

BOARD OF EDUCATION

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INTERIM SUPERINTENDENT

Mao Misty Her

BOARD COMMUNICATIONS – JUNE 07, 2024

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

INTERIM SUPERINTENDENT – Mao Misty Her

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S-2	Ambra O'Connor	Edison High School Murals

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Fresno Unified School District
Board Communication

BC Number S-1

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Mao Misty Her, Interim Superintendent
Cabinet Approval:

Date: June 07, 2024

Phone Number: 457-3884

Regarding: Interim Superintendent Calendar Highlights

The purpose of this communication is to inform the Board of notable calendar items for the past two weeks:

- Met with Executive Cabinet and walked classrooms at Vang Pao Elementary School
- Held student listening session at Vang Pao Elementary School
- Met with State Center Community College District Staff and District Staff to discuss potential expansion of dual enrollment
- Attended the Hmong-America Day Celebration and Dual Language Immersion Promotion at Sequoia Middle School
- Met with Julie Halbert, Ray Hart, The Council of the Great City Schools, and District Staff to discuss Special Education Report recommendations
- Attended the Hmong Dual Language Immersion Showcase at Vang Pao Elementary School
- Attended the following Graduation Ceremonies: Adult Transisiton Program, Cambridge, DeWolf, Edison, eLearn, Fresno Adult, Fresno High, Hoover, J.E. Young, Rata, Roosevelt and Sunnyside
- Presented Golden Heart Award at Lane, Rata, Slater and Winchell Elementary Schools
- Held student listening session at McLane High School
- Attended the Foundation for Fresno Unified School District Board Meeting
- Site visits at Baird, Fresno High, Tehipite
- Department visits at: Analysis, Measurement and Accountability, Department of Equity, Prevention and Intervention, and Special Education
- Held listening session with Fresno Unified graduates now attending college
- Held listening session with high school seniors from various Fresno Unified schools
- Held listening session with former Fresno Unified students who are currently working in the district or have students in our schools
- Attended the 31st Annual African-American High School Recognition
- Attended the 2nd Annual Latinx High School High School Recognition
- Attended the Fresno Unified Retirement Celebration


Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number S-2

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Ambra O'Connor, Chief of Staff
Cabinet Approval: 

Date: June 07, 2024

Phone Number: 457-3838

Regarding: Edison High School Murals

The purpose of this communication is to provide the Board with an update regarding the murals painted on the exterior of Edison High School.

On June 21, 2023, the Board provided approval of the painting of Edison High School and directed staff to leave the murals untouched, pending completion of a student engagement process. Painting of the campus was completed in Fall 2023 and student engagement was completed in May 2024. The Analytics, Measurement and Accountability (AMA) and Communications departments worked together to develop and administer the survey to all Edison students.

The survey contained one question, "What is your preference for the murals currently painted on campus?". A total of 452 students participated in the survey, with representation from all grade levels, ethnicities and genders. Students responded as follows:

- | | |
|----------------------------------------------------------------------------------|-------|
| • Keep Them 'As Is', Where They Are: | 87.2% |
| • Paint Over Them and Repaint Somewhere Inside the Campus for Students to Enjoy: | 9.3% |
| • Paint Over and Do Not Repaint | 3.5% |

In alignment with the survey results, the murals will remain in their current locations.

If you have any questions or require additional information, please contact Ambra O'Connor, 457-3838.

Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number BFS-1

From the Office of the Interim Superintendent

To the Members of the Board of Education

Prepared by: Kim Kelstrom, Chief Executive

Cabinet Approval:

Date: June 07, 2024

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for May 24, 2024

The purpose of this communication is to provide the Board a copy of School Services of California's (SSC) Weekly Updates. Each week SSC provides an update and commentary on different educational fiscal issues. In addition, they include different articles related to education issues. The SSC Weekly Updates for May 24, 2024 are attached and include the following articles:

- Appropriations Committees Take up Suspense Files – May 21, 2024
- Newsom Prioritizes Electric School Buses Over Preschool for Children with Disabilities – May 23, 2024
- California, Lawmakers Approve Bill to Take Flamin' Hot Cheetos Out of Schools – May 23, 2024

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

Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24



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DATE: May 24, 2024

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

2024-25 State Budget Update

The Assembly Budget Subcommittee No. 3 on Education Finance, chaired by Assemblymember David Alvarez (D-San Diego), met on Wednesday, May 22, 2024, for an “open house” hearing, which allowed legislators that do not sit on the subcommittee to drop in and ask their education budget questions to the Department of Finance and the Legislative Analyst’s Office.

Subcommittee Chair Alvarez highlighted several budget concerns that still need to be negotiated with the Newsom Administration, including the architecture of Proposition 98. Alvarez said that the Legislature needs to make sure that schools are held harmless but address the real prior-year Proposition 98 shortfall that exists. He said that they want to preserve rainy day funds as much as possible and not rely on those funds for new or ongoing expenditures.

Alvarez also said that they want to protect ongoing priorities and that they need to make some difficult choices that are “hopefully one-time in nature.” He highlighted the need to continue the momentum of universal meals, after school programs, universal prekindergarten, and ethnic studies. He said they want to protect the Golden State Teachers Grant Program and leverage bonds for priorities at risk such as childcare and transitional kindergarten facilities and electric school buses.

The Senate Budget Subcommittee No. 1 on Education, chaired by Senator John Laird (D-Santa Cruz), did not meet this week but has a hearing scheduled for next Wednesday, May 29, 2024. We expect that the top issue to be discussed will be the options of how to reconcile the \$8.8 billion shortfall to Proposition 98 in 2022-23.

Over the past couple of years, the Legislature has bypassed the formal conference committee process, whereby both houses approve their own version of the State Budget and then form a committee to reconcile the differences. Instead, legislative leadership and the budget committee chairs have come to an agreement on the State Budget package prior to the June 15 constitutional

deadline. However, with a new Assembly Speaker, Senate leader, and budget chairs this year, it is still unknown how the Legislature will navigate these negotiations.

And in a year as complicated as this, June 15 is unlikely to be the date all aspects of the budget are agreed upon by all parties. Lately, June 15 has represented a legislative agreement, with full three-party agreement (including Governor Gavin Newsom) coming later.

House of Origin Deadline

Last week, the Assembly and Senate Appropriations Committees took up their respective suspense files, approving 691 bills and holding 318 measures (see the *Fiscal Report* article below entitled “Appropriations Committees Take up Suspense Files” for more information on the key bills that made it out of the fiscal committees).

This week, the Assembly and Senate held lengthy floor sessions in order to consider those 691 bills and meet today’s house of origin deadline. Since we are in the second year of the 2023-24 Legislative Session, any bill that falls short of mustering sufficient votes for passing this latest legislative hurdle will be considered dead, barring any rule waivers.

While most bills being considered will clear the house of origin deadline, it is much harder to get out of the second house than the first for various reasons. Policy committee members expect the kinks of a bill to be substantially worked out by this point in the process and are not as forgiving as when a bill was just a few weeks old—as is the case during the first round of policy committee hearings. Additionally, priorities of one house may not align with the priorities of the other, making certain measures more difficult to pass.

In next week’s update we will provide an update on the key measures that cleared this deadline and any that failed.

Leilani Aguinaldo

Appropriations Committees Take up Suspense Files

By Kyle Hyland
School Services of California Inc.'s *Fiscal Report*
May 21, 2024

Last Thursday, May 16, 2024, the Appropriations Committees in both the Senate and the Assembly took up their suspense files and quickly disposed of nearly 1,000 measures, one day before the deadline for fiscal bills to be sent to the house floors.

The suspense file is a sort of legislative purgatory, where measures that are deemed to have a fiscal impact of a certain magnitude are placed until all those measures can be dealt with at once. In many cases, bills that go onto the committee's suspense file are held, never come off, and are effectively killed without legislators having to cast a vote in favor or opposition.

Thursday's hearings released hundreds of bills from the suspense files. Many of these bills were able to move on because of authors agreeing to amendments that addressed fiscal concerns, added coauthors, or reduced costs. Those bills now head to their house floors for a vote before they can go into the second house and move forward in the legislative process. Since we are in the second year of the two-year legislative session, bills that did not make it out of the Appropriations Committees will be considered dead for the remainder of the legislative session, barring any rule waivers.

Of the 341 bills on the Senate suspense file, 87 measures, nearly 26%, were held by the committee. Of the 668 bills on the Assembly suspense file, 231 measures, nearly 35%, were held by the committee.

Below we highlight some of the significant education bills that will be moving forward in 2024 and also the noteworthy bills that were held by the committees and thus considered dead. You can find the full results of the Assembly Appropriations Committee [here](#) and the results of the Senate Appropriations Committee [here](#).

Bills Approved by the Appropriations Committees

Assembly Bill (AB) 1851 (Holden, D-Pasadena)—Drinking Water: Schoolsites: Lead Testing Pilot Program. This bill would require, subject to appropriation, the State Superintendent of Public Instruction (SSPI) to create a pilot program to test for and remediate lead contamination in drinking water at local educational agency (LEA) schoolsites. The SSPI would select between six and ten LEAs of varying sizes by July 1, 2025, to participate in the pilot program.

AB 1858 (Ward, D-San Diego)—Comprehensive School Safety Plans: Active Shooters: Armed Assailants: Drills. This bill would require a school that elects to conduct school shooter drills to include in its comprehensive school safety plan certain parameters for those drills.

AB 1917 (Muratsuchi, D-Torrance)—Governance Training. This bill would require all LEA officials to include any member of a governing board of a school district, a county board of education, or the governing body of a charter school, to receive training in K-12 public education governance laws at least once during their tenure serving as the LEA official.

AB 1919 (Weber, D-San Diego) Suspension: Restorative Justice Practices. This bill would require, beginning July 1, 2026, that LEAs adopt at least one of the best practices for restorative justice practice implementation developed and made available by the California Department of Education (CDE).

AB 1997 (McKinnor, D-Inglewood)—Teachers’ Retirement Law. This bill would make various changes, effective not later than July 1, 2027, to the Teachers’ Retirement Law, including changes related to creditable compensation, creditable service, and the reporting of compensation.

AB 2088 (McCarty, D-Sacramento)—K-14 Classified Employees: Part-Time or Full-Time Vacancies: Public Postings. This bill would require K-14 employers to offer classified job vacancies to current employees for ten business days before the education employer may offer the position to an external candidate.

AB 2097 (Berman, D-Menlo Park)—High Schools: Computer Science Courses: Implementation Guide. This bill would require, by January 1, 2026, LEAs maintaining any of grades 9-12 to adopt a plan to offer at least one course in computer science in each of its high schools.

AB 2112 (Muratsuchi)—Expanded Learning Opportunities Program. This bill would provide that the per-pupil amount of Expanded Learning Opportunities Program funding allocated to LEAs that did not have an enrollment in the prior fiscal year that was at least 75% English learners, pupils who are eligible for free or reduced-price meals, and foster youth shall not be less than the amount allocated to that LEA in the 2022-23 fiscal year.

AB 2165 (Reyes, D-Colton)—Pupil Instruction: Financial Aid Application. This bill would place various requirements on LEAs related to student completion of the Free Application for Federal Student Aid and California Dream Act Application, especially related to opt-out forms.

AB 2226 (Muratsuchi)—Elementary Education: Kindergarten. This bill would, beginning with the 2026-27 school year, require a child to complete one year of kindergarten before attending first grade, therefore making kindergarten mandatory for California children.

AB 2245 (Carrillo, J., D-Palmdale)—Certificated School Employees: Permanent Status: Regional Occupational Centers or Programs. Under current law, service by teachers at a regional occupational center or program does not count towards permanent status. AB 2245 would delete this exemption.

AB 2254 (Rubio, D-Baldwin Park)—Renewal Criteria. This bill would extend the use of “verified data” as part of the charter school renewal process until the State Board of Education (SBE) adopts student-level growth measures for English language arts and mathematics. The “verified data” shall be used only for the charter school’s next two subsequent renewals.

AB 2316 (Gabriel, D-Encino)—Pupil Nutrition: Substances: Prohibition. This bill would prohibit, beginning July 1, 2025, a public school from offering, selling, or otherwise providing any food or beverage, except items sold as part of a school fundraising event, from containing six substances, including certain food dyes and titanium dioxide.

AB 2381 (Bonta, D-Oakland)—California State Preschool Program, Contract Reimbursements. This bill would eliminate the consideration of program attendance for purposes of reimbursement for California State Preschool Program (CSPP) contracts whose performance period begins after June 30, 2025. The bill would allow CSPP contractors to be paid for their level of enrollment, rather than their enrollment adjusted for attendance.

AB 2421 (Low, D-Campbell)—Employer-Employee Relations: Confidential Communications. This bill would add an explicit prohibition against a public employer from questioning an employee regarding

communications made in confidence between the employee and an employee representative in connection with representation.

AB 2494 (Calderon, D-Whittier)—Employer Notification: Continuation Coverage. This bill would require all employers to provide a notice to employees, following termination or reduction in hours, stating that the employee may be eligible for coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985, or COBRA, and that the employee will receive an election notice from the plan administrator or group health plan.

AB 2534 (Flora, R-Modesto)—Certificated Employees: Disclosures: Egregious Misconduct. This bill would require a person applying for a certificated position at a school to provide their prospective hiring school with a list of every school at which the applicant previously worked.

AB 2557 (Ortega, D-San Leandro)—Local Agencies: Contracts for Special Services and Temporary Help: Performance Reports. This bill would require a contractor to fulfill certain requirements if the contractor enters into a contract with a local government to perform functions that currently are or were performed by public employees represented by a union.

AB 2565 (McCarty)—Interior Locks. This bill would require an LEA that makes an addition, alteration, reconstruction, rehabilitation or retrofit of a school building to install an interior lock on each door of any room with an occupancy of five or more persons in that school building. The bill exempts doors that are locked from the outside at all times, doors that lock from the inside, and pupil restrooms.

AB 2583 (Berman)—School Zones and Walk Zones. This bill would, beginning on January 1, 2028, establish a prima facie speed limit of 20 miles per hour in a school zone during certain hours and days a school is in operation.

AB 2711 (Ramos, D-Highland)—Suspensions and Expulsions: Tobacco: Alcohol: Drug Paraphernalia. This bill would place restrictions on the conditions under which a school may suspend or expel a student as it relates to controlled substances.

AB 2901 (Aguiar-Curry, D-Winters)—School and Community College Employees: Paid Disability and Parental Leave. The bill would require K-14 districts to provide up to 14 weeks of a leave of absence with specified pay benefits for an employee who is required to be absent from duty because of pregnancy, miscarriage, childbirth, termination of pregnancy, or recovery from those conditions.

AB 2927 (McCarty)—High School Graduation Requirements: Personal Finance. This bill would require that LEAs serving students in grades 9-12 offer a personal finance course beginning with the 2027-28 school year. The bill would also add the completion of a one-semester course in personal finance to the graduation requirements commencing with the 2030-31 graduating class.

AB 2999 (Schiavo, D-San Fernando Valley)—Homework Policy. This bill would require each LEA to, beginning at the start of the 2027-28 school year, develop and adopt a homework policy for all grades.

AB 3216 (Hoover, R-Folsom)—Pupils: Use of Smartphones. This bill would require an LEA to, by July 1, 2026, develop and adopt (and to update every five years) a policy to limit or prohibit the use by its pupils of smartphones while the pupils are at a schoolsite or while the pupils are under the supervision and control of an employee of that LEA.

Senate Bill (SB) 897 (Newman, D-Fullerton)—Pupil Attendance: Interdistrict Attendance: School Districts of Choice. This bill would extend the District of Choice program in perpetuity and change the limits on the number of students that may transfer from their districts of residence over time. The bill was amended in the committee to remove the basic aid formula increase.

SB 954 (Menjivar, D-San Fernando Valley)—Sexual Health: Contraceptives. This bill would require, contingent upon an appropriation, all public high schools to make condoms available to students by the start of the 2025-26 school year and would require schools to provide information to students on the availability of condoms.

SB 997 (Portantino, D-Burbank)—Student Health: Naloxone Hydrochloride Nasal Spray and Fentanyl Test Strips. This bill would authorize LEAs to adopt a policy that allows middle school and high school students to carry a federally approved naloxone hydrochloride nasal product for the emergency treatment of persons suffering from an opioid overdose.

SB 1138 (Newman)—Excused Absences: Military Entrance Processing. This bill would add a pupil's participation in military entrance processing to the list of excused absences.

SB 1244 (Newman)—Dual Enrollment: College and Career Access Pathways Partnerships. This bill would authorize a community college district (CCD) to enter into a College and Career Access Pathways partnership with an LEA within the service area of another CCD.

SB 1248 (Hurtado, D-Bakersfield)—Extreme Weather Conditions: Physical Activity. This bill would, contingent upon an appropriation, require the CDE to, by January 1, 2026, establish guidelines specifying temperature thresholds or index ratings that trigger modifications to physical activities during extreme weather conditions. This bill would also require LEAs to develop policies that adhere to the guidelines developed by the CDE.

SB 1263 (Newman)—Teacher Credentialing: Teaching Performance Assessments: Repeal. This bill would eliminate the requirement for a teacher preparation program leading to a preliminary multiple subject, single subject, or education specialist teaching credential to include a teaching performance assessment. The bill was amended in the Appropriations Committee to also eliminate the requirement for the reading instruction competence assessment.

SB 1318 (Wahab, D-Silicon Valley)—Pupil Health: Suicide Prevention Policies: Pupil Suicide Crisis. This bill would require, by July 1, 2026, an LEA to adopt a youth suicide crisis intervention protocol in the event of a pupil having a youth suicide crisis.

SB 1374 (Becker, D-Menlo Park)—Net Energy Metering. This bill would require the California Public Utilities Commission (CPUC) to ensure that any contract or tariff—as part of the Net Energy Metering program for renewable electrical generation facilities configured to serve either multiple customers with meters on a single property or multiple meters of a single customer on a property or a set of contiguous properties—provide for property-netting, thereby overturning a recent CPUC decision concerning the treatment of self-consumption for these electric utility meter arrangements.

SB 1380 (Dodd, D-Napa)—Charter Schools: Establishment. This bill would change the basis for a school district to show it is not positioned to absorb the fiscal impact of a proposed charter school. The bill was amended in the Appropriations Committee to narrow the ability for districts in financial distress to consider the fiscal impact of a new charter petition.

SB 1477 (Ashby, D-Sacramento)—Independent Study, Educational Enrichment Activities, Oversight, and Audit Requirements. This bill would require that by January 31, 2025, and annually thereafter, charter school annual audits be publicly reviewed by the charter’s governing body. The bill would also add parameters around the use of vendors for educational enrichment activities by LEAs.

Bills Held by the Appropriations Committees

AB 1925 (Rendon, D-Lakewood)—Childcare and Development Programs: Eligibility. This bill would have extended eligibility for subsidized childcare and development programs to a family whose child is eligible for services under the federal Individuals with Disabilities Education Act.

AB 2751 (Haney, D-San Francisco)—Employer Communications During Nonworking Hours. The bill would have required public and private employers to establish a workplace policy that provides employees the right to disconnect from communications from the employer during nonworking hours.

AB 3106 (Schiavo, D-Chatsworth)—Infectious Disease: Excluded Employees. This bill would have required employers to ensure employees who test positive for COVID-19 are excluded from the workforce until specified return-to-work requirements are met.

AB 3140 (Hoover, R-Folsom)—School Districts: Reorganization. This bill would have required, when the SBE receives a proposal for the reorganization of a school district, that the SBE make a decision on the proposal within 24 months of receipt.

SB 996 (Wilk, R-Santa Clarita)—Comprehensive Sexual Health Education and Human Immunodeficiency Virus (HIV) Prevention Education. This bill would have required school districts to adopt a policy at a publicly noticed meeting specifying how parents and guardians of pupils may inspect the written and audiovisual educational materials used in comprehensive sexual health education and HIV prevention education.

SB 1056 (Rubio, D-Baldwin Park)—Elementary Education: Kindergarten. This bill would have required, beginning with the 2026-27 school year, a student to have completed one year of kindergarten before being admitted to the first grade of a public school.

SSC Comment: SB 1056 is identical to AB 2226 and thus was likely held because there is no need to have two identical bills move forward. Senator Susan Rubio is a principal coauthor on AB 2226, which will be the vehicle for mandatory kindergarten moving forward.

Next Steps

The bills passed by the Appropriations Committees, along with the scores of bills already awaiting consideration by the full Senate and Assembly, will be debated this week and will need to be approved by the house of origin by this Friday, May 24, 2024. Bills that meet this deadline will then go to the second house, where the committee process starts anew. Bills that do not clear this deadline will be considered dead.

We will continue to provide updates on the bills, including any significant amendments taken in the Appropriations Committee, which continue to make it through the legislative process with our “Top Legislative Issues” series. Stay tuned.

Note: Governor Newsom is proposing to scale back two investments for children with disabilities in order to invest more in electric school buses.

Newsom Prioritizes Electric School Buses Over Preschool for Children with Disabilities

By Zaidee Stavelly
EdSource
May 23, 2024

Gov. Gavin Newsom invested millions into expanding preschool for children with disabilities. Now, he's proposing to scale it back, to invest more in electric school buses.

The move is causing an uproar among leaders of county offices of education and school districts, and advocates for early education and special education.

"While I appreciate the governor's dedication to climate change, as a special education administrator and somebody who's been in the special education field, I think students with disabilities are more important than electric buses," said Anthony Rebelo, director of the Trinity County Special Education Local Plan Area (SELPA) and chair of the Coalition for Adequate Funding for Special Education.

Two programs that aim to expand access to preschool for children with disabilities are proposed to be slashed in Newsom's May revision of his budget proposal.

The first is an increase in the number of slots in state-subsidized preschool programs that are set aside for children with disabilities. Beginning in 2022, the state began to require these preschool programs to set aside at least 5% of their space to enroll children with disabilities. The percentage of space set aside was to increase to 7.5% in 2025-26, and to 10% in 2026-27. Facing a massive budget shortfall, Newsom is now proposing to cancel that increase and leave the number of slots for children with disabilities at 5%. This move would save the state \$47.9 million in 2025-26 and \$97.9 million ongoing, beginning in 2026-27.

The second program the governor plans to cut is the Inclusive Early Education Expansion Program, a program that was set to fund \$250 million in grants to help school districts and county offices of education adapt facilities and playground equipment and train preschool teachers to meet the needs of children with disabilities. The state funded a first round of grants in 2020. School districts and county offices of education had applied in April for a second round of grants. The California Department of Education sent out award letters this week to some applicants specifying how much funding they can expect to receive.

During a May 16 hearing before the Senate Budget and Fiscal Review Subcommittee on Education, Alex Shoap, finance budget analyst from the California Department of Finance, made it clear Newsom is proposing "pulling back \$250 million in currently unallocated Inclusive Early Education Expansion Program funding to instead support the electric school bus grant investment."

H.D. Palmer, deputy director for external affairs for the Department of Finance, said the state Legislature had committed to putting \$500 million toward electric school buses in 2024-25 and another \$500 million in 2025-26. Newsom now aims to spend \$395 million more on the buses in 2024-25, most of which would come from the Inclusive Early Education Expansion Program.

Palmer said spending more now on electric school buses would reduce the amount the state would have to pay in 2025-26 to \$105 million.

In response to criticism of cuts to preschool for children with disabilities, Palmer pointed to the following comment from Newsom on May 10 when he announced his new budget proposals.

“You will ask me, I’m sure, in the Q and A, ‘Why this cut?’ I will undoubtedly say, ‘I prefer not to make this cut.’ These are programs, these are propositions that I’ve long advanced, many of them. These are things that I’ve supported. These are things we worked closely with the Legislature to advance. None of this is the kind of work you enjoy doing, but you’ve got to do it,” Newsom said.

School district and county leaders, as well as other preschool providers across the state expressed dismay that these programs would be cut at a time when preschool programs were just beginning to include more children with disabilities in their classrooms.

“It really is a breach of promise,” said Dave Gordon, Sacramento County superintendent of schools. “People have been planning for these services to go forward for several years. They’re ready to go. I have several people on my staff who are broken-hearted that this is not going to go forward, because they feel it’s been long delayed.”

Under the federal Individuals with Disabilities Education Act, children as young as 3 years old with disabilities must be provided special education. The U.S. Department of Education and the U.S. Department of Health and Human Services have stated that children with disabilities should have access to preschool and child care programs where they can participate alongside their peers without disabilities. California also made expanding access to inclusive preschool programs a goal in its Master Plan for Early Learning and Care, released in 2020.

“We’re woefully behind most states,” said Elizabeth Engelken, chair of the association SELPA Administrators of California. “We were relying on this ... support to begin to shift the environment in schools to be more developmentally appropriate.”

Jolie Critchfield, director of child development for Marysville Joint Unified School District in Yuba County, said her district used funding from the Inclusive Early Education Expansion Program to train staff and completely revamp their preschool programs with new materials and playground equipment, like swings built for children with disabilities. The district also moved all “special day classrooms” alongside general preschool classrooms, so that children with disabilities are able to interact with other children on the playground and spend time in class with them as well.

She said the district planned to use future funding to increase coaching for teachers and to include more children with disabilities in general education preschool classrooms.

“It literally brings tears to your eyes, seeing the kids in the program with wheelchairs and scooters. Kids that you just would not think could be OK in a general education setting, because it would be too overwhelming, are going in there and doing so well,” Critchfield said. “I can’t believe we ever did it any differently.”

One mother, Stella Goodnough, said she is grateful her daughter was able to attend preschool in Marysville alongside children with disabilities.

“I was always afraid to approach special-needs children because I didn’t know what to say or do. Now I see my daughter make friends, especially a best friend, with a special-needs child,” said Goodnough. “She often talks about him at home, which creates opportunities to talk about how wonderful we all are with our differences.”

The Kings County Office of Education in the Central San Joaquin Valley used funding from the first round of grants to transform an old school building into an early learning center, with many services available for children with disabilities. The center, in Hanford, currently has one classroom where children with and without disabilities are taught together. The county office applied for another grant this year to open two more inclusion classrooms.

“Without this funding, our goals are once again relegated to a far-off future when we can’t ever guarantee when that might happen,” said Todd Barlow, Kings County superintendent of schools.

Several special education administrators said cutting the program would end up costing the state more in the future, because children who have had early education and services at a young age may not need as much intervention in later years.

“If we identify a student much earlier, get them in that school routine of what it’s like to have group instruction, they’re going to be much more prepared by the time they’re in kindergarten or TK,” Rebelo said. “This just feels like a huge step backwards.”

The budget proposal would cut about 200 children with disabilities from attending preschool at Kidango, a nonprofit organization that runs dozens of child care centers in the San Francisco Bay Area, according to the organization’s director, Scott Moore.

“This budget cut is not only harmful to children, but research shows it will result in higher special education costs in the future,” Moore said. “So it’s bad for kids and bad for the state budget.”

The state budget is still in negotiations until the Legislature passes a final bill in June.

Note: Assembly Bill 2316 (Gabriel, D-Encino) would prohibit food containing seven specified food dye additives from being offered, sold, or otherwise provided to students by local educational agencies.

California Lawmakers Approve Bill to Take Flamin’ Hot Cheetos Out of Schools

By Andrew Sheeler
The Sacramento Bee
May 23, 2024

LAWMAKERS PASS FLAMIN’ HOT CHEETO BAN, OTHER MEASURES

It’s “House of Origin” week, when California bills face a deadline to pass out of either the Assembly or Senate. That means lawmakers have been extra busy, taking part in extended floor sessions where they debate a variety of bills.

One such bill to emerge from the scrum was Assemblyman Jesse Gabriel's AB 2316, which would ban food products like Flamin' Hot Cheetos and Fruit Loops with certain chemical food dyes found to be toxic to humans from being served to students in California schools.

That bill cleared the Assembly floor Tuesday by unanimous vote, 59-0, though 21 lawmakers from both parties abstained from voting on it.

"California has a responsibility to protect our students from chemicals that harm children and that can interfere with their ability to learn," Gabriel said in a statement.

That bill goes on to the Senate now.

Lawmakers approved a host of other bills, as well, including:

- AB 1780, by Assemblyman Phil Ting, which bans legacy admissions at private California universities.
- AB 1858, by Assemblyman Chris Ward, which prohibits schools from conducting hyper-realistic shooting drills.
- AB 2584, by Assemblyman Alex Lee, which limits corporations' ability to mass-purchase homes.
- AB 3080, by Assemblyman Juan Alanis, which requires porn websites to verify users' ages.
- SB 915, by Sen. Dave Cortese, which gives local jurisdictions the ability to regulate autonomous vehicles.
- SB 1116, by Sen. Anthony Portantino, which allows striking workers to claim unemployment insurance benefits.
- SB 1174, by Sen. Dave Min, which prohibits local governments from enacting voter ID requirements.
- SB 1446, by Sen. Lola Smallwood-Cuevas, which limits retailers' ability to use self-service checkout stations.

Fresno Unified School District
Board Communication

BC Number BFS-2

From the Office of the Interim Superintendent

To the Members of the Board of Education

Prepared by: Kim Kelstrom, Chief Executive

Cabinet Approval:



Date: June 07, 2024

Phone Number: 457-3907

Regarding: School Services Weekly Update Reports for May 31, 2024

The purpose of this communication is to provide the Board a copy of School Services of California's (SSC) Weekly Updates. Each week SSC provides an update and commentary on different educational fiscal issues. In addition, they include different articles related to education issues. The SSC Weekly Updates for May 31, 2024 are attached and include the following articles:

- The Proposition 98 Deal – Local Impacts – May 30, 2024
- TK Staffing Ratios Are Often Unmet, Teachers Say; Why Some Districts Escape Fines – May 22, 2024
- California Lawmakers Advance Bill to Ban Transgender Parental Notification Policies – May 30, 2024

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

Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24



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DATE: May 31, 2024

TO: Robert G. Nelson
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

RE: *SSC's Sacramento Weekly Update*

2024-25 State Budget Update

It was a busy week in terms of progress on the 2024-25 State Budget package. On Monday, Governor Gavin Newsom announced that he reached a new Proposition 98 deal with the California Teachers Association (CTA) as an alternative to his earlier Proposition 98 maneuver proposal that would have reduced education funding by over \$12 billion and very likely would have been legally challenged. That CTA-Newsom agreement is detailed in the *Fiscal Report* article below, entitled “The Proposition 98 Deal—Local Impacts.”

Then, on Wednesday, Senate President pro Tempore Mike McGuire (D-North Coast) and Assembly Speaker Robert Rivas (D-Hollister) [announced](#) that the Legislature has agreed to a joint legislative proposal for the 2024-25 State Budget.

Yesterday, the full Assembly Budget Committee and each individual Senate Budget Subcommittees, including the Senate Budget Subcommittee No. 1 on Education, approved the 2024-25 legislative proposal. It is unknown when each house will schedule a floor vote on the deal, but they likely will hold off to see if a deal with the Governor can be reached first.

The legislative proposal assumes the same Proposition 98 minimum guarantee level for 2022-23 as the May Revision and is calculated with recognition of an additional \$6.2 billion in 2023-24, adjusted due to added tax revenues included in the legislative plan for 2023-24 and 2024-25. The legislative budget package provides \$113.99 billion in 2024-25 Proposition 98 spending, which is \$4.8 billion above the May Revision. Since the legislative proposal assumes higher additional tax revenues than the Department of Finance, the legislative proposal is able to adopt the Governor’s modest ongoing spending increases for all ongoing K-14 commitments and retain \$1.1 billion in the Proposition 98 reserve account.

It is important to note that the legislative Proposition 98 proposal differs from the recently announced CTA-Newsom Administration agreement, which means that this issue still needs to be negotiated by legislative leaders and the Governor. The Assembly’s [summary](#) of the proposal stipulates that the

Legislature is currently reviewing the CTA-Newsom Administration agreement and that a final Proposition 98 package will be considered in a future trailer bill.

The legislative proposal also funds the statutory 1.07% cost-of-living adjustment for the Local Control Funding Formula, select categorical programs, and the Equity Multiplier.

The legislative budget proposal *is not* the final State Budget, as Governor Newsom has not agreed to this spending plan and still needs to negotiate with the Legislature. The Legislature is constitutionally required to approve a State Budget by June 15; however, negotiations with the Governor can continue beyond that date, meaning the State Budget approved by the June 15 deadline will likely be a placeholder budget unless legislative leadership can cut a deal with the Governor before that date.

House of Origin Deadline

Last Friday, May 24, was the deadline for bills introduced in 2024 to clear their house of origin. Bills that met this deadline are now in the second house where the process starts anew, meaning bills will be assigned to second house policy committees.

While nearly every bill considered on the floor last week was approved ahead of the house of origin deadline, it is much harder to get out of the second house than the first for various reasons. Policy committee members expect the kinks of a bill to be substantially worked out by this point in the process and are not as forgiving as when a bill was just a few weeks old—as is the case during the first round of policy committee hearings. Additionally, the priorities of one house may not align with the priorities of the other, making certain measures more difficult to pass.

Leilani Aguinaldo

The Proposition 98 Deal—Local Impacts

By Patti F. Herrera, EdD, and John Gray
School Services of California Inc.'s *Fiscal Report*
May 30, 2024

Just two weeks after the release of his May Revision, Governor Gavin Newsom announced on Monday, May 27, 2024, that he had reached a new Proposition 98 deal with the California Teachers Association (CTA) as an alternative to his earlier Proposition 98 maneuver proposal that would have reduced education funding by over \$12 billion and very likely would have been legally challenged.

Since Monday, education budget hawks have been analyzing the negotiated alternative not only for what it means for the Proposition 98 minimum guarantee now and into the future, but for any impacts that it may have on local educational agencies (LEAs).

Proposition 98 Deal—The Nuts and Bolts

The deal addresses the controversial treatment of \$8.8 billion allocated to K-14 educational agencies above the state's \$97.5 billion constitutional obligation in fiscal year 2022-23. The Governor's January and May maneuver would have excluded the excess allocation from the calculation of the minimum guarantee moving forward, which many criticized as unconstitutional. The new approach addresses the legal concerns; maintains education programs at their current levels for 2023-24 and 2024-25, the latter of which includes the statutory 1.07% cost-of-living adjustment; and recognizes the state's funding obligation to K-14 education in the current and budget years that are higher than Governor Newsom's May Revision levels.

To achieve these outcomes, the deal includes four essential components:

1. The inclusion of \$6.2 billion in funding allocated to LEAs in 2022-23 above the minimum guarantee in the Proposition 98 base used to calculate education funding under Test 2 and Test 3¹
2. The suspension of Proposition 98² in 2023-24 in recognition of the state's higher funding obligation compared to the May Revision level, totaling \$5.5 billion
3. Withdrawals from the Proposition 98 reserve to maintain education programs at their 2023-24 levels and adjusted levels for 2024-25
4. The use of budget deferrals in each fiscal year across the three-year budget window from June to July of \$2.6 billion in 2022-23, \$1.3 billion in 2023-24, and \$2.4 billion in 2024-25

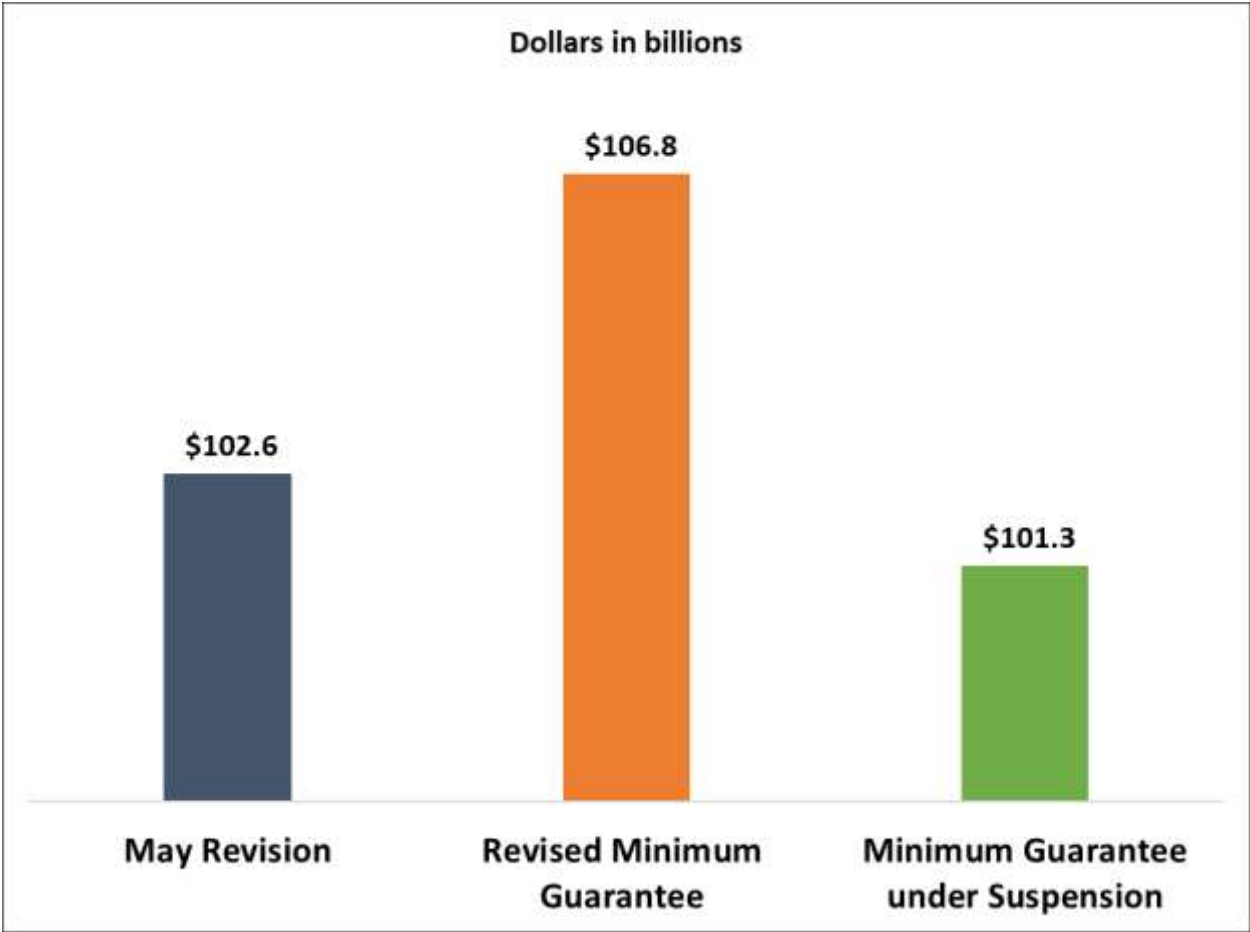
¹ The deal excludes \$2.6 billion in funding for LEAs as part of the 2022-23 Budget Act that was distributed after the close of the fiscal year; the exclusion of these funds reduces the \$8.8 billion problem to \$6.2 billion.

² Proposition 98 suspension requires a two-thirds vote of the Legislature and approval of the Governor. When the minimum guarantee is suspended, the state is constitutionally required to restore education funding to the higher (Test 2) level in the future through "maintenance factor" payments.

Proposition 98 Funding: 2022-23 Through 2024-25

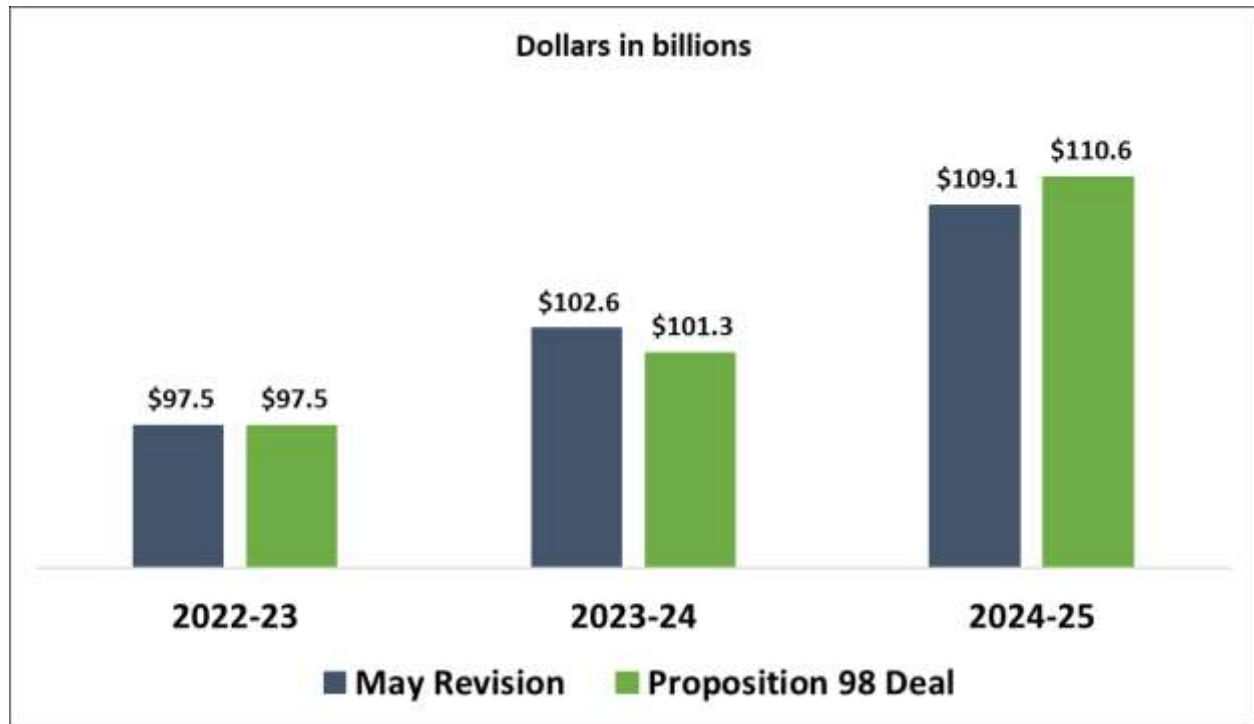
Under the deal, the minimum guarantee (the state’s constitutional obligation to K-14 LEAs) increases from the May Revision levels in both the current and budget year—again, this results from the inclusion of the \$6.2 billion 2022-23 appropriation to education above that year’s funding level of \$97.5 billion. In 2023-24 and 2024-25, the Proposition 98 minimum guarantee would be approximately \$106.8 billion and \$109.3 billion, respectively.

The Evolution of the 2023-24 Proposition 98 Minimum Guarantee



However, since the state cannot afford its higher obligation of \$106.8 billion, the deal includes a Proposition 98 suspension level of \$5.5 billion, as shown in the chart above. The chart below shows state Proposition 98 spending across the budget window after accounting for the suspension of the minimum guarantee.

Proposition 98 Funding: May Revision vs. the Deal



Note: Funding in 2024-25 is \$110.6 billion as a result of a required \$1.3 billion maintenance factor payment

The Proposition 98 Deal and You

While the deal between Governor Newsom and the CTA results in adjustments to the minimum guarantee in the current and budget years, inclusive of a lower-than-obligated level in 2023-24, the deal would have little to no impact on LEAs.

This is because, as noted earlier, the deal spends down the Proposition 98 reserve to maintain local programs, as well as use budget deferrals (from June to July). While deferrals could present local cashflow issues, we believe that these short-term deferrals will not require LEAs to borrow externally.

Items to Note and Monitor

There are two issues included in the deal that warrant monitoring and further consideration for their potential impact on the calculation and final determination of the Proposition 98 minimum guarantee in any fiscal year.

Proposition 98 Spike Protection

First, is the issue of how to calculate a little-known constitutional provision in Proposition 98 known as “spike protection,” which protects the state from unsustainable, high obligations to education when there are temporary spikes in state General Fund revenue, mostly associated with anomalously high capital gains revenue. The negotiated calculation of the Proposition 98 spike protection will impact future calculations of the minimum guarantee.

Certification of Prior-Year Minimum Guarantee

In 2019, the State Budget included changes to the final certification the Proposition 98 minimum guarantee. Importantly, once the minimum guarantee is certified, it cannot be adjusted for updated factors included in the calculation (i.e., state General Fund revenues and average daily attendance).

Proposition 98 certification was at the heart of the legal concerns the Governor's proposed maneuver drew as critics argued that the state did not have the authority to exclude the \$8.8 billion appropriation from the Proposition 98 base since the fiscal year ended.

The deal purports to include language that would "allow the state to keep a fiscal year open for Proposition 98 computation purposes should significant tax revenue not be available." In the specific case relevant for this budget year, \$26 billion in tax revenues were not available after the close of the 2022-23 fiscal year due to lower-than-expected 2022 personal income and corporation tax receipts.

The details of the language that would allow the state to adjust the Proposition 98 calculation of the minimum guarantee should be carefully analyzed for its potential impact on future education funding levels.

Next Steps

The Senate and Assembly Budget Committees adopted the 2024-25 legislative budget, which includes the Proposition 98 framework established by the deal. We anticipate that the details will emerge after legislative leaders and Governor Newsom reach a final budget agreement and the Legislature introduces the budget bill(s) and budget trailer bills.

We will cover the final negotiated State Budget, including changes to Proposition 98, at our School Finance Conference on July 18, 2024. For more information or to register for the conference, click [here](#).

Note: Some teachers assert that certain districts are not staffing transitional kindergarten classrooms with enough adults to maintain the required 1:12 staff-student ratio, which violates state law.

TK Staffing Ratios Are Often Unmet, Teachers Say; Why Some Districts Escape Fines

By Lasherica Thornton
EdSource
May 22, 2024

This is the second in a series of stories on how inadequate staffing may be impeding California's efforts to offer high-quality instruction to all 4-year-olds by 2025.

Four-year-olds, many of whom have never attended school or day care, are entering California classrooms in droves following the state's rapid expansion of transitional kindergarten, a grade preceding kindergarten.

In this grade known as TK, young students are exposed to academics and become familiar with letters, sounds and numbers. They also acquire social, emotional and intellectual skills through play and exploration. For

example, from having to share toys with their peers in a structured environment, they learn to communicate with each other and handle conflict.

Once designed to serve only children who missed the kindergarten age cutoff, TK has evolved and is now projected to reach all the state's 4-year-olds by the 2025-26 school year. TK is the first year of a two-year kindergarten program that uses a curriculum modified for the age and developmental level of the participating children. When fully implemented, California will have the largest universal preschool program in the nation, serving nearly 400,000 children.

Some of the state's largest school districts, including Los Angeles Unified and Fresno Unified, are ahead of the state's timeline in offering that access.

Fresno Unified operates 116 transitional kindergarten classes. Los Angeles Unified has not released the number of TK classes it offers, but according to district data, they serve nearly 11,000 students.

Though imperative for students, the expansion has created a problem: Some districts are not staffing TK classrooms with enough adults to maintain the required 1:12 staff-student ratio, a problem that educators say puts the 4-year-old pupils at risk, hampers learning and violates state legislation.

Twenty schools in LAUSD have been cited by the state for understaffing classes and violating the ratio.

Teachers told EdSource that 4-year-olds can't learn if they aren't safe and properly supervised by adults, and that not having enough adults in the classroom jeopardizes children's safety.

"If you're one adult and you're managing so many children that have never been to school before, there isn't any teaching going on," said David Hunter, a teacher in Fresno Unified who has taught TK for the last six years of a 17-year career. "You're just keeping them safe as best as you can, but you're not actually able to teach."

School districts jeopardize state funding if they fail to meet the state-set TK requirements of the 1:12 staff-student ratio and the average class size of 24 kids.

Out of the 1,815 audit reports that the California Department of Education reviewed, just seven school districts and 16 charter schools have been fined and will lose thousands of dollars in funding from their Local Control Funding Formula for failing to meet the staffing ratios during the 2022-23 school year. Teachers and others in the classroom say that many more districts and charters are not meeting the requirements but are managing to avoid punishment.

Los Angeles Unified, which is facing multimillion dollar fines, considers being fined because the classes do not have one additional adult unfair, district leaders said at a board meeting earlier this year. Many other penalized districts blamed the national shortage of teachers and paraprofessionals while some districts were critical of the California Department of Education for not clearly outlining the requirements.

Some teachers, on the other hand, say that what is unfair is that TK classes are not being staffed as outlined by the legislation and to support the young students.

According to the Fresno Teachers Association, more than a dozen TK classes were out of compliance for staffing ratios during the 2022-23 school year, yet Fresno Unified was not fined. Fresno educators told

EdSource that school districts that were not in compliance last year, such as Fresno Unified, escaped detection and fines because fiscal penalties are based on sample auditing that did not check every school.

“This is a systems issue,” Hunter said, “and I want to see the system be better for everyone.”

Why do TK classes need extra staffing?

The California Department of Education (CDE) has outlined numerous benefits to having a lower adult-to-student ratio in TK classes, including opportunities for individualized instruction, additional adult support and attention as well as supervision at all times.

Legislation requires district staff such as paraprofessionals to work alongside teachers to meet the ratio requirement and share responsibilities of serving the students.

On any given day, a TK student may need to use the restroom or have a potty accident; another may get sick and others will require different types of attention.

“How do you manage that when there’s one of you and 21 four-year-olds?” Hunter said. “You need another adult to help deal with those situations.”

Hunter said he taught a class of 21 TK students without an aide from August to December 2022 during the 2022-23 school year, the first school year after the state added fiscal penalties related to TK requirements.

He said a teacher and an aide can split a large class into small groups to foster individualized learning, improve student assessment and evaluation and, ultimately, educate the young students — things that won’t happen in one large group of up to 24 four-year-olds.

Verifying compliance is difficult

State compliance with TK requirements is verified in a district’s annual audit at the end of the school year and is based on a representative sample of a district’s schools.

Schools that are out of compliance may go unchecked if the sampled schools in the district are compliant. Because the sampled schools meet compliance, even though other schools do not, some districts and charters avoid penalties.

Fresno Unified, Hunter’s district, was not one of the school systems fined. District spokesperson AJ Kato told EdSource that Fresno Unified has not had problems with meeting the requirements that other districts may be experiencing.

But that’s not what teachers say.

At least 13 classes, according to Fresno Teachers Association President Manuel Bonilla, only had one adult for more than 12 students.

“The district could have done a better job at hiring additional folks ... or in an emergency term, having their administrative staff provide additional support, but that seemingly didn’t happen,” Bonilla said.

A Fresno Unified TK teacher and union leader surveyed his colleagues.

“They were out of compliance with the state, and ultimately the problem is that the students aren’t getting the additional support that’s necessary,” Bonilla added.

Hunter said this is the second consecutive school year he’s been teaching out of compliance.

This school year, Hunter has a part-time aide but is still out of compliance because he is the only adult for 16 students on days the aide isn’t scheduled to work.

Having a full-time aide, or the equivalent, he said, should be baseline and is mandated by law.

According to the state Education Department, to be counted in the staffing ratio, the “assigned” adult must be a district employee who is dedicated and available to all TK students the entire school day. Student teachers and volunteers do not count toward it, nor do staff such as a special education aide or speech therapist who are assigned to work with specific students.

Part-time aides can satisfy the classroom staffing ratio, but only if the working time equals 100% of the time of a full-time aide, according to the CDE. Because Hunter’s class has 16 students, he needs more than one part-time aide working enough hours to equal the hours of a full-time aide. He has only had one part-time aide this school year.

Laton Joint Unified was penalized \$30,943 for having a 1:16 ratio last school year. The school had a paraprofessional scheduled for one hour, 45 minutes each day, and that person was not available for all students the entire school day, the audit report detailed.

There are also instances of aides being pulled for recess or cafeteria duty or other teaching responsibilities, removing that aide from the instructional minutes with students, teachers told EdSource.

“Rina,” a former TK teacher who asked to be identified only by her nickname, said that when she took a job at Ballington Academy in San Bernardino City Unified in the 2023-24 school year, the school’s one TK classroom had 18 students. Rina and her aide would align with state compliance for the 18 students. About a week before school started, Rina said the school informed her that the aide, though assigned to her TK students, would be pulled to other elementary classrooms whenever a teacher was absent.

“It was wrong,” she said. She only stayed in the position for about a week after school started.

Some schools and districts, such as Scholarship Prep Charter School in Oceanside, Pomona Unified in eastern Los Angeles County and Culver City Unified in Los Angeles County, said in their audit reports that staffing shortages resulted in their inability to comply with state guidelines.

But that’s no excuse, teachers say, because it’s up to district administration to recruit, hire and retain paraprofessionals, instead of making it the teacher’s problem, Rina said.

Some suggest that the problem with hiring and retaining paraprofessionals is the low compensation.

A preschool teacher’s aide at Ericson Elementary in Fresno Unified is not in the TK classroom but works with students who are the same age as those entering transitional kindergarten. Speaking with EdSource on condition of anonymity, she said aides, whether in the TK or preschool class, are dealing with the same challenge: subpar pay.

Throughout the day, especially when working in groups, she helps the preschoolers with writing their names and learning letters and numbers. At other times during the day, such as during reading time, the aide ensures students keep their hands to themselves and listen to the teacher. As an aide, she sees the impact and importance of her role.

“We’re like their (teacher’s) spine,” she said about paraprofessionals. “We’re there to support and help. We do so much for these kids.”

She is paid \$15.90 an hour and has, over the last two years, questioned whether she should remain in the role.

“That’s not helping me,” she said. She’s had to take on side jobs in the district, such as at sporting events, or resorted to borrowing money from friends and family. “I have to buy food, pay bills and then, I have four kids.

“If they’re still going keep that low (salary), people are not going ... to apply for a position as an aide.”

Can teachers do anything?

As a teacher who’s been working out of compliance, Hunter wants districts to be held accountable.

“There’s a mechanism there, and I’d like to see that enforced,” Hunter said about the fiscal penalties outlined in legislation.

While the only way to address the compliance is with fines — which Hunter called “reactive” — he said a tool to report violations throughout the year could push districts to comply sooner and stop teachers from working out of compliance.

Currently, there is no such system or tool.

And if teachers are providing instruction in classrooms that are out of compliance, they would not report the violation to the state, CDE spokesperson Scott Roark said via email.

“Complaints against a district, school, principal, teacher or school personnel are not within the jurisdiction of the CDE unless the complaint falls within the scope of the Uniform Complaint Procedures,” Roark said, explaining that the TK requirements are under local control, with each district’s school board having authority over the complaint process.

The same reasoning applies to a teachers union hoping to report compliance concerns or violations.

But the struggles teachers are experiencing shouldn’t detract from the importance of TK.

TK expansion is necessary; schools just need support

Patricia Lozano, executive director of the advocacy group Early Edge California and a champion for expanding transitional kindergarten, told EdSource last year about the importance of the program, including how it provides children who were infants during the pandemic with social and intellectual engagement as well as age- and developmentally-appropriate structure and routine to help them thrive.

Simply put, TK is imperative for students, said many teachers interviewed by EdSource.

Hunter, who has a background in early childhood education, said TK is vital for introducing students to what school is, for teaching socialization and exposing them to academics.

“Any child who’s been through TK is that much more ready to hit the ground running in kindergarten,” he said. “I just want to see the appropriate support that not only the state promised, but I want to see the districts live up to that support so we can show these learners the best we can.”

Note: Assembly Bill 1955 (Ward, D-San Deigo) would prohibit a local educational agency from enacting or enforcing policies or rules that require disclosure of a pupil’s gender identity, sexual orientation, or gender expression without the pupil’s consent.

California Lawmakers Advance Bill to Ban Transgender Parental Notification Policies

By Andrew Sheeler
The Sacramento Bee
May 30, 2024

After an emotional, and at times testy, Senate Education Committee hearing Wednesday, the Democratic-controlled committee voted to approve AB 1955, San Diego Democratic Assemblyman Chris Ward’s bill to ban school districts from passing blanket parental notification policies.

Ward, though, had a different description for them.

Ward unveiled AB 1955 last week, saying the “forced outing” policies add to the “suffering and the challenges that LGBTQ youth are feeling.”

The bill has been a lightning rod among the right wing, with Chaya Raichik of the X account Libs of Tik Tok highlighting it and billionaire Elon Musk calling it “an absolute showstopper” in a post on that platform. He didn’t mean that in a good way.

Three parents of children who are trans, or who previously identified as trans, spoke on the Capitol steps against Ward’s bill.

“When my daughter was 13, she was secretly socially transitioned from her school,” said Erin Friday, a parents’ rights activist, attorney, and chief architect of the parental notification policies that have made their way through California school districts.

“I pulled her from the public school and got her the help that she needed, and she returned to comfort in her female body. I found out what the school was doing before the identity completely solidified. Other parents will not be so lucky if AB 1955 becomes law,” Friday said.

Parental notification policies require that school staff inform a student’s parents if their student asks to use a different pronoun, name, or school facility such as a locker room or bathroom that does not align with their biological sex.

Also in attendance was Beth Bourne, a Davis parent and Yolo County chapter president of Moms for Liberty, whose activism has isolated her from her trans child.

"I've always believed that it's important to speak out when something is not right and when people are being harmed," Bourne said, warning that, if AB 1955 passes, school staff will be empowered to hide information from, or lie to, district parents.

Wednesday's at-times raucous hearing saw testimony on both sides of the issue, including Kristi Hirst, a parent of three who founded Our Schools USA in response to Chino Valley Unified School District's first-in-the-state passage of a parental notification policy (several other conservative-controlled school boards have since followed suit), and California teacher Shaye Stephens in support and Aurora Regino, mother of a Chico Unified School District child who sued that district, alleging it hid her child's transgender identity from her, and Dr. Arthur de Lorimier, a pediatric gastroenterologist at UC Davis, in opposition.

"The district's job is not to protect the feelings of parents, it's to ensure the safety of all students," Hirst told lawmakers at the hearing.

Hirst said she has heard from many students who are afraid for their safety in school districts where parental notification is the policy. Nearly 1,500 people contacted a mental health hotline her group set up in response to the policies, she said.

Stephens said that parental notification policies place teachers in a difficult, even potentially dangerous predicament. Even the mechanics of notifying a parent are unrealistic, she said.

"Logistically, this is a nightmare," she said.

The opposition argued that AB 1955 is a "parental secrecy" law.

"This drives a wedge between parent and child," Regino said in her testimony.

Regino told lawmakers that if she hadn't found out that her child was going by different pronouns at school, the child would probably still be identifying as transgender today. Her child continues to struggle with mental health, she said.

De Lorimier, who is not a gender care specialist, also testified Wednesday. According to his UC Davis bio, his practice focuses on gastrointestinal disorders.

De Lorimier testified that he has seen a number of transgender patients in his practice and that many just wanted to get attention that they felt they couldn't get in their sex assigned at birth.

After lengthy, and at times emotional testimony for and against the bill, it was lawmakers' turn to weigh in.

Sens. Steven Glazer, D-Contra Costa, and Lena Gonzalez, D-Long Beach, both quickly threw their support..

Sen. Rosilicie Ochoa Bogh, R-Yucaipa, at times choking up while she spoke, said that it was encouraging to see everyone in the room caring for children.

"Everyone is trying to do what they feel or understand to be best for their child," she said.

Ochoa Bogh said that she felt that parents have a right to know about their children, and that no parent would reject their child if they found out they were transgender.

“They might not accept, but they will definitely respect that child,” she said.

That isn’t the case for many parents of trans children, as we reported earlier this month.

Committee Chair Sen. Josh Newman, D-Fullerton, disagreed with Ochoa Bogh in his remarks, saying that it “clearly is not the experience of many children” that parents are loving and supportive.

According to LGBTQ advocacy group the Trevor Project, LGBTQ youth are over-represented among homeless youth in America — nearly a third (28%) of LGBTQ youth reported experiencing homelessness or housing instability at some point in their lives.

Sen. Scott Wilk, R-Santa Clarita, said he felt that AB 1955 was punishing the majority of parents who are good.

“Sometimes I think we penalize the 97% of parents that are good to go after the 3% that are bad,” he said.

Ultimately, Ward declared all the con side arguments to be a distraction from the main point of his bill.

“It is not about gender dysphoria (the condition of feeling uncomfortable in one’s sex assigned at birth), it is not about medical decisions,” Ward said. “...This is about harmful policies.”

At the end of debate, the committee voted 4-1, with Wilk voting no and Ochoa Bogh abstaining, to advance the bill to the Senate Health Committee.

Fresno Unified School District
Board Communication

BC Number BFS-3

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Ashlee Chiarito, Ed.D., Executive Officer
Cabinet Approval:

Date: June 07, 2024

Phone Number: 457-3934

Regarding: School Plans for Student Achievement

The purpose of this communication is to provide the Board information regarding upcoming approval of the School Plans for Student Achievement (SPSA) for the 2024/25 school year. This item is number A-14 on the Board agenda for June 12, 2024. The development of SPSAs is an ongoing cycle of reflection, undertaken by each school, that includes reviewing student outcomes, identifying disproportionate performance, and directing resources towards improvement.

Each plan is aligned with the five district goals and utilizes the \$36.6 million of recommended resources for school level planning that was proposed to the Board on January 24, 2024 during Phase I of the 2024/25 Budget Development Process. The proposed State and Federal funds are listed below:

- Local Control Funding Formula (LCFF) Supplemental and Concentration Funds – \$28.9 million
- Federal Title I Funds – \$7.7 million

This is a collaborative process between departments, schools, and educational partners. The Office of State and Federal Programs provided training and support to schools. The Department of Analysis, Measurement, and Accountability assists with metric identification for each school's needs assessment.

School Leadership guided site leaders and provided feedback in the development of the SPSAs. Educational partners at each site, including School Site Council (SSC), provided feedback.

As in previous years, equity-based funding principles are utilized based on the individual school's population of low-income, foster youth, and English learners to determine allocations. Trends demonstrate investment in academic supports for students and teachers, including school staff, and resources to connect with parents and families.

The district is required to set aside a minimum of 1% of the Title I allocation for Family and Community Engagement. Schools value family engagement, programming over 6.0% of funding. The attached chart summarizes investments made by school sites through this process.

Schools and departments worked collaboratively to support a successful SPSA process. It is recommended that the Board approve the 2024/25 School Plan for Student Achievement plans on June 12, 2024.

Drafts of each School's Plan for Student Achievement can be found on the [Office of State and Federal's public website](#) prior to the Board Meeting on June 12. In addition, each school has a copy.

If you have any questions pertaining to the information in this communication, or require additional information, please call Ashlee Chiarito at 457-3934.

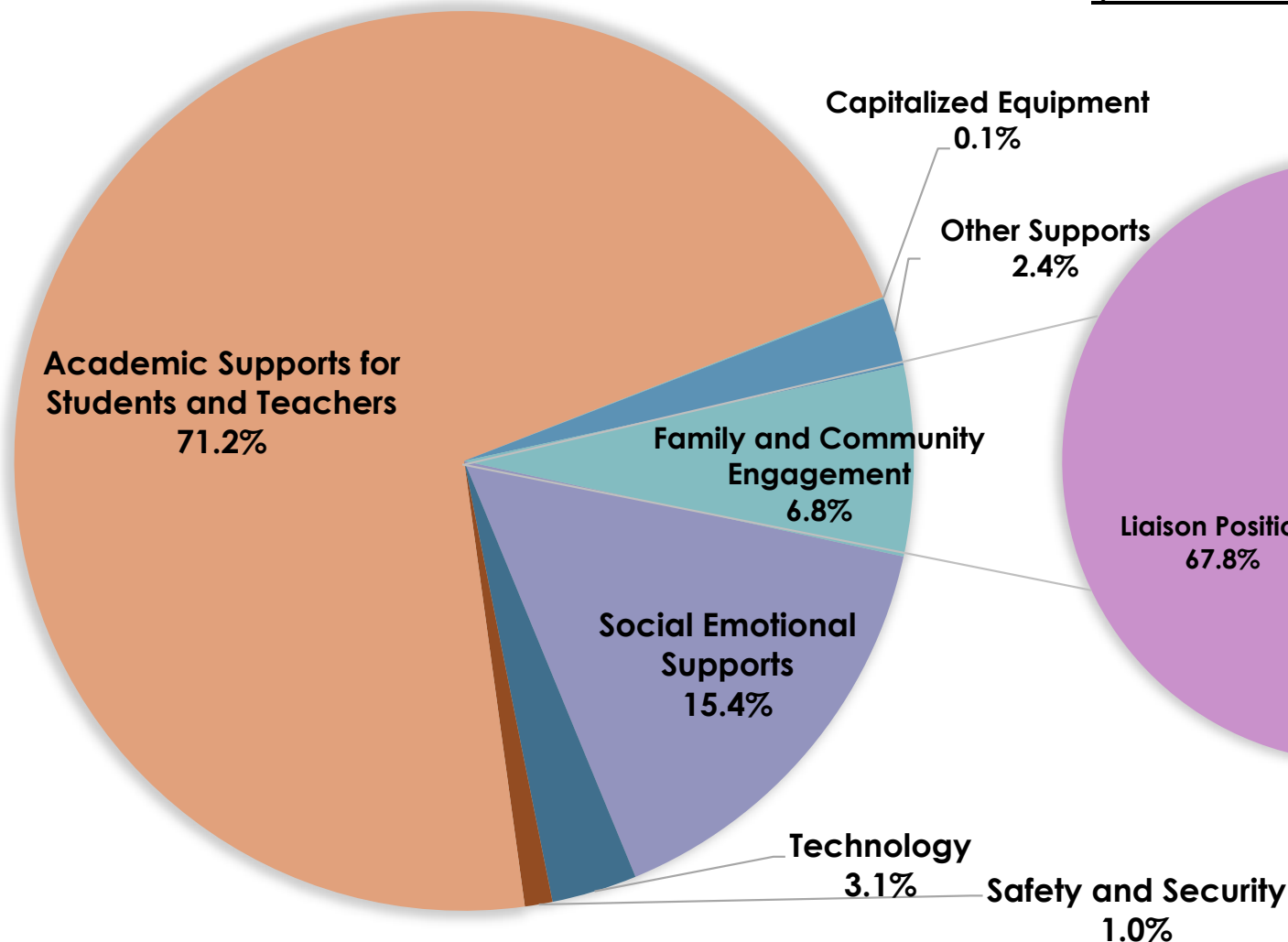
Approved by: Interim Superintendent, Mao Misty Her



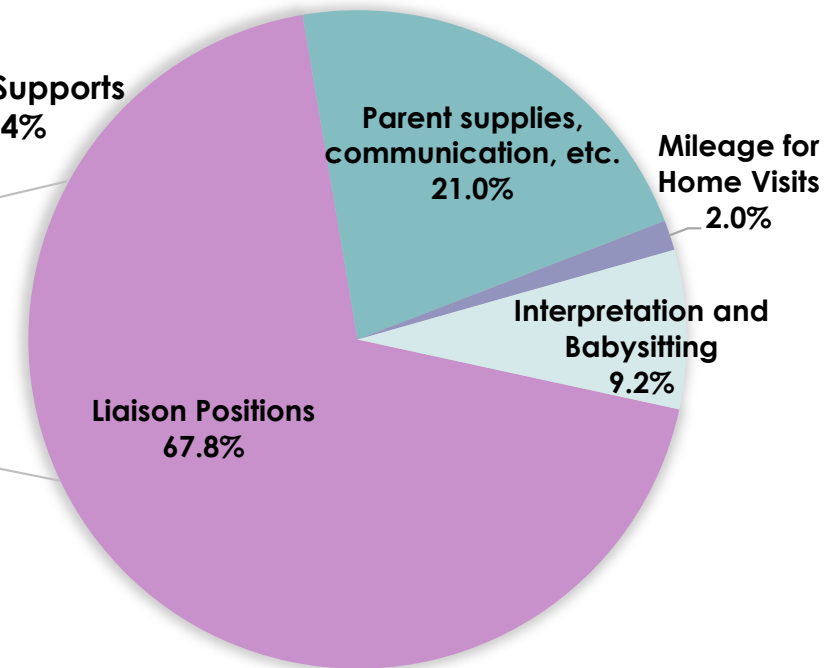
Date: 06/07/24

School Site Councils Prioritize Site Funds

\$36.6 million School Site Funds



\$2.5 million Family and Community Engagement



Exceeding 1% Parent Involvement Requirement

FY 2024/25

Fresno Unified School District
Board Communication

BC Number BFS-4

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Ashlee Chiarito, Ed.D., Executive Officer
Cabinet Approval:

Date: June 07, 2024

Phone Number: 457-3661

Regarding: Local Control and Accountability Plan

The purpose of this board communication is to provide the Board with an update on the Local Control and Accountability Plan (LCAP). A draft of the LCAP, including the Federal Addendum, was made available beginning May 10, 2024, with opportunities for educational partners to provide written comments and feedback. The draft LCAP and links to provide comments and feedback can be found by clicking on the LCAP logo on the district's home page. The district intends to provide additional updates of the draft LCAP, which will be clearly marked on the website. Updates to the draft LCAP are the result of the feedback of educational partners, direction from the Board resulting from the district's budget development process, and new information from the Governor's May Revise.

The draft LCAP was also presented to the Parent Advisory Committee on May 23, 2024, and to the District English Learner Advisory Committee on May 30, 2024. In addition, the LCAP will be presented to the Board of Education on June 12, 2024, as a public hearing and on June 20, 2024, for adoption.

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


Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number ID-1

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Jeremy Ward
Cabinet Approval: 

Date: June 07, 2024

Phone Number: 248-7534

Regarding: City of Fresno Summer Swim Program at Fresno Unified School District Pools

The purpose of this board communication is to provide the Board with information about the partnership with the City of Fresno to provide the Summer Swim Program at Fresno Unified School District pools. This program will operate from June 15, 2024, through July 28, 2024, to provide swim lessons. Employment opportunities are available for Fresno Unified students through this partnership and the information has been provided through Job Developers to promote at high schools, Fresno Unified coaches, and district communications.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Jeremy Ward at (559) 248-7534.


Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number ID-2

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Jeremy Ward, Assistant Superintendent
Cabinet Approval: 

Date: June 07, 2024

Phone Number: 248-7534

Regarding: Free Application for Federal Student Aid Submission Update

The purpose of this board communication is to provide the Board an update on Free Application for Federal Student Aid (FAFSA) and California Dream Act Application (CADAA) student submissions for 2023/2024 school year.

The rollout of the newly revised 2024-2025 FAFSA application has been challenging for our students, parents, and school counselors during this past financial aid season. The new FAFSA application opened on December 31st, 2023, following a three-month delay. Along with a shorter submission window, this application came with new requirements that prohibited the submission of applications for mixed-status families (students with undocumented parents), nationwide, until mid-March. One of the most impactful changes to this year's FAFSA is the requirement that at least one parent create a studentaid.gov account that must be verified by federal FAFSA facilitators to gain access to the application. Mixed-status families, due to their citizenship status, had to be verified through a manual verification process which took up to a month, delaying additional access. Monitoring progress was also delayed until mid-April due to the lack of data sharing between US Dept of Ed and the California Student Aid Commission (CSAC).

To provide additional support for students and families, the College and Career Readiness Department has partnered with counseling teams in all high schools to host 29 evening FAFSA/California Dream Act workshops beginning in September 2023 through April 2024, with 929 students and 1074 parents in attendance. In addition to evening workshops, counselors supported students and parents through one-on-one meetings, small groups, and school-day workshops. In April and May, the College and Career Readiness team, working alongside school counselors, hosted 19 school-day workshops to increase overall submissions and address application errors. 153 applications with errors have been addressed, and counselors continue to support students with submissions and troubleshooting.

As a result of additional school-day and evening workshop support sessions, 81% (3,405 students) have submitted FAFSA applications to date, nearly matching the submission percentage of class of 2022/2023 of 83% (4,117 students). Final FAFSA submission numbers will be available towards the end of July.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Jeremy Ward at (559) 248-7534.


Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number ID-3

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

Date: June 07, 2024

Phone Number: 457-3731

Regarding: 2023/24 State Seal of Biliteracy

The purpose of this board communication is to provide the Board with data on the number of State Seal of Biliteracy awards issued in Fresno Unified School District for the 2023/24 academic year.

The State Seal of Biliteracy, marked by a gold seal on the diploma or transcript, recognizes high school graduates who have attained a high level of proficiency in speaking, reading, and writing one or more languages in addition to English.

We are pleased to report that a total of 646 graduating seniors earned the State Seal of Biliteracy this year. This is an increase of 181 students compared to the 2022/23 academic year.

The following is a summary of the number of State Seal of Biliteracy awards by high school:

Bullard 32	Design Science 13
Duncan 70	Edison 178
eLearn 2	Fresno 34
Hoover 52	JE Young 3
McLane 62	Patiño 5
Roosevelt 64	Sunnyside 131

State Seal of Biliteracy awards were earned in the following languages:

Arabic 1	American Sign Language 10
Chinese 2	French 7
Hmong 73	Khmer 2
Mixteco 1	Portuguese 1
Punjabi 2	Spanish 545
Tagalog 1	Thai 1

A total of six students received double seals.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Erica Piedra at 457-3916.

Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24


Fresno Unified School District
Board Communication

BC Number OS-1

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Paul Rosencrans
Cabinet Approval:

Date: June 07, 2024

Phone Number: 457-3138



Regarding: Amendment to an agreement with Tyler Technologies, Inc

The purpose of this communication is to provide information to the Board regarding the amendment to the agreement with Tyler Technologies, Inc. Transportation Department is currently implementing a comprehensive transportation management software solution from Tyler Technologies, ensuring student safety and efficient transportation. The proposed amendment includes additional on-site training specifically focused on the more complicated Special Education routes. This additional support will help ensure an efficient start to the 2024/25 school year by providing specialized training for our staff.

If you have any questions or need further information, please contact Paul Rosencrans 457-3103 or Paul Idsvoog 457-3134.

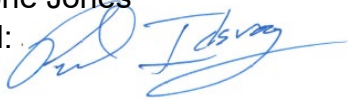
Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number OS-2

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Drone Jones
Cabinet Approval: 

Date: June 07, 2024

Phone Number: 457-3138

Regarding: Feral Cats on District Property

The purpose of this communication is to provide the Board information regarding the protocol established to release feral cats when captured in traps placed on school district property.

In an effort to address feral cats humanely and effectively, our pest control provider has partnered with Fresno TNR to relocate cats that are sometimes inadvertently confined, while attempting to remedy a site health concern. Ensuring a safe learning environment for instruction remains our primary focus, however we are mindful of the necessity to ensure that stray cats are protected. To do so, we've adopted a process that involves trapping, neutering, and returning feral cats to the area they were found but not on district property.

The TNR process involves the following steps:

- Trapping: Feral cats are humanely captured using traps equipped with trail cameras or motion detectors strategically placed.
- Neutering: Trapped cats are taken to the TNR facility to be examined and spay/neutered.
- Returning: After recovery, the cats are released back to an area near the campus.

This approach helps to control the feral cat population, reduces flea infestations on campuses, and promotes the overall well-being of the cats. Additionally, it minimizes the potential health risk to our students and staff.

If you have any questions or need further information, please contact Drone Jones at 457-3043 or Paul Idsvoog 457-3134.

Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24



Fresno Unified School District
Attn: Drone Jones
4600 N Brawley Ave
Fresno, CA 93722

RE: Cat Trapping

Mr. Jones,

At EagleShield, we deeply care about the well-being of our community and animals. Our primary goal is to trap and remove wildlife from school grounds to protect children from fleas and disease. Our traps are humane and cause no physical harm, with cameras and motion sensors ensuring immediate response when an animal is trapped.

Part of our licensing involves wildlife trapping. Cats are not considered wildlife. However, there are times when we are trapping wildlife that a cat is caught. These cats are immediately released. When we get calls related to fleas, we look to determine the source. Most of the time, the source of fleas is cats. When it is necessary to trap and release a cat, here is our procedure:

1. We have cameras on every trap (or they are checked multiple times per day).
2. We immediately respond to animals trapped because we have motion sensors on the cameras.
3. We trap and release all cats, removing them from a school campus or HOA, but releasing them in the immediate area.

Our goal is to remove the source from the site without causing harm. We adhere to IPM standards, the highest level of pest control, and all our practices comply with regulations. We understand that organizations like Fresno Humane, and others, are not able to step foot on school grounds due to legal concerns.

We would be happy to work with any rehabilitation group to place these cats in a safe and healthy environment. We are currently working with T.N.R. of Fresno to remove all cats humanely. T.N.R. is one of the only organizations who will take on this task.


We understand the importance of these issues and are committed to compassionate solutions. We look forward to partnering with local shelters and groups to improve our approach. If you have any more questions or would like to chat further, please reach out to us directly at info@eagleshieldpc.com. We appreciate your input and are here to help.

Sincerely,

Bradley Kendrick
Chief Operations Officer

Fresno Unified School District
Board Communication

BC Number OS-3

From the Office of the Interim Superintendent
To the Members of the Board of Education
Prepared by: Lodgerio Jorge
Cabinet Approval: 

Date: June 07, 2024

Phone Number: 457-3035

Regarding: Agreement A&A Crane Services

The purpose of this communication is to provide the Board with information on the training agreement with Fresno Unified School District and A & A Crane Service. The agreement is for A & A Crane Service to provide the Cal OSHA required crane certification for maintenance employees to operate the new knuckle boom crane truck. This will be two days of instruction with one day in class and one day of hands-on equipment rigging training. This will be training for nineteen maintenance employees for \$28,500.

This certification training will enable employees to utilize the new knuckle boom crane truck to support school maintenance work to transport heavy equipment and building materials such as HVAC, Electrical Transformers, Roofing, Fencing, and Playground Equipment throughout the district. This will also provide the employees with the proper safety knowledge of how to properly operate the equipment.


Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

Fresno Unified School District
Board Communication

BC Number OS-4

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

Date: June 07, 2024

Phone Number: 457-3582

Regarding: Design-Bid-Build Bidding Process

The purpose of this board communication is to provide the Board of Trustees with a summary of the design-bid-build project bidding process utilized by Fresno Unified School District. Accompanying this Board Communication is a flow chart summarizing the following information in a graphic flow chart form.

The process starts with the project design team preparing and where applicable, obtaining Department of State Architect (“DSA”) approval of the project design documents, including but not limited to plans and specifications. Once the design is complete and approved, District publicly advertises its Bid Solicitation documents consisting project design documents and Bidder Instructions required Bid Forms and associated information, deadline for bid submission and public bid opening, and documents for bidders to submit with bids. District holds a pre-bid conference where information regarding the project and Bid Solicitation is discussed and questions are answered, and Addendums to the Bid Solicitation documents may or may not be issued prior to bidding, as applicable.

District then receives and accepts bids submitted by the bid deadline and opens the bids publicly. Staff commences review of bids received for purposes of determining the apparent low bidder and the responsiveness of the apparent low bid and the responsibility of the apparent low bidder. California law mandates award to lowest responsive, responsible bidder. In making such determination, Staff evaluates the apparent low bid and apparent low bidder by answering the following questions:

1. Does the apparent low bid meet all requirements of the Bid Solicitation Documents (Bid Responsiveness)?
2. Is the apparent low bidder properly licensed and has the low bidder demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the contract (Bidder Responsibility)?

If the answer to both questions is “Yes,” Staff issues a Bid Tabulation for publication to bidders identifying the apparent lowest responsive, responsible bidder. If the answer to either question is “No,” that bid is disqualified and Staff evaluates the second lowest bidder with respect to Questions 1 and 2, and the process continues until the apparent lowest responsive, responsible bidder is identified and the Bid Tabulation is issued.

Upon issuance of the Bid Tabulation identifying the apparent lowest responsive, responsible bidder, the bid protest period commences to run, and any protest lodged are dealt with in accordance with District’s Bid Protest Procedure policy. If a bidder is determined by Staff to be non-responsible, such bidder is entitled to a due process hearing if requested.

Once any bid protests run their course, Staff issues its Notice of Intent to Award and Award recommendations to the Board of Trustees. If a protest is not resolved by this time, the Board of Trustees will have the final determination of the protest and either award the contract or reject all bids.

If awarded by the Board, the contract is executed and Staff issues a Notice to Proceed ("NTP") with work, and project construction and time for completion commences upon issuance of the NTP.

If you have any questions pertaining to the information in this communication, or require additional information, please contact Ann Loorz, (559) 457-3582, Alex Belanger (559) 457-6126 or Paul Idsvoog at (559) 457-3069.

Approved by: Interim Superintendent, Mao Misty Her



Date: 06/07/24

FRESNO UNIFIED SCHOOL DISTRICT DESIGN-BID-BUILD BIDDING PROCESS

PROJECT DESIGN

PUBLIC ADVERTISING OF BID
SOLICITATION DOCUMENTS

PRE-BID CONFERENCE

RECEIPT OF BIDS BY DEADLINE AND PUBLIC BID OPENING

BID PROTEST PERIOD BEGINS AND STAFF BID REVIEW
FOR RESPONSIVENESS AND RESPONSIBILITY

BID TABULATION AND IDENTIFICATION OF APPARENT
LOWEST RESPONSIVE, RESPONSIBLE BIDDER

CALIFORNIA LAW MANDATES AWARD TO
LOWEST RESPONSIVE, RESPONSIBLE BIDDER

1. DOES THE APPARENT LOW BID MEET ALL REQUIREMENTS OF THE
BID SOLICITATION DOCUMENTS (BID RESPONSIVENESS)?

YES

NO
(REPEAT NO. 1. ANALYSIS
RE SECOND LOWEST BID, ETC.)

2. IS THE APPARENT LOW BIDDER PROPERLY LICENSED
AND HAS THE LOW BIDDER DEMONSTRATED THE
ATTRIBUTE OF TRUSTWORTHINESS, AS WELL AS QUALITY,
FITNESS, CAPACITY, AND EXPERIENCE TO
SATISFACTORILY PERFORM THE CONTRACT
(BIDDER RESPONSIBILITY)?

YES

NO

OPPORTUNITY FOR BIDDER DUE PROCESS
HEARING IF REQUESTED

IF FOUND NONRESPONSIBLE OR NO HEARING
REQUESTED, REPEAT NO. 2 ANALYSIS
RE SECOND LOWEST BIDDER, ETC.)

NOTICE OF INTENT
TO AWARD

BID PROTEST PERIOD BEGINS

ANY PENDING BID PROTESTS RESOLVED
AND STAFF RECOMMENDATIONS TO BOARD

BOARD FINAL RESOLUTION OF ANY BID PROTESTS STILL
PENDING AND AWARD OF CONTRACT OR REJECT ALL BIDS

CONTRACT EXECUTION, IF AWARDED

DISTRICT ISSUES NOTICE TO PROCEED WITH WORK

PROJECT CONSTRUCTION



Fresno Unified
School District