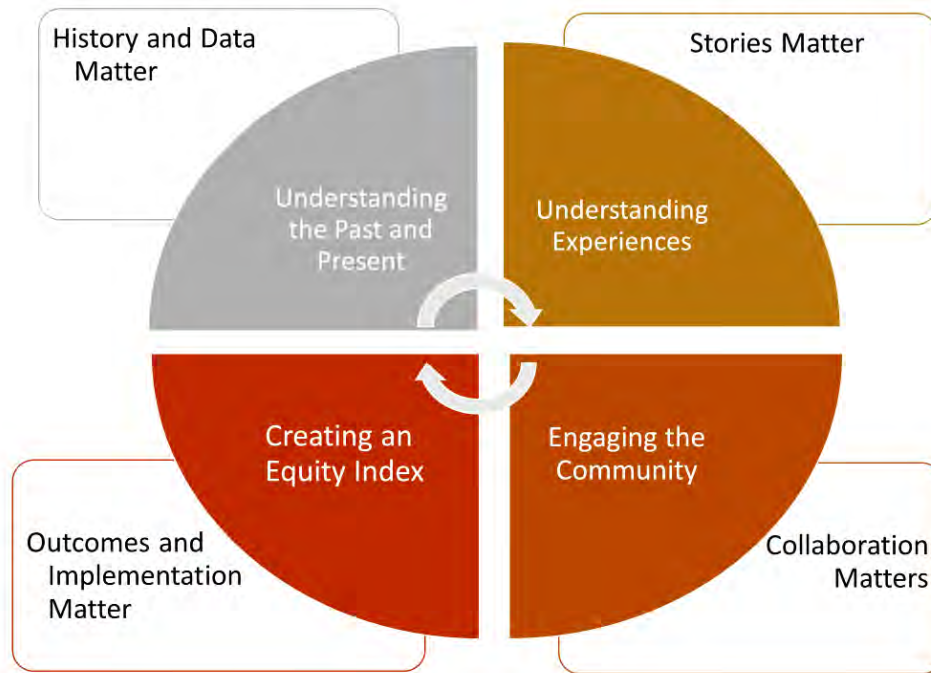
Following the presentation to the Board of Education on Wednesday, October 4, 2023, RSSC was asked by Fresno Unified School District (FUSD) to submit a proposal for facilities planning and community engagement services. It is a continuation of the Fresno City Unified School District Board of Trustees initial work with RSSC to support the development of the Board's racial and equity literacy toward Equity Based Facilities Planning. RSSC submitted a proposal on December 4, 2023. Subsequently, on March 7, 2024, RSSC received a request for a revised proposal. The work proposed here will build upon the foundation the Board has built with RSSC and ultimately result in an equity-based facilities plan and prioritization methodology for the district's general obligation bond measure.

### **1.0. PROJECT UNDERSTANDING**

FUSD demonstrates a consciousness of the fact that traditional facilities planning and project prioritization has resulted in inequitable allocation of resources, disinvestment in communities of color, strained credibility with those communities, and shaken confidence that the resources will be allocated in ways that are not predictable by race and class. RSSC understands the district is addressing this challenge by seeking an equity index developed out of analyzing historical bond data, demographic data and trends, and data related to historic neighborhood investment and divestment.

This project will analyze the FTA poll, FM3 survey, and use Trustee and community insights to uncover historical experiences, highlight community needs and aspirations, and to empower the community through incorporating their priorities in the decision-making process. RSSC has developed a proprietary and unique framework for approaching these issues. This is described in the diagram below.

## RSSC Community Engagement Framework



### 2.0. SCOPE OF SERVICES:

The scope of work is organized into three (3) parts, all of which inform the others. The tasks for each part of the project are iterative and lead to a decision-making framework that will guide district staff in making decisions about facilities project prioritization. Each part informs the other, building upon each other as more information is gathered. All three parts are required to produce a relevant and meaningful framework. The framework includes equity design standards, an “equity index,” and a collection of tools that are developed for decision making. The three parts of the iterative process are described below.

#### Part 1. Analyzing Current and Past Conditions from a Racial and Demographic Perspective by Reviewing Existing Quantitative Data: History and Data Matter

RSSC believes that a focused inquiry and analysis of the historical context and current conditions of FUSD’s communities, families, and students, are critical in understanding how previous inequitable policies may have resulted in funding disparities across the district’s schools. The recognition and appreciation of these environmental factors and



the underlying quantitative data will provide a basis for deeper understanding of the issues.

By analyzing the existing historical record, including historical artifacts that might indicate that “redlining” occurred in Fresno and how it may have impacted communities over time, and by reviewing staff and consultant reports, meeting minutes, and other artifacts related to the distribution of resources, we hope to better understand how events, decisions, and interactions (or lack thereof) with community organizations, have shaped the lived experiences and facilities assets of FUSD families and communities. This information will lead to a robust framework for decision making, with the goal of disrupting inequities in the distribution of capital improvement resources, should they exist.

The activities in Part 1 will become the foundation for the development of decision-making framework that is aligned with FUSD’s mission, vision, values, goals, guardrails, and equity-based guiding principles. This should ensure that capital project funding priorities are directed toward addressing the most significant equity and opportunity gaps. Specific tasks include:

- Conduct a thorough analysis of the past and current educational facilities landscape in FUSD from a racial and demographic perspective;
- Review FUSD’s LCAP, Facilities Condition Index (FCI), and records of previous community engagement practices;
- Identify high need and low resourced students and neighborhoods, practical and safety-based concerns identified in the FCI and other data points that may lead to liability issues for the district;
- Identify schools that serve a high proportion of students prioritized in the LCAP as needing additional scaffolding, supporting low resource neighborhoods, or that are in poor condition;
- Identifying prioritization data to understand how capital funds were allocated in the past;
- Compare existing indices and selecting an optimal neighborhood indicator to frame Fresno’s neighborhoods in the context of need (examples include the CDC Social Vulnerability Index, Berkeley Opportunity Index, and Harvard Opportunity Atlas, amongst others);
- Examine the LCAP to understand persistent opportunity and outcome gap indicators;
- Aggregate and clarify student data by campus and analyze enrollment data to identify which schools serve higher proportions of student priority groups;

- Present data and insights on disparities, if any, in areas such as student achievement, access to resources, opportunities among different racial and demographic groups, and allocation of resources; and
- Highlight any existing inequities in educational outcomes.

Deliverable for Part I

- These findings will be presented in a written narrative that highlights the historical patterns that may have led to the intentional or unintentional prioritization of certain neighborhoods over others, and the impact that those decisions may have had on impacted communities.

**Part 2. Incorporating a Qualitative Component to Understand Historical Context: Stories Matter**

We have learned that communities are not all represented equally, and the voices of some neighborhoods have a higher level of influence than others due to past practices, inequitable historical structures, or other factors unique to each school district.

This qualitative process is designed to ensure that the input of all neighborhood groups is considered, by analyzing data from the FTA poll, FM3 survey, and engaging with Trustees to understand perspectives about how resources were distributed, and whether the process was equitable. Part 2 includes the identification of historic and current practices and institutional structures that may have contributed to patterns of sustained disinvestment and inequality in the past by:

- Understanding the historical context of educational disparities and inequities in the district;
- Using qualitative research methods, including staff and board member interviews, listening sessions, and “root cause convening,” to gather insights into the historical factors that have contributed to existing disparities; and
- Discussing strategies for repairing and rebuilding relationships with historically marginalized communities.

Deliverables for Part 2 include:

- An outline of FUSD facility and resource prioritization practices, including an analysis of whether those practices contributed to structural disinvestment and biased outcomes;
- A summary of the analyzed data points and how they were applied, merged, or otherwise influence the development of a preliminary “equity index” for the prioritization of resources across the district; and

- Creating an interactive web tool or storyboard which will be hosted by FUSD, summarizing the findings. This will include a map of Fresno neighborhoods highlighting those identified as having High Segregation and Poverty, and/or Low Resources. The goal is to demonstrate how city and district policy led to patterns of inequitable distribution of facilities resources. A similar tool has been tested and created for other clients, including SCUSD and Austin ISD, if a reference is required.

### **Part 3. Gather Input and Feedback and Preliminary Analysis: Collaboration and Outcomes Matters**

RSSC will partner with the Board and the district to better understand local context and culture. We will incorporate community needs, priorities, concerns, and aspirations in the decision-making process for the prioritization of capital funding. Tools and artifacts that document the engagement process will continue to leverage and empower the community voice.

The goal of this iterative process is to create an equity-based prioritization rubric of tools. These tools will represent the needs and desires of the community, will be based on both quantitative and qualitative data from FUSD and the neighborhoods served, and are created through a process that is collaborative and transparent. The process will be documented clearly and shared with FUSD facilities leadership.

Finally, RSSC will create an equity index as part of the equity rubric aligning with the FUSD mission, vision, values, goals, guardrails, and equity-based guiding principles for implementation. The index will explicitly ensure that capital project funding priorities can be directed toward addressing the most significant equity and opportunity gaps by:

- Synthesizing quantitative and qualitative information garnered to establish key principles for future capital project prioritization allocations, which address the needs of under-resourced, historically marginalized neighborhoods and the student populations identified in the LCAP's goals;
- Draft guiding principles and equity-based criteria for decisions regarding facility investments and long-term planning, which provide a point of return for FUSD and stakeholders throughout the process to ensure that decisions support intended outcomes.
- Create criteria to guide decisions about facility investments and long-term planning and develop a definitive version of the equity index and project prioritization methodology, considering final input from stakeholders and district staff and leadership



Proposal for Fresno Unified School District Equity-Based  
Facilities Planning and Community Engagement

Deliverables for Part 3 include:

- “What We Heard” report of FTA poll, FM3 survey, and Trustee interviews;
- Final equity index; and
- Equity index application to FUSD capital project portfolio.

### 3.0 PROPOSED FEE

RSSC shall provide the above scope of services for the professional services fee of One hundred and fifteen thousand, two hundred and fifty dollars (\$115,250 plus reimbursable expenses as outlined in Exhibit A.

#### **Part 1. Analyzing Current and Past Conditions from a Racial and Demographic Perspective by Reviewing Existing Quantitative Data: History and Data Matters**

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Select an optimal neighborhood indicator to frame Fresno's place-based needs

---

Identify schools supporting low resourced neighborhoods

---

Review facilities condition assessment to understand practical and safety-based concerns

---

Use student and neighborhood data to evaluate past allocation of capital funds

---

Use student and neighborhood data to evaluate current facility conditions

---

Provide insights on facility needs across student groups and neighborhoods

---

Provide insights on disparities, if any, across student groups and neighborhoods

---

Provide insights on disparities, if any, in allocation of resources

---

Provide insights on disparities, if any, in access to well-maintained schools

---

Document and present findings

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*Total for Part 1: \$27,500*

#### **Part 2. Incorporating a Qualitative Component to Understand Historical Context: Stories Matter**

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Develop planning priorities from FTA Polls, FM3 Survey, and Trustees

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Develop a preliminary Equity Index

---

Provide Parent University with protocols/tools to engage community in verifying planning priorities

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Develop a pilot project prioritization methodology based on planning priorities and Equity Index

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Hold in-person Board Workshop to establish key principles and criteria using the pilot project prioritization methodology

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Refine insights and analysis on Parent University engagement

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*Total for Part 2: \$40,000*

**Part 3. Gather Input and Feedback and Provide Preliminary Analysis:  
Collaboration and Outcomes Matter**

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Establish key principles for future capital project prioritization
Develop criteria to guide decisions about facility investments and long-term planning
Develop scenarios to refine application of the criteria for the capital project portfolio
Hold virtual Board Workshop to ensure criteria reflects priorities
Provide a definitive version of the Equity Index and project prioritization methodology
Apply Equity Index and prioritization methodology to FUSD’s capital project portfolio

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*Total for Part 1: \$32,500*

*Total Project \$100,000*

Work outside the scope of services defined above will be charged as additional services based on the most current RSSC Hourly Rates included in Exhibit B.

**4.0 REIMBURSABLE EXPENSES**

Reimbursable Expenses are in addition to compensation for our professional services and include project-related expenses incurred by us and any of our consultants, if applicable. Expenses will be billed at cost plus an administrative markup of 10%. Refer to Exhibit A – Prevailing Reimbursable Expenses.

**5.0 ASSUMPTIONS**

All fees related to the development of the deliverables assume the client will furnish all necessary data and documents in a timely manner.

Data deliverables will be provided in commonly available software, such as Microsoft Suite, Adobe PDF, and other similar products. Proprietary and/or District software may be subject to additional charges on a case-by-case basis.

**6.0 OTHER TERMS**

If the data provided by FUSD is incomplete or requires significant transformation to support the team’s analysis, then an additional fee of Eight Thousand Dollars (\$8,000.00) will be required for data auditing, cleanup, and processing. This will be approved by district staff before proceeding and considered an extra service.

**7.0 PROPOSED SCHEDULE**

The schedule will be developed with District staff and may be modified throughout the process. See Exhibit C for estimated start and end dates.

- Part 1. Understanding the Past and Present: History and Data Matters – 45 days
- Part 2. Qualitative Component to Understand Historical Context: Understand Collaboration Matter – 45 days (about 6 weeks)

Part 3. Gather Input and Feedback and Preliminary Analysis: Collaboration and Outcomes Matter – 45 days (about 6 weeks)

We look forward to working with you on this extremely exciting project. If you have any questions, please feel free to call me.

Sincerely,

A handwritten signature in blue ink that reads "Regina Stanback Stroud". The signature is written in a cursive style.

**Dr. Regina Stanback Stroud**

Chief Executive Officer  
RSSC  
rstroud@rssconsulting.org  
(650) 922-376

**Exhibit A**  
**Prevailing Reimbursable Expenses**

Reimbursable expenses are in addition to compensation for Basic and Additional Services and include expenses incurred by RSSC and its consultants in the interest of the Project. By signing this Proposal/Agreement, Client agrees to pay all costs, expenses and disbursements incurred by us with respect to the Project.

Reimbursable expenses include ground and air transportation, project specific living expenses including hotel fees and a per diem at \$60 per day (over 4 hours); electronic and hard copy reproduction costs, including large format scanning; mailing and shipping; electronic data fees; and additional consultant fees not included in the Basic Service Fees.

For any Reimbursable Expense, a multiple of one-hundred and ten (1.10) times the amount expended by RSSC and its consultants shall apply. Reimbursable expenses generated by additional services will be billed separately.



**Exhibit B**

**RSSC Standard Hourly Billing Rate Table**

<b>Project Principal</b>	<b>\$250</b>
<b>Lead Consultant</b>	<b>\$250</b>
<b>Senior Professional</b>	<b>\$205</b>
<b>Professional</b>	<b>\$175</b>
<b>Professional Support</b>	<b>\$125</b>
<b>Clerical</b>	<b>\$70</b>

Rates will be reviewed and adjusted annually based on the CPI-L index for that geographic region.

**Exhibit C**  
**Estimated Start and End Dates**

Contract approval: January 2024 Approximate completion dates:

- Part 1: March 1, 2024
- Part 2: April 30, 2024
- Part 3: June 14, 2024

Final presentation of material to staff and/or Board of Education: November 2024.