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Robert G. Nelson, Ed.D.

## **BOARD COMMUNICATIONS – April 03, 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 March 27, 2020

AS-2 Ruth Quinto USDA Nationwide Waiver to allow Parents  
and Guardians to Pick up Meals for Children

### **OPERATIONAL SERVICES – Karin Temple, Chief Operations Officer**

OS-1 Karin Temple Acting Food Services Director

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 03, 2020

Phone Number: 457-3884

Regarding: Superintendent Calendar Highlights

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

- Participated in phone calls with county superintendents regarding the COVID-19 virus
- Held daily meetings with Executive Cabinet and District COVID-19 Response Team
- Met with City Council to discuss response to COVID-19
- Met with district staff and Dr. Tameka McGlawn to discuss African American Academic Acceleration Task Force
- Attended the Dailey Emergency Board Meeting
- Participated in call with the Council of the Great City Schools regarding COVID-19
- Met with district leadership and Fresno Teachers Association leadership
- Gave interview with KSEE 24 regarding distance learning
- Participated in Q&A session with Fresno Teachers Association on distance learning
- Gave interview with Nadia Gonzalez, CSUF Journalism student, regarding distance learning and staying connected to students for their weekly newscast

Approved by Superintendent  
Robert G. Nelson Ed.D.



04/03/2020

Date: \_\_\_\_\_

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 03, 2020

Phone Number: 457-3907

Regarding: School Services Weekly Update Report for March 27, 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 March 27, 2020 is attached.

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

Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 04/03/2020



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

DATE: March 27, 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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## **\$2.2 Trillion Coronavirus Stimulus Package Earmarks Billions for Education**

Late Wednesday evening, the United States Senate unanimously approved the largest stimulus package in American history—the Coronavirus Aid, Relief, and Economic Security Act. The legislation was passed by the House of Representatives on Friday afternoon via voice vote and was signed by President Donald Trump shortly thereafter.

The \$2.2 trillion package provides billions of dollars to struggling industries, boosts unemployment insurance, and provides cash payments directly to Americans. The stimulus package also earmarks approximately \$31 billion for K–12 and higher education assistance and over \$4 billion for childcare and early education programs. The K–12 and childcare assistance funding includes the following relief:

- \$13.5 billion for K–12 in the Education Stabilization Fund
  - \$12 billion for school districts and charter schools based primarily on the number of low-income students qualifying for federal Title I aid
  - \$1.3 billion for governors to distribute for emergency assistance
- \$3 billion for governors to spend on K–12 or higher education to regions that have been hit hardest by the coronavirus
- \$8.8 billion for child nutrition programs to help ensure students receive meals when school is not in session
- \$3.5 billion for Child Care and Development Block Grants, which provide child-care subsidies to low-income families and can be used to augment state and local systems
- \$750 million for Head Start early-education programs

- \$100 million in Project School Emergency Response grants to help clean and disinfect schools as well as provide support for mental health services and distance learning
- \$5 million for health departments to provide guidance on cleaning and disinfecting schools and day-care facilities

To ensure that states are using funding earmarked in the Education Stabilization Fund to supplement and not supplant state funding, states would have to agree that funding provided in fiscal years 2021 and 2022 is at least the same as the average spent on education funding over the prior three fiscal years. This provision could make it difficult for California to access these dollars considering the minimum guarantee in Proposition 98 is likely to drop due to the struggling economy. However, California can seek a waiver from the U.S. Department of Education (ED) from this provision, which would ensure funding without this condition. There is also nothing that precludes the Legislature from funding above the minimum guarantee should it drop significantly due to current economic conditions, but historically we have not seen lawmakers fund above the constitutional minimum.

The bill also allows states to apply for waivers to the ED to keep in place the schools and districts identified as needing additional assistance under the Every Student Succeeds Act (ESSA). States could also apply to the ED to waive several other funding mandates under ESSA including carrying over as much Title I money as they want from the current academic year to the next.

The legislation also says that, within thirty days of the stimulus package becoming law, ED Secretary Betsy DeVos is required to report to Congress if she thinks any additional waivers are necessary from the Individuals With Disabilities Education Act, ESSA, the Rehabilitation Act, and the Carl D. Perkins Career and Technical Education Act, in order to provide schools with “limited flexibility.”

*Leilani Aguinaldo*

## **What's in Store for the LCFF COLA, Proposition 98 Minimum Guarantee in the Wake of COVID-19?**

By Patti F. Herrera, EDD, and John Gray  
School Services of California Inc.'s *Fiscal Report*  
March 26, 2020

In any given year, it is no easy task to estimate California's minimum guarantee of funding for K–12 and community college districts. This is largely because California's tax system is extremely progressive, leaving the state's General Fund and its overall fiscal health relying heavily on the personal income of the state's top income earners. While this has been the case for quite some time, it became more pronounced with the passage of Proposition 30 (2012) and Proposition 55 (2016), which imposed even higher taxes on California's wealthiest residents. Personal income tax (PIT) is the most volatile of the "Big Three" taxes—raising over two-thirds of General Fund revenue. The state's reliance on PIT makes it even more difficult to estimate the Proposition 98 minimum guarantee when earnings among California's highest earning residents are as volatile as they have been since COVID-19 unleashed its fury.

Since the novel coronavirus began crippling the state in early March, stock markets in the United States and across the globe lost at least a quarter of their value. This sobering news, along with reports of spikes in new unemployment claims and massive reductions in consumer spending, have some economists predicting that U.S. gross domestic product will shrink by nearly one-third in the second quarter of 2020. They warn that the recent uptick on Wall Street—which reflected the collective sigh of relief that Washington D.C. would be setting aside partisan politics for the sake of the nation to pass a \$2 trillion relief package—has occurred during economic hard times like the Great Depression and recently the Great Recession, signaling that the market likely has not yet bottomed out.

While PIT is a strong determinant of the state's General Fund, we acknowledge that it is not the only determinant. Other economic health indicators are also important in forecasting the state's fiscal future. That said, we at School Services of California Inc. felt that it was time to acknowledge the reality of the coming days and months ahead of us.

We have noted that the Director of the Department of Finance (DOF) is positioning the state to adopt a workload budget (see "[DOF Planning for Workload Budget for 2020–21](#)," in the current *Fiscal Report*). We can certainly understand that the current crisis and the economic uncertainty it yields warrants this maneuver, and the notable shift in state planning had us thinking, "should districts be planning likewise?" Our answer is simply, "Yes."

Our sentiment is informed not only by the dizzying news we are all accosted with each day, but also by more nuanced information related to education finance in particular. The Legislative Analyst's Office (LAO) estimates that for every \$2.5 billion in lost state revenue, the Proposition 98 minimum guarantee will decline by \$1 billion. Losses from capital gains income alone could cause the state to lose billions of dollars in anticipated revenue, as suggested by the LAO in its recent *Fiscal Perspectives* report. Consequently, it is certainly within the realm of possibility that last year's Budget Act provision authorizing the DOF to "autofit" the Local Control Funding Formula (LCFF) cost-of-living adjustment (COLA) to fit within K–12's portion of the minimum guarantee could be triggered, forcing districts to revise their budgets for next year and beyond. This comes on the heels that the 2.29% COLA for the LCFF anticipated in Governor Gavin

Newsom’s January Budget was nearly three-quarters of a percent shy of the 2019 enacted State Budget estimates. The budget implications are clear and, for some, even grim.

As for the Proposition 98 minimum guarantee for the current and budget years, we went back in time to see what the state has done when estimates are higher than reality. A 2017 LAO report, *A Historical Review of Proposition 98*, notes that in eleven of the twelve occasions that the state over-estimated the guarantee, it took several measures to ensure that the state did not “over-appropriate” the constitutionally-required level of funding for K–14 education. These measures included deferring program payments into the following fiscal year, not forward funding programs, and postponing or cutting planned programs. One-time categorical investments that have been approved by the lawmakers but have not yet been allocated by administering agencies, or proposed one-time investments using Proposition 98 settle-up funds, could be low-hanging fruit for the Legislature and the Newsom Administration in today’s fiscal environment.

As we have mentioned with increasing emphasis, these are rapidly changing times cloaked in uncertainty. Times like these call for prudence and strategic planning.

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*Note: With schools being forced to educate their students via distance learning, there have been concerns that students without access to the internet could fall behind their peers.*

## **With Coronavirus Closing Schools, We Need To Bridge the Digital Divide for Students with Internet Access for All**

By Nick Melvoin, Special to CalMatters  
*CalMatters*  
March 26, 2020

With the closure of schools due to the coronavirus pandemic, I have watched incredible, innovative uses of technology to lift spirits and continue learning for students.

I’ve watched entire classrooms meeting on Zoom. I’ve seen schools setting up virtual trouble-shooting hotlines and classes editing group documents together. Teachers are assigning work using apps and providing tips via smartphone messages. I’ve even seen virtual clubs and PE classes bringing kids together.

But none of this is possible for teachers and students who can’t access reliable internet. The digital divide is leaving our highest need families disconnected.

Nearly 25% of Los Angeles Unified School District households lack access to stable connectivity. That’s more than 100,000 kids — disproportionately low-income kids of color — without internet access. This is unacceptable enough on a normal school day. But during the coronavirus pandemic, it’s unconscionable that we would leave any student unequipped to login and show up for class.

LAUSD is working hard to provide access to all students — this week, announcing an emergency investment of \$100 million to purchase tens of thousands of devices and provide free, stable internet connectivity through a Verizon partnership — to deliver quality distance learning opportunities while schools remain closed.

Many affluent students across Los Angeles are waking up and virtually joining their classmates for a structured day of online learning. These students are adjusting to a new way of receiving instruction, for sure, but the general instruction doesn't necessarily need to change.

Not so, however, for most students who can't connect with their teachers and classmates. The academic inequity is so stark that some districts around the country are prohibiting any online work from counting toward students' grades.

Additionally, the lack of connectivity can take a toll on mental health and lead to an increase in depression and anxiety, according to The American Psychological Association. With mental health problems among teenagers on the rise, the ability to check in and feel connected is a lifesaver.

The good news is we do have the ability to connect everyone. Cities like Beverly Hills, Santa Monica and Pasadena already provide free universal internet. Los Angeles provides pockets of free WiFi, including specific parks, Los Angeles International Airport, parts of downtown L.A., Staples Center and Dodger Stadium, and the Convention Center.

In the wake of COVID-19, other major service providers besides Verizon — including AT&T, Comcast/Xfinity, Cox, Spectrum/Charter, Sprint and T-Mobile — have stepped up to provide free temporary internet access. All we need is the political will to make it permanent.

And L.A. has contemplated this before. In 2013, the City Council approved a request for proposal to build a citywide WiFi network to help “bridge the digital divide” and noted student connectivity challenges as one of the main motivations. Although cost and other barriers hindered the 2013 plan, different municipalities have approached this in different ways, and there are creative ways to blanket L.A. County in free internet.

Often, a private company will work with a local municipality to construct and operate a network, with financing shared by the firm and the government. Google, for example, has partnered with cities from Kansas City to San Francisco to explore citywide access.

Santa Monica, on the other hand, built their own fiber-optic network, which operates as a city service. Another innovative approach is utilizing existing networks and partitioning a percentage for public use. Major providers such as Comcast have already done this to create public networks. Capitalizing on existing networks, including LAUSD's at more than a thousand campuses throughout L.A., may make the most sense in a city as large as ours.

But it can, and should, be done. The COVID-19 pandemic has elucidated existing inequities and the vulnerabilities many of our neighbors live with every day. This is the moment to look beyond short-term fixes and seize the opportunity to think bigger. Everyone in Los Angeles County should have free internet access and now is the time to make it happen.

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*Nick Melvoin, a former teacher, is a member of the Los Angeles Unified School District Board of Education, [Nick.Melvoin@LAUSD.net](mailto:Nick.Melvoin@LAUSD.net).*

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*Note: Governor Gavin Newsom recently said he expects that most schools will be closed for the rest of the 2019–20 school year.*

## **Amid Uncertainty, Wide Variation in How Long California Schools Say They Will Be Closed**

By Louis Freedberg  
*EdSource*  
March 27, 2020

How long will students be out of school?

That is a question that no one can definitively answer at the moment.

But how it is answered has extreme relevance for California’s vast public education ecosystem of over 6 million students, 310,00 teachers, and many more parents and school employees.

Ten days ago, Gov. Newsom caught California’s education community off guard when he said he doubted that schools will open before the end of the school year.

“Don’t anticipate schools are going to open up in a week,” Newsom said. “Please don’t anticipate in a few weeks. I would plan and assume that it’s unlikely that many of these schools — few, if any — will open up before the summer break.”

At the same time, he acknowledged that he couldn’t predict the summer closure “with certainty,” although “I can say this quite learnedly.”

So far, at least one school district has publicly adopted Newsom’s expected timeline he announced on March 17. Elk Grove Unified near Sacramento is ending its school year May 29, its normal end date. Beginning on April 16, however, the district will provide a structured distance learning program to its students, complete with awarding student grades for their work.

But Elk Grove’s end-of-school-year closing date is far from the norm. Many California districts are still setting dates until when they plan to be closed, usually sometime within the next few weeks — and often also hedging their bets as to when they will open.

One of the most recent developments is that some districts are reframing the closure message and instead saying they will essentially be open — as a “distance learning” district. That is what San Diego Unified, the state’s second largest district, did this week when it announced plans “to save the remainder of the academic year” by a “formal return to grading and instruction” on April 27 but “not a return (of students) to the physical environment.”

The ambiguity about when schools will open is extremely hard for parents, says Celia Jaffe, president of the California State PTA. “Lots of them are making arrangements week by week, or for partial weeks, to get help with caring for their children. They’re also trying to keep educational activities going, but it is a very difficult time.”

San Diego superintendent Cindy Marten rejects the idea of even trying to set a date for when or if student would return to school before the summer. “I’ve decided to stop focusing on the uncertainty and what we don’t know, because what I do know and what I can be certain about is that we have to serve our students,” she said. “Different people have different ideas about when you’re going to open up, when you’re not going to open. We’re going to open when it’s safe to open.”

State Superintendent of Public Instruction Tony Thurmond also was not willing to speculate whether schools would remain closed until the summer. “I wish we have a way to predict how long it’s going to be,” he said. “I think the governor’s comments show we are in it for the long haul. But to me everything is dependent on what we do now. If we heed the guidance about social distancing, we can flatten the curve,” referring to the public health goal of averting a steep spike in coronavirus cases.

Over the past week, more districts are saying that schools will be closed until the first week of May. “The message is beginning to change, to say ‘we will be closed at least until May, but not to say when schools will reopen,’” said Peter Birdsall, executive director of the California County Superintendents Education Services Association, representing all 58 county superintendents. “Superintendents are trying to give people a sense for operational purposes that they will be closed at least until a certain date, so people can plan their lives.”

The PTA’s Jaffe said setting a firm date when closures may end “is a service to families,” even if the date has to be revised. “At least they now have a space of time to figure out their child care arrangements, especially if they are still working. Knowing that they have a specific period time to take care of their kids is helpful.”

At the same time, health factors should be paramount in deciding when students should return to school. “You don’t want premature openings, putting children or adults’ lives in danger,” she said.

But there are still significant variations in the closure dates depending on the district — typically a month, or even two months, before their summer vacations were due to begin.

Ted Lempert, president of Children Now, an Oakland-based advocacy organization, said “obviously clarity would be ideal” about when schools will be open, given the multiple pressures on parents. “There is understandable confusion, although that applies to everyone’s life beyond school as well,” he said. He cautioned, however, that the focus should be less on when schools should reopen, and more on what kind of instruction students will receive while they are out, and the impact of the closure and isolation on their mental health.

Much of the variability in opening times is the result of districts who initially had to make quick decisions — in some cases almost overnight — to close schools in mid-March. They set the dates for closure — and potential reopening — not based on solid health grounds, which weren’t available at the time, but to coincide with the end of their spring breaks. As a result, districts said they would open during a range of dates during the first, second or even third week of April — dates which are coming up rapidly.

Now districts are beginning to extend their closure dates, but there is still a good deal of variation. For example, Santa Ana Unified says it will be closed through April 10, although that date could be revised as early as today. Fresno Unified will be closed through April 14, also pending board action next week. Long Beach Unified will be closed until May 3.

Los Angeles Unified, the state's largest district, originally told parents and staff to plan for a two week closure, but has now pushed the closure date to at least May 1. "We will provide additional updates well before May 1<sup>st</sup> on what will come next," superintendent Austin Beutner said. The Los Angeles County Office of Education, which includes Los Angeles Unified and 79 districts with a total enrollment of 1.4 million students, said that the school community should count on being closed until May 5.

This week, county superintendents in six Bay Area counties — Alameda, Contra Costa, Marin, San Francisco, San Mateo and Santa Clara — jointly announced that all schools in their counties would be closed until May 1, affecting a student enrollment of about 850,000.

Arturo Valdez, the deputy superintendent in the Los Angeles County Office of Education, said the May 5 date was chosen after "a lot of thought and conversations" with the California Dept. of Education, the Department of Public Health, and consulting with all 80 superintendents in the county. "We thought May 5 would be the most appropriate day for returning," he said. "This is just our next date when we think we will be in a better place."

He said part of the thinking was that it would be best for parents and staff to set a date based on when districts were sure they would have to be closed, rather than shifting the date every week or two. That would give everyone associated with schools a longer timeline to plan their lives.


But he acknowledged that "with everything changing every day ... reopening could well be beyond the May 5 date we established." To that end, he said, the county is working on "multiple strategies to plan for various scenarios," including if schools have to stay closed until the end of the school year.

The decision to set a May 1 date in the Bay Area was made also after consulting with public health officers in each of the counties — in part in response to local school superintendents who were asking counties to come up with a "unified" closure date, said Michelle Smith McDonald, a spokesperson for Alameda County Office of Education. "Districts were coming up on their original reopening dates after their spring breaks, and health officers were making it clear that students wouldn't be able to go back to school."

In this changing environment, said Birdsall of the county superintendents' association, "school administrators are adopting the approach that 'we don't know where this is going, but we can plan for the next five or six weeks, and remain flexible and nimble as this evolves.'"

Fresno Unified School District  
Board Communication

**BC Number AS-2**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Ruth F. Quinto, Deputy Superintendent/CFO  
Karin Temple, Chief Operating Officer  
Cabinet Approval: 

Date: April 03, 2020

Phone Number: 457-6226

Regarding: USDA Nationwide Waiver to allow Parents and Guardians to Pick up Meals for Children

The purpose of this communication is to provide the Board information regarding the USDA Waiver language to allow parents and guardians to pick up meals for children ages 1-18. Staff is working with members of Congress and the Council of Great City Schools (CGCS) on providing flexibility to the waiver issued on March 25, 2020. Additional action may be needed to protect the district from potential compliance issues in support of the district being appropriately reimbursed for all meals provided during the COVID-19 crisis. Currently, every meal provided is counted accordingly. Current Waiver language is shown below:

*“(1) Under this waiver, Program operators in a State with an approved waiver allowing non-congregate meal distribution during COVID-19-related operations may distribute meals to a parent or guardian to take home to their children. State agencies must have a plan for ensuring that Program operators are able to maintain accountability and program integrity. (2) This waiver applies to State agencies administering and local organizations operating the: National School Lunch Program, School Breakfast Program, Child and Adult Care Food Program, and Summer Food Service Program. (3) This document relates to 42 U.S.C. 1761(f)(3), 7 CFR 210.10(a), 220.2 (Breakfast) and 220.8(a), 225.2 (Meals), 225.9(d)(7), and 226.2 (Meals).”*

In communications with both the Congressmen and with the CGCS, staff recommended additional Waiver language:

*“Recognizing that in some large and disadvantaged urban communities, the school district is the only public agency with the capability to provide meals necessary to sustain disadvantaged families during the COVID-19 emergency, the waiver also allows Program operators to provide meals for up to four adults residing in the home of the children receiving meals.”*

However, at this time, several Federal Departments have indicated their reluctance for written flexibility. However, other avenues may be available, and staff is continuing to pursue this matter in order to mitigate potential contribution commitments from the unrestricted general fund to the Cafeteria Fund. Staff will update the Board as further developments unfold.

If you have any questions or require additional information, please call Ruthie Quinto or Karin Temple.


Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 04/03/2020

Fresno Unified School District  
Board Communication

**BC Number OS-1**

From the Office of the Superintendent  
To the Members of the Board of Education  
Prepared by: Karin Temple, Chief Operating Officer  
Cabinet Approval: 

Date: April 03, 2020

Phone Number: 457-3134

Regarding: Acting Food Services Director

The purpose of this communication is to provide the Board information regarding leadership transition in the Food Services Department. Jose Alvarado retired recently as Food Services Director after 35 years of service to Fresno Unified and the community. We are grateful to Mr. Alvarado for his steadfast dedication and responsiveness to our schools and students.

District Nutritionist Amanda Harvey is acting as Food Services Director while recruitment is underway for a permanent Director. Mrs. Harvey has served in the Nutritionist role in the district for five years. As a ServSafe instructor and proctor for over ten years, she has trained many Food Services staff to prepare them for their Food Safety Manager Certifications. Mrs. Harvey has a Bachelors of Science in Dietetics and a Masters of Science in Exercise Science. Previous to joining Fresno Unified, she worked as a Certified Dietary Manager for seven years in the Adventist Health Hospital System. Mrs. Harvey has been instrumental in leading the Food Services team in responding to the COVID-19 emergency and providing meals to our community during the period of school closure.

If you have questions or need further information, please contact Karin Temple at 457-3134.

Approved by Superintendent  
Robert G. Nelson Ed.D.



Date: 04/03/2020