CALIFORNIA COUNTY SUPERINTENDENTS

The Common Message

2022-23 Second Interim Report

BASC

Business and Administration Services Committee

Writers and Contributors

Topic		
Background	Committee	
Introduction	Committee	
Key Guidance/January Proposal	Nicolas Schweizer, Sacramento; Dean West, Orange	Shannon Hansen, San Benito
LCFF/ADA	Greg Medici, Sonoma	Kate Lane, Marin
Equity Multiplier/LCAP	Josh Schultz, Napa	Greg Medici, Sonoma
Proposition 28/Arts and Music Funding Guarantee	Mike Simonson, San Diego	Scott Price, Riverside
Arts, Music and Instructional Materials Discretionary Block Grant	Mike Simonson, San Diego	Scott Price, Riverside
Program Continuations	Janet Riley, Merced	Misty Key, Ventura; Scott Anderson, San Joaquin
Planning Factors/MYPs	Shannon Hansen, San Benito	Liann Reyes, Santa Cruz
Plan Requirements	Scott Price, Riverside	Shannon Hansen, San Benito
Reserves / Reserve Cap	Colleen Stanley, Monterey	Liann Reyes, Santa Cruz
Independent Study/Form J-13	Sheldon Smith, San Luis Obispo	Kate Lane, Marin
Summary	Nicolas Schweizer, Sacramento	Shannon Hansen, San Benito

Table of Contents

Sources *4*

Background *5*

Key Guidance Based on Governor's Budget Proposal **5**

Local Control Funding Formula **7**

Equity Multiplier and Local Control Accountability Plan **7**

Proposition 28 - Arts and Music Funding Guarantee **8**

Arts, Music and Instructional Materials Discretionary Block Grant **8**

Program Continuations **8**

Planning Factors for 2022-23 and MYPs **10**

Plan Requirements **11**

Reserves / Reserve Cap **12**

Independent Study and Requests for Allowance of Attendance Due to Emergency Conditions: Form J-13A **12**

Summary *15*

Sources

Association of California School Administrators
Ball / Frost Group, LLC
Bob Blattner and Associates
California Association of School Business Officials
California Collaborative for Educational Excellence
California Department of Education
California Department of Finance
California Public Employees' Retirement System
California State Teachers' Retirement System
California State Board of Education
California School Boards Association
California School Information Services
Capitol Advisors
Fiscal Crisis and Management Assistance Team
K-12 High Speed Network
National Forest Counties and Schools Coalition
School Services of California
Small School Districts' Association
Statewide LEC Co-chairs
WestEd

Gray shading indicates sections are to be customized by COEs before sending to districts.

Background

Since May 2008, county office chief business officials have crafted common messages to give guidance to districts on assumptions for budget and interim reports. The goal of the Business and Administration Steering Committee (BASC) is to provide county office chief business officials with a consistent message, based on assumptions used by the California Department of Finance (DOF), which can be used in providing guidance to school districts.

The BASC would like to thank the DOF, the State Board of Education, the California Department of Education (CDE) the Fiscal Crisis and Management Assistance Team (FCMAT), as well as our colleagues in education listed in the sources section, for providing BASC and our local educational agencies (LEAs) the most up-to-date information at the time of writing.

Purpose: The BASC Common Message is intended as guidance and recommendations to county offices of education (COEs). Each COE will tailor the guidance to the unique circumstances of the LEAs in their county. Even within a county, COE situational guidance may vary considerably based on the educational, fiscal and operational characteristics of a particular district. Districts and other entities seeking to understand the guidance applicable to a particular LEA should refer to the information released by the COE in the county where the LEA is located.

Key Guidance Based on Governor's Budget Proposal

On January 10, 2023, Gov. Gavin Newsom released the proposed state budget for 2023-24. The proposal includes an 8.13% cost of living adjustment (COLA) to the Local Control Funding Formula (LCFF), as well as an 8.13% COLA to special education and several other categorical programs outside the LCFF.

Other funding priorities in the Governor's Proposed Budget are:

- $300 million (ongoing) to create an LCFF Equity Multiplier intended to close opportunity gaps
- $855 million (ongoing) to implement the second year of transitional kindergarten (TK) expansion
- $175.3 million (ongoing) to support an 8.13% COLA for California State Preschool Program reimbursement rates
- $250 million (one-time) to expand the number of high-poverty schools participating in the Literacy Coaches and Reading Specialist Grant Program
- $100 million (one-time) for LEAs to provide high school seniors with cultural enrichment experiences
- $301.7 million (ongoing) for Child Care and Development Programs and

$1.5 million (ongoing) for the Child and Adult Care Food Program to support an 8.13% COLA

The 2023-24 Governor's Budget acknowledges the passage of Proposition 28 (The Arts and Music in Schools—Funding Guarantee and Accountability Act) and provides approximately $941 million for this purpose. But in turn, the Budget proposal pulls back $1.2 billion from the Arts, Music and Instructional Materials Discretionary Block Grant that was included in the Budget Act of 2022, reducing the grant from approximately $3.5 billion to approximately $2.3 billion.

The Budget also proposes to delay the $550 million that was planned for the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program in 2023-24 to 2024-25.

In addition, the Budget proposes a decrease of $100 million in planned support for the School Facility Program, reducing the planned allocation in 2023-24 from approximately $2.1 billion to approximately $2.0 billion.

The Governor’s Budget proposes an increase of $3.5 million (ongoing) for all middle and high schools to maintain at least two doses of naloxone hydrochloride, or another medication to reverse an opioid overdose, on campus for emergency aid. Many LEAs have taken steps to address student health and safety in this area. These funds are intended to recognize the ongoing need for medication, emergency preparedness and training around drug abuse.

The balance of the Public School System Stabilization Account (PSSSA) is projected to be $8.5 billion at the end of 2022-23 which will continue to trigger the cap on district reserves in 2023-24.

Although the Budget fully funds the estimated COLA and avoids cuts to ongoing education programs, LEAs should be aware of the estimated $22.5 billion state budget deficit for the 2023-24 fiscal year. The Budget proposes to address this deficit through funding delays, reductions and pullbacks, fund shifts, trigger reductions and borrowing, which, aside from the school facilities funding delays and the Arts, Music and Instructional Materials Discretionary Block Grant pullback noted above, do not affect TK-12 education programs. The current state revenue forecast assumes only slower economic growth; however, many economists believe that a mild recession will occur in 2023 or 2024. As a result, there is a risk of further state revenue shortfalls that could result in additional cuts to education spending and/or withdrawals from the PSSSA.

Moreover, many LEAs continue to experience student absences and increased costs because of COVID-19 and long-term declining enrollment. While the Average Daily Attendance (ADA) Loss Mitigation adjustment included in last year’s budget trailer bill permitted the 2019-20 attendance yield to be used to amend reported ADA in 2021-22, LEAs will not be able to amend reported ADA for 2022-23 or future years. However, the ADA Loss Mitigation adjusted 2021-22 ADA will be used in calculating the greater of the current year, prior year, or average ADA of the three most recent fiscal years to determine funded ADA for 2022-23, 2023-24 and 2024-25. In addition, most COVID-19 fiscal relief funding (e.g., GEER, ESSER, In-Person Instruction, Expanded Learning Opportunities Grant) will expire on or before September 30, 2024. As a

reminder, ESSER II and GEER II funding expire September 30, 2023.

Local Control Funding Formula

The Governor's 2023-24 proposed budget includes an 8.13% COLA to the LCFF that, when combined with growth adjustments, will result in $4.2 billion additional LCFF funds. However, at the time of the Budget proposal, two data points were still outstanding that are needed to calculate the final statutory COLA for 2023-24.

Moreover, the Governor's Budget is proposing an additional $690 million to continue expanding access to TK for approximately 46,000 children turning five years old between February 2 and April 2.

The Budget proposal also includes $165 million to maintain the TK classroom student-to-adult ratio of 12-to-1 for 2023-24. Funding to further reduce the ratio to 10-to-1 is not included in the proposal. TK funding is conditioned on the school district or charter school offering TK in the year it receives the funding and on it maintaining an average TK class enrollment of no more than 24 students.

Declining enrollment protection for school districts will continue to be based on the greater of current year, prior year, or the average of the most recent three prior years' ADA. Charter schools will continue to be funded on current year ADA.

All LEAs should continue to develop multiple scenarios using all available options to ensure they are prepared for both best- and worst-case budgets and are better able to adapt to economic uncertainty.

Equity Multiplier and Local Control Accountability Plan

One of the few new ongoing TK-12 education spending proposals in the Governor's Budget is the inclusion of $300 million for the creation of the Local Control Funding Formula Equity Multiplier. The Equity Multiplier will be a new source of funding that is allocated to LEAs based on school eligibility, specifically to schools offering grades no higher than grade eight with federal free (not reduced) meal eligibility of 90% or more and to schools offering any grades from nine through 12 with federal free (not reduced) meal eligibility at 85% or above. LEA allocations will be based on their eligible schools' prior year enrollment with no school receiving less than $50,000.

In conjunction with the Equity Multiplier, the Administration has proposed trailer bill language to make several amendments to the TK-12 accountability and support system. Included in the trailer bill language is a requirement that LEAs receiving Equity Multiplier funding address in their Local Control Accountability Plan (LCAP) how the funds will be used to directly help eligible schools address equity gaps among student groups, as identified by red and orange performance indicators on the California School Dashboard.

LCAP Carryover Requirement

As a reminder, LEAs should determine early in their 2023-24 budget and LCAP development process if there is potential carryover related to the increased and improved services requirement and plan accordingly.

Proposition 28 - Arts and Music Funding Guarantee

Voters approved Proposition 28 in November 2022, which requires the state to annually allocate 1% of the TK-12 portion of Proposition 98 funding for arts and music instruction in schools. 70% of funding will be allocated based on total enrollment and 30% of funding will be allocated based on enrollment of students who qualify for the National School Lunch Program. LEAs must allocate the funding to each school based on the same breakdown, and principals must develop expenditure plans for their school. For LEAs with 500 or more students, at least 80% of the funding must be used for employees providing arts and music education. Administrative costs for the program are limited to 1%, and the act also includes maintenance of effort and supplement, not supplant, requirements.

Arts, Music and Instructional Materials Discretionary Block Grant

The state's adopted budget for 2022-23 established the Arts, Music and Instructional Materials Discretionary Block Grant totaling $3.6 billion. The 2023-24 Governor's Budget proposes a pull back of $1.2 billion from this grant to fully fund the increases to LCFF. The first 50% of the grant was distributed to LEAs in November 2022, with the remaining 50% (approximately $1.8 billion) scheduled to be released in May 2023. The Administration is not proposing urgency legislation to implement this proposal; however, the CDE may delay the second disbursement of grant funds until the Legislature acts on the proposal.

As a reminder, the grant requires LEAs' governing boards to approve expenditure plans consistent with the allowable uses of the grant. Given the proposed reduction in funding, LEAs should develop alternate budgets and expenditure plans. LEAs should also consider preparing alternate cash flow projections that reduce and/or remove the May 2023 disbursement of funds to plan for any potential cash needs.

Program Continuations

Transitional Kindergarten

The 2023-24 Budget proposal includes $690 million to implement the second year of TK expansion, growing the program to include access to all children turning five between September 2 and April 2. In addition, $165 million is proposed to support the second adult (certificated or classified) in each TK classroom to maintain the 12-to-1 student-to-adult ratio. The previously anticipated reduction of the student-to-adult ratio to 10-to-1 will not occur in

2023-24. Full implementation of universal TK is expected in 2025-26.

Preschool

The Budget proposes $485 million to increase State Preschool Program enrollment of students eligible for adjustment factors, including students with disabilities, dual language learners, childhood mental health and three year olds. With this funding comes the requirement for State Preschool Providers to provide additional supportive services for dual language learners and to serve at least 7.5% of students who have disabilities by July 1, 2023, and 10% by July 1, 2024.

Expanded Learning Opportunities Program

No change proposed to the Expanded Learning Opportunities Program (ELOP), including no changes to the funding rates.

Special Education

The Budget proposal includes an 8.13% COLA, increasing the base rate to approximately $886.66. In addition, the Budget includes the following policy adjustments:

- Limiting the amount of additional funding Special Education Local Plan Areas (SELPAs) are allowed to retain for non-direct student services before allocation to member LEAs. SELPAs will be required to allocate at least the same amount they allocated in 2022-23, increased by the 8.13% COLA, to their member LEAs in 2023-24.
- Extending the moratorium on creation of new single-district SELPAs by an additional two years to June 30, 2026.
- Requiring the posting of each SELPA's annual local plan on the CDE's website.

School Nutrition

No change proposed to the Universal School Meal program. The Budget proposal includes an 8.13% COLA to the state reimbursement rate.

School Facilities

The Budget proposes to decrease the 2023-24 planned support of the School Facility Program by $100 million, from approximately $2.1 billion to approximately $2.0 billion, and to delay the 2023-24 planned $550 million investment in the California Preschool, Transitional Kindergarten and Full-Day Kindergarten Facilities Grant Program to 2024-25.

Planning Factors for 2022-23 and MYPs

Key planning factors for LEAs to incorporate into their 2022-23 second interim reporting and multiyear projections are listed below and are based on the latest information available at the time of writing.

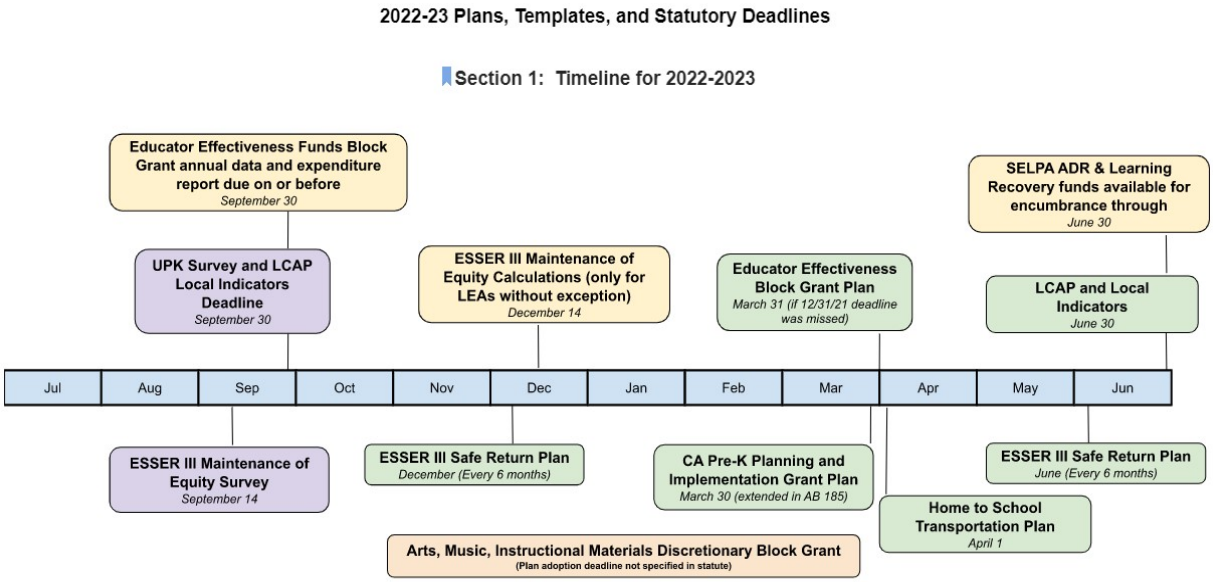
Planning Factor	2022-23	2023-24	2024-25
Cost of Living Adjustment (COLA)			
LCFF COLA	6.56%	8.13%	3.54%
LCFF Investment	6.70%		
Grade Span Adjustment			
TK-3	10.40%		
9-12	2.60%		
Special Education COLA	6.56%	8.13%	3.54%
Employer Benefit Rates			
CalSTRS	19.10%	19.10%	19.10%
CalPERS-Schools	25.37%	27.00%	28.10%
State Unemployment Insurance	0.50%	0.50%	0.50%
Lottery			
Unrestricted per ADA	$170	$170	$170
Proposition 20 per ADA	$67	$67	$67
Minimum Wage	$15.50*	$16.00**	$16.40***
Universal Transitional Kindergarten/ADA LCFF add-on for the 12-to-1 student-to-adult ratio	$3,042	$3,289	$3,405

Mandated Block Grant			
Districts			
K-8 per ADA	$34.94	$37.78	$39.12
9-12 per ADA	$67.31	$72.78	$75.36
Charters			
K-8 per ADA	$18.34	$19.83	$20.53
9-12 per ADA	$50.98	$55.12	$57.07

*Effective January 1, 2023.
**Effective January 1, 2024.
***Effective January 1, 2025.

Plan Requirements

The Riverside County Office of Education has created "2022 – 2023 Plans, Templates, and Statutory Deadlines," a 20-page comprehensive summary of required plans and timelines that affect most LEAs. This document is available at https://bit.ly/RCOE-PTSD. The timeline below shows major required plans for the 2022-23 year.



Source: "2022 – 2023 Plans, Templates, and Statutory Deadlines" (Riverside COE).

Reserves / Reserve Cap

Deposits to and withdrawals from the PSSSA are formula-driven and reliant on trends in state General Fund revenues that are inclusive of capital gains. The Governor's Budget revises prior-year deposits based on updated revenues and projects a required $365 million deposit in 2023-24. The revised and projected deposits will result in an estimated account balance at the end of 2022-23 of $8.5 billion, approximately $1 billion less than the $9.5 billion estimated in the 2022-23 enacted budget.

Despite reductions in deposits in 2021-22 and 2022-23, the PSSSA balance continues to exceed 3% of TK-12's share of the Proposition 98 minimum guarantee. As such, district reserves will continue to be capped in 2023-24 at 10% of the assigned/unassigned ending balance within the General Fund and Special Reserve Fund for Other Than Capital Outlay Projects. Basic aid districts and small districts with fewer than 2,501 ADA are exempt from the 10% cap.

Districts subject to the cap should continue to plan while preparing their 2023-24 budgets to ensure they are limiting their assigned and unassigned reserves in the General Fund 01 and the Special Reserve Fund for Other Than Capital Outlay Fund 17 to no more than 10% of annual expenditures. Amounts that are in the committed portion of the fund balance are not included in the reserve cap calculation, so LEAs should consider a Board resolution to set aside funds for specific uses. School district boards are also encouraged to adopt a formal policy regarding their minimum reserves.

Independent Study and Requests for Allowance of Attendance Due to Emergency Conditions: Form J-13A

Request for Allowance of Attendance Due to Emergency Conditions

The Request for Allowance of Attendance Due to Emergency Conditions (Form J-13A) is used to obtain approval of attendance and/or instructional time credit pursuant to Education Code (EC) sections 41422, 46391, 46392, 46393 and California Code of Regulations (CCR), Title 5, Section 428 when there is a material decrease in attendance and when there are unplanned or unanticipated school closures as a result of an emergency condition.

Form J-13A requests must be accompanied by substantiating documentation, including, but not limited to, copies of any local, state or federal emergency proclamations or declarations that describe the emergency causing closure of the school(s) or material decrease in attendance.

Assembly Bill (AB) 130 (2021) added EC Section 46393 which requires LEAs to certify that they have a plan for offering independent study (in compliance with EC Section 51744 et al.) to students when submitting a Form J-13A request for any event occurring after September 1, 2021. The CDE has developed a Certification Form for Independent Study that must be signed with a wet signature by the School District Superintendent, Charter School Administrator or County Superintendent (or designee). LEAs must certify that their independent study plan

complies with offering independent study within 10 days of the first day of an emergency school closure or material decrease in attendance pursuant to EC sections 41422 and 46392.

Form J-13As must be submitted after the emergency event concludes.

The following are caveats regarding independent study certification pursuant to EC Section 46393(a)(1):

- The Certification Form for Independent Study is a requirement for submitting a Form J-13A
- The approval of a Form J-13A request is not conditioned upon the implementation of the certified plan to offer independent study
- The independent study plan can be a board policy, written agreement or any other relevant documentation if it adheres to the conditions pursuant to EC Section 46393
- If the LEA has reopened and resumed instruction, the LEA is not required to provide an independent study offering. However, the LEA must submit a Certification Form for Independent Study and an independent study plan to ensure compliance with EC Section 46393

The following are caveats regarding Form J-13A submission:

- Emergency days in the school calendar scheduled for unplanned emergency closures (e.g., public safety power shutoff, fire, smoke, snow days) must be used and cannot be claimed on a Form J-13A. As such, LEAs should plan and budget accordingly so that schools use emergency days built into their calendar, if necessary

  Example: An LEA that has two unused emergency days and that submits a Form J-13A request for a five-day school closure that meets all the requirements would receive a Form J-13A approval for only three days.

- Include the school's/LEA's academic calendar(s) with the request as supporting documentation that shows the closure days and any emergency days

LEAs are advised to confer with their local COE, but the submission process is typically the following:

Step 1: LEA Prepares Submittal

- Complete all applicable sections of Form J-13A
- Include Certification Form for Independent Study
- Include a copy of the independent study plan (EC Section 46393 (b)(1)(c))
- Include supporting documentation that describes the emergency necessitating a school closure – e.g., Local/Governor's Declaration of a State of Emergency
- Include a copy of the school calendar(s)

Step 2: Affidavit (Section E of Form J-13A)

- Write all governing board member names in the left-hand column and obtain wet signatures from a majority of the board in the right-hand column. Governing board signatures must be witnessed. The witness completes the bottom of Section E, Part I
- LEA submits to oversight agency
    - Districts submit original hard copy, blue ink, completed Form J-13A and Certification Form for Independent Study and supporting documentation to the COE
    - Charter schools submit original hard copy, blue ink, completed Form J-13A and Certification Form for Independent Study and supporting documentation to the charter school authorizer's superintendent. The superintendent then completes Part II and submits all documentation to the COE
    - COEs submit original, blue ink, completed Form J-13A and Certification Form for Independent Study and supporting documentation directly to CDE

Step 3: COE Submits to CDE

- COE completes Section E, Part III
- COE submits original hard copy Form J-13A and all required documentation to the CDE School Fiscal Services Division (preferably by certified mail, but not required)
- CDE reviews the request and informs the LEA of approval or denial via email and letter to all contacts specified on the Form J-13A

LEAs should review the updated CDE Form J-13A Frequently Asked Question listing at https://www.cde.ca.gov/fg/aa/pa/formj13afaq.asp. The CDE recently hosted a webinar to provide an overview of the procedures that allow LEAs to obtain credit for days and minutes lost to emergency closure and material decreases in attendance through submittal of a Request for Allowance of Attendance Due to Emergency Conditions – Form J-13A. The presentation deck is available at https://www.cde.ca.gov/fg/aa/pa/documents/webinarformj13a.pdf.

Form J-13A submittals for "Bomb Cyclone" conditions

The Governor declared a State of Emergency (SOE) for the State of California on Wednesday, January 4, 2023, due to "Bomb Cyclone" conditions. The SOE applies to all counties in California and is effective from December 27, 2023, until it is formally rescinded by the Governor. As such, any loss of attendance because of the "Bomb Cyclone" conditions outlined in the SOE is considered a material decrease.

If an LEA located in California experienced a school closure or material decrease due to the conditions outlined in the SOE, the LEA must select the box in Section A, Part III of Form J-13A, to indicate that the request dates are associated with an SOE.

Form J-13A submittals for "COVID-19" conditions

For requests submitted due to COVID-19, the Governor's SOE along with a detailed explanation of the nature of the emergency on the Form J-13A is sufficient until the SOE expires on February 28, 2023. After the expiration of the SOE, a Form J-13A request submitted due to COVID-19 will require signed documentation from the local county health department to substantiate the request. In addition, if the request is submitted for a material decrease, the attendance recorded on the date(s) of emergency following the expiration of the SOE must be 90% or less of normal attendance.

Summary

This edition of the Common Message serves to provide data and guidance to LEAs for fiscal planning and the development of their 2022-23 Second Interim Report and multiyear projection. The information provided for fiscal year 2022-23 and beyond includes the latest known proposals and projections to assist with multiyear planning. LEAs face near and long-term challenges, including risks to the state revenue forecast, reduced ADA due to COVID-19-related student absences, inflationary pressures including potential pension rate increases, expiring one-time COVID-19 relief funds and declining enrollment. As each LEA has unique funding and program needs, it remains essential that LEAs continuously assess their individual situations, work closely with their COE and plan accordingly to maintain fiscal solvency and educational program integrity.