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Robert G. Nelson, Ed.D.

## **BOARD COMMUNICATIONS – April 17, 2020**

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

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

S-1 Robert G. Nelson, Ed.D. Superintendent Calendar Highlights

**ADMINISTRATIVE SERVICES – Ruth F. Quinto, Deputy Superintendent/CFO**

AS-1 Kim Kelstrom School Services Weekly Update Report  
for April 09, 2020

Fresno Unified School District  
Board Communication

**BC Number S-1**

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

Date: April 17, 2020

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Held interviews for Administrators, School Leadership and Instructional Superintendent
- Held meetings with Executive Cabinet and District Response Team
- Met with FTA President Manuel Bonilla
- Participated in call with the Council of the Great City Schools regarding COVID-19
- Met with district staff and Dr. Tameka McGlawn to discuss African American Academic Acceleration Task Force
- Met with district leadership and Fresno Teachers Association leadership
- Participated in call with county superintendents regarding COVID-19
- Participated in a webcast with district leadership and Fresno Teachers Association leadership


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



Date: 04/17/2020

Fresno Unified School District  
Board Communication

**BC Number AS-1**

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



Date: April 17, 2020

Phone Number: 457-3907

Regarding: School Services Weekly Update Report for April 09, 2020

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

The SSC Weekly Update for April 09, 2020 is attached.

If you have any questions or require further information, please contact Kim Kelstrom at 457-3907.

Approved by Superintendent  
Robert G. Nelson Ed.D. 

Date: 04/17/2020



1121 L Street

Suite 1060

Sacramento

California 95814

TEL: 916 . 446 . 7517

FAX: 916 . 446 . 2011

www.sscal.com

DATE: April 9, 2020  
TO: Robert G. Nelson  
Superintendent  
AT: Fresno Unified School District  
FROM: Your SSC Governmental Relations Team  
RE: *SSC's Sacramento Weekly Update*

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## State Controller's Office Launches Annual Online Revenue Tracker

California State Controller Betty Yee announced on Wednesday that her office had launched its [annual online tracker](#) for April personal income tax (PIT) receipts. PIT accounts for the vast majority of state revenues annually and April is traditionally the highest grossing month for PIT receipts. For example, last fiscal year (2018–19) PIT accounted for nearly 70% of all state General Fund revenues, with approximately 20% arriving during the month of April.

However, it is obviously not a typical year due to the economic uncertainty caused by the COVID-19 pandemic. Last month, the Franchise Tax Board announced that they were postponing the 2019 tax filing and payment deadline from April 15 to July 15, meaning the state will not have a complete picture of its current year revenues until later this summer. For the enacted 2019–20 fiscal year, Governor Gavin Newsom's budget projected that \$18.4 billion in PIT would be collected in April. The State Controller's Office has reported that approximately 10.2 million people have already filed their taxes, but it's too early to forecast how many people will wait to file their taxes in July.

The delayed deadline will make it more difficult for the Legislature to craft the 2020–21 State Budget Act before the June 15 constitutional deadline, as current year revenues are traditionally used to project how much money the state will be able to invest for new and existing programs for the following fiscal year.

The Department of Finance has already announced that it is planning on the Governor's May Revision being a "workload" budget that reflects current year (2019–20) spending and service levels. This means that the new programs and investments detailed in the Governor's January State Budget proposal will likely not be vetted by legislative budget committees since they are not likely to be included in the Governor's revised Budget proposal.

With so many unknowns, the Legislature is currently contemplating approving the 2020–21 State Budget Act by the June 15 deadline and then having an August Budget revision, which would allow them to revise the 2020–21 State Budget with a full picture of the 2019–20 fiscal year revenues. Another option would be to build in triggers—either positive or negative—if revenues come in differently than assumed in the June State Budget.

The Legislature recently extended its recess to May 4 and may need to extend it further as health experts believe that the current social distancing directives may need to remain in effect until at least the end of May. And as schools have been encouraged by Governor Newsom to stay closed physically for the rest of the academic year, it would be hard to justify 120 legislators and their staff pile into the Capitol before it is safe. The Legislature will need to pass the 2020–21 State Budget by June 15 even if it ends up being a “workload” budget that they revisit in August.

*Leilani Aguinaldo*

*Note: An Education-Trust West survey found that 90% of parents are concerned that their children are falling behind academically due to school closures to help stop the spread of the coronavirus.*

## **Survey: Parents Concerned Children Will be Behind Due to School Closures, Poor Internet Access**

By Sawsan Morrar  
*The Sacramento Bee*  
April 8, 2020

Nearly 90 percent California parents surveyed are worried about their children falling behind academically due to school closures to help stop the spread of the coronavirus, according to a new poll released by student equity advocates.

The survey, which took place between March 26 and April 1, included responses from more than 1,200 parents from across the state.

The results released by Education Trust-West, an Oakland-based organization working for educational justice, found that most families were experiencing higher levels of stress because schools were closed. Fewer than half of California's parents were contacted by their child's teacher, and 20 percent of California parents said they had received little to no information from their schools after they closed.

About 30 percent of parents are worried they won't be able to do distance learning because they have unreliable internet, and 41 percent of parents said they didn't have enough devices at home to implement distance learning.

"Communicating effectively with parents when schools close is no easy task, and teachers, principals, and district administrators deserve a lot of credit," said Elisha Smith Arrillaga, executive director of The Education Trust-West.

"But this is a time to accelerate our work. The poll results show that parents want consistent contact with their children's teachers and are still lacking equitable access to academic resources. Right now, we must step up planning to ensure teachers and school leaders have the resources they need to stop learning gaps in their tracks when schools reopen."

The findings highlighted the inequities among low-income families and students of color. The Education Trust-West provided district-by-district data revealing which students lacked access to technology and internet.

The data showed that nearly 40 percent of low-income families and 30 percent of families of color in California were concerned about access to education these following months because they do not have reliable internet. Half of low income families do not have the technology at home to implement distance learning.

In the capital region, data from The Education Trust suggested more than a third of low-income families in Twin Rivers Unified, Center Joint Unified, Robla Elementary and Sacramento City Unified school districts said they did not have internet in their homes.

Many school districts in the Sacramento area are providing Google Chromebooks and hotspots to families who need them. While distance learning is beginning April 13 in some districts, not all students have received laptops as devices still trickle in for distribution.

A quarter of non-English home speakers surveyed said they have not received materials in other languages. School districts in California are required to translate messages if schools have 15 percent or more of their students speaking a primary language other than English.

Some local school districts, like San Juan Unified School District, are home to families who speak many different languages. Though not all languages exceed the 15 percent threshold, San Juan Unified provides information in five languages: Spanish, Arabic, Farsi, Russian and Ukranian.

Leaders at The Education Trust called on policymakers to shift from crisis management to long-term solutions, as uncertainty looms over how long the state will need to educate its 6 million K-12 students.

Nearly half of those surveyed said their districts only provided materials to get them through two weeks of instruction. That will change as districts begin launching distance learning programs in the coming weeks.

California Superintendent of Public Instruction Tony Thurmond said it's unclear what districts across the state will decide to implement, if anything, during the summer months to supplement student learning.

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*Note: U.S. Education Secretary Betsy DeVos has until late April to submit to Congress her recommendations for changes to the Individuals with Disabilities Education Act (IDEA).*

## **Disability Rights Groups, School Administrators Spar Over Possible Changes to Special Education Laws**

*Education Secretary Betsy DeVos may recommend changing special education laws.*

By Carolyn Jones  
*EdSource*  
April 7, 2020

As schools scramble to teach students with disabilities during the school closures, a coalition of more than 70 disability rights organization is urging the federal government to uphold special education laws despite the challenges of online education.

“Times of crisis are not the time to roll back civil rights. It’s actually time to roll up our sleeves and do it right,” said Wendy Tucker, senior policy director of the National Center for Special Education in Charter Schools, a national advocacy group based in New York. “When you roll back civil rights protections, it’s very hard to bring them back.”

Tucker’s group is among the dozens that submitted a letter to U.S. Secretary of Education Betsy DeVos last week imploring her to keep intact the 1973 Individuals with Disabilities Education Act, which guarantees students with disabilities a free public education in the U.S.

As part of the Coronavirus Aid, Relief and Economic Security Act, signed March 27, DeVos has until late April to submit to Congress her recommendations, if any, for changes to federal special education laws in light of school closures across the country. Changes to the law would affect students with autism, cerebral palsy, Down syndrome and other disabilities, as well as those who receive classroom accommodations, known as 504 plans, due to learning disabilities.

Special education has been a challenge for some school districts as they shift to online education because many services for disabled students entail in-person and one-on-one instruction, such as occupational and physical therapy.

Some district administrators have said they fear lawsuits from parents if special education services are altered or delayed during the school closures.

The letter acknowledges the challenges schools and families are facing during the “unprecedented global crisis,” but urges teachers, school administrators and families to come up with creative solutions.

“It is clear that during this rapidly evolving crisis, flexibility, patience and innovation will be needed,” the letter says. “(But) federal education laws must be protected. There is no need for Congress to provide waiver authority to the U.S. Secretary of Education.”

In California, the Department of Education has been encouraging schools to continue providing services to the state’s 800,000 special education students during the pandemic. Many schools are providing laptops or tablets, as well as internet service, to disabled students; arranging one-on-one video instruction; conducting online parent and teacher meetings for students’ education plans and taking other steps to make sure students with disabilities continue receiving an education.

But even under the best of circumstances, schools may be unable to meet every regulation in special education laws and waivers will be necessary, said Laura Preston, legislative advocate for the Association of California School Administrators, representing some 17,000 school superintendents, principals and other administrators. “I know disability rights’ groups are worried, but it’s not about (us) abdicating responsibility. It’s about creating a system that works for everyone, and where districts don’t get sued,” she said.

“In the system that’s in place now, a lot of districts are in violation because they can’t meet certain timelines. It’s not intentional,” she said. “The school leaders in our association are trying very hard to do the right thing for kids. But these are challenging times and some flexibility is needed.”

Her group, along with administrator organizations in most other states, is requesting DeVos ask Congress for a 60-day waiver of specific deadlines in the special education law, such as the right to a timely first-time assessment of a student’s needs. Initial evaluations should be conducted in person, the group said, rather than online.

Nationally, the National Association of Directors of Special Education and the Council of Administrators of Special Education also sent a letter last week to the U.S. Department of Education requesting temporary waivers for deadlines, data collection, parent meeting procedures and other issues.

But federal law already provides flexibility for parent meetings, hearings, evaluations and other topics, said Meghan Whittaker, director of policy and advocacy for the National Center for Learning Disabilities, an advocacy group in Washington, D.C.



“We as a community are united. No waivers are necessary,” she said. “These are challenging times and we’re not saying ‘no’ to flexibility. But the solution is not waivers. The solution is to help schools build capacity to do this well.”

Disability rights advocates fear that waivers will become permanent, and lead to an erosion of a federal civil rights law that’s been in place for more than 45 years. Before the Individuals with Disabilities Education Act, students with disabilities received little or no education and were often institutionalized. The law is one of several landmark federal laws, including the Americans with Disabilities Act, that are intended to provide people with disabilities equal access to work, education, housing and other rights.

One thing both sides agree on is the need for more funding for special education, particularly when schools reopen. The federal government has not fully funded special education for years, leaving states and local districts to make up the cost. When schools reopen, many students — especially those with disabilities — will likely have fallen behind and will require extra services to catch up, Whittaker said.

Administrators are asking for additional federal money to offset costs related to special education, including more money for mental health and trauma services, academic assistance and legal settlements stemming from lawsuits filed by parents.

Whittaker agreed that more federal money will be needed.

“The closures are going to have a profound impact on students with disabilities,” Whittaker said. “Schools are going to need more therapists, more classroom aides, more planning. Special ed was already woefully underfunded, and that situation is not going to be fixed when schools reopen.”

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## **Legislative Analyst’s Office Releases Report on Reserve Balances**

By Matt Phillips, CPA  
School Services of California Inc.’s *Fiscal Report*  
April 7, 2020

On April 5, 2020, the Legislative Analyst’s Office (LAO) released a report on the current condition of the state and local school district reserves. The report, as noted by the LAO, is prompted by the current pandemic, and the reality that state and local reserves are needed to weather the storm.

The report highlights that the state currently has approximately \$17.5 billion in reserves, \$900 million in the Safety Net Reserves and \$16.5 billion in the Budget Stabilization Account (BSA). Assuming that the current pandemic has an impact on either the 2019–20 or 2020–21 General Fund revenues, the report details that the BSA can be accessed “in the case of a fiscal emergency” and the legislature can withdraw the lesser of: (1) the amount needed to maintain General Fund spending at the highest level of the past three enacted budget acts, or (2) 50 percent of the BSA balance. For illustrative purposes, if the pandemic impacted the available resources for 2019–20 by \$5 billion, the Legislature could access option 1 noted above.

The report notes that the state also maintains a reserve for schools; however, the first deposit into the school-specific reserve occurred in 2019–20, totaling \$377 million, less than one percent of state spending on schools in 2019–20. The BSA, while it carries a significant balance, is a general-purpose reserve and can be used for any priority of the legislature—including schools.

The report shifts its focus to school reserves and makes several points, including the following two salient points:

1. **Reserve levels vary widely by District.** The average unrestricted reserves as a percentage of expenditures for districts statewide was 17%, but more than half of that was earmarked for specific spending purposes. The report notes that some, not all, of the reserves would be available for schools in the event of a decline in revenues, and that reserves play an integral role in the management of cashflow.
2. **Smaller districts tend to hold more reserves.** Very small school districts, defined as those with less than 300 students, held average unrestricted reserves as a percentage of expenditures of more than 45%, whereas large districts, defined as those with students between 10,000 and 50,000, held average reserves equal to 16%. One significant reason for this disparity is the dollar figure of reserves for very small districts, in absolute terms, is low and could be decimated with one large expenditure.

The report concludes that although state reserves are at an historically high level, the impact of the current pandemic will affect the state reserves and revenue, bringing them lower than what was presented in January in the Governor's State Budget proposal. Also, the report states that school district reserves will be necessary to provide a buffer to maintain on-going expenditures, but that few school districts have sufficient reserves to maintain current service levels for an extended period.

In spite of historically high levels of reserves maintained by the state, and an average reserve of nearly two months of expenditures at the local level, the report provides a precarious outlook for state and school leaders looking forward to 2020–21.