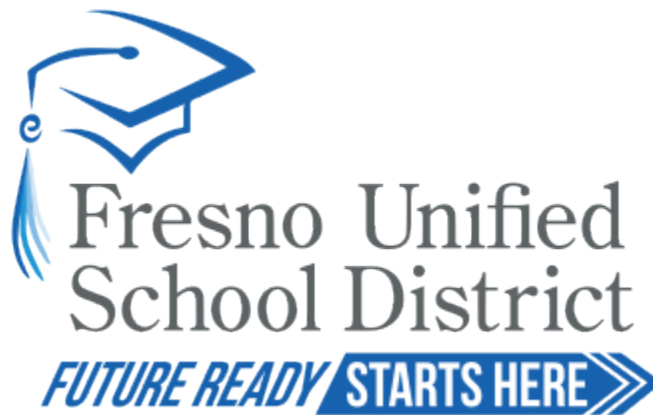




BOARD COMMUNICATIONS - SEPTEMBER 25, 2026

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

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Board Communications Approved by:

Mao Misty Her, Superintendent



Fresno Unified School District
Board Communication

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

Date: September 25, 2026

Phone Number: (559) 457-3884

Regarding: Superintendent Calendar Highlights

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

- Held Principal interviews
- Attended the Literacy Call to Action Kick-Off event
- Met with cabinet teams
- Site/Department visits to Advancing Academic Acceleration and Achievement, Columbia, Early Learning, Farber Educational Campus, Leadership Development, McCardle, Roosevelt, and Special Education
- Participated in the Walk to School Event at Columbia Elementary School
- Visited the Math-ish professional development training
- Visited the 4th grade English Language Arts professional development training for Bullard and Edison
- Visited the Portrait of a Learner professional development training
- Attended the United Way Fresno & Madera Counties United for Good Awards Luncheon
- Spoke at the Student Coalition Workshop Kick-Off meeting
- Participated in the Equity Centered Pipeline Initiative Superintendent's Quarterly Meeting

If you have any questions about the information in this communication, or require further information, please contact me at (559) 457-3884. Thank you.

I

Cabinet Approval:



Name and Title: Mao Misty Her, Superintendent

Fresno Unified School District
Board Communication

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

Date: September 25, 2026
Phone Number: (559) 457-3907

Regarding: School Services Weekly Update Reports for September 17, 2026

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. The SSC Weekly Updates for September 17, 2026, include the articles as follows:

- New Tax on Digital Products: Is Your LEA Prepared? – September 15, 2026
- Federal Court Revives Antisemitism Lawsuit Involving Los Angeles Unified Ethnic Studies – September 16, 2026
- New Poll Finds California Voters Feel Pessimistic Ahead of Elections – September 15, 2026

If you have any questions about the information included in this communication, or require further information, please contact Kim Kelstrom at (559) 457-3907. Thank you.

Cabinet Approval:



Name and Title: Patrick Jensen, Chief Financial Officer



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www.sscal.com

DATE: September 17, 2026

TO: Misty Her
Superintendent

AT: Fresno Unified School District

FROM: Your SSC Governmental Relations Team

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

CTA and CSBA Challenge Proposition 98 Settle-Up

The big news out of Sacramento this week is that on Tuesday, September 15, 2026, the California Teachers Association (CTA) [filed](#) a lawsuit challenging the state's treatment of Proposition 98 funding for the 2024-25 and 2025-26 fiscal years. The California School Boards Association (CSBA), which already has ongoing litigation challenging a Proposition 98 provision enacted as part of the 2024-25 State Budget, [announced](#) that it plans to file a separate lawsuit on September 22 challenging the state's treatment of a \$3.9 billion settle-up obligation associated with the 2025-26 Proposition 98 guarantee.

The 2026-27 State Budget recognizes a 2025-26 Proposition 98 minimum guarantee of approximately \$125.3 billion but provides approximately \$121.3 billion in funding, leaving a \$3.9 billion settle-up obligation. The state is required to provide the outstanding amount, assuming the estimate of the guarantee is not subsequently reduced. The Legislative Analyst's Office (LAO) characterizes the action as a form of borrowing because it provides temporary General Fund budget capacity while creating an obligation that must be paid with future state revenues.

CTA contends that delaying these funds violates the constitutional minimum funding guarantee and is asking the court to require the state to provide the additional funding. CSBA has similarly announced plans to challenge the state's treatment of the \$3.9 billion settle-up obligation.

The litigation could have implications beyond the immediate \$3.9 billion dispute. Proposition 98 estimates are revised as updated revenue and other data become available, and when the final guarantee exceeds the amount previously provided, the difference creates a settle-up obligation. The State Constitution, however, does not specifically prescribe the timing of settle-up payments. A court ruling addressing *when* the state must provide settle-up funding could therefore affect the state's flexibility to delay future payments as a budget-balancing mechanism. In the near term, the dispute leaves the timing of

approximately \$3.9 billion in additional Proposition 98 resources unresolved, and the amount could change if the estimate of the 2025-26 guarantee is subsequently revised.

Governor Newsom Bill Action Update

Governor Gavin Newsom is making gradual progress on the hundreds of bills that were sent to him at the end of the legislative session; however, he will need to pick up the pace if he intends to act on all of the measures currently sitting on his desk before September 30. As a reminder, if the Governor does not take action on a bill, it automatically becomes law without his signature. However, we believe that Governor Newsom will act on all of the bills that were sent to him by the Legislature at the end of session.

In last week's *Sacramento Update*, we highlighted several online safety and technology bills that the Governor signed that will have implications for local educational agencies. However, as of this writing, the Governor has not signed any other significant TK-12 bills, despite dozens of noteworthy measures remaining on his desk.

Leilani Aguinaldo

New Tax on Digital Products: Is Your LEA Prepared?

By Matt Phillips, CPA, Megan Baier, Raphael Guzman, and Leilani Aguinaldo
School Services of California's *Fiscal Report*
September 15, 2026

As part of the 2026-27 State Budget, Senate Bill (SB) 122 (Committee on Budget and Fiscal Review, Statutes of 2026) expands California sales and use tax to certain digital products. This change, which goes into effect beginning January 1, 2027, will have a direct fiscal and operational impact on local educational agencies (LEAs), particularly those with significant software and subscription costs.

What Is Changing?

Effective January 1, 2027, prewritten computer software will generally be taxable regardless of how it is delivered. This includes software delivered on physical storage media, transferred electronically, or accessed remotely through a subscription, commonly referred to as Software as a Service (SaaS).

LEAs already pay sales tax when purchasing computers and other physical equipment. The significant change under SB 122 is that separately purchased software and cloud-based subscriptions may now also be taxable, even when the LEA does not receive a physical product.

The California Department of Tax and Fee Administration's (CDTFA) discussion paper and SB 122 **do not** identify a general exemption for school districts regarding this tax. Therefore, this change will have a financial impact on many products commonly used by LEAs, including financial and payroll systems, student information systems, productivity applications, cybersecurity software, and other subscription-based platforms.

The CDTFA is currently working through the emergency regulation process to implement the new law. On September 10, 2026, the CDTFA held an interested parties meeting to review the proposed regulations and receive feedback. Additional information and materials are provided below:

- The agenda and discussion points for the meeting held on September 10, 2026, are available [here](#).
- The proposed regulations and supporting information are available in the CDTFA's [Digital Products Interested Parties Meeting Discussion Paper](#)
- [SB 122](#)

Important Definitions

The proposed regulations include several definitions that will be important for LEAs to understand and evaluate:

- **Tangible Personal Property:** Amended by SB 122, provides that the term "tangible personal property" means either of the following:
 - (1) Personal property that can be seen, weighed, measured, felt, touched, or is in any other manner perceptible to the senses

(2) A digital product and any copyright or patent interests associated therewith. ([Revenue and Taxation Code \[RTC\] 6016](#))

- **Digital Product:** Prewritten computer software transferred on physical storage media, transferred electronically, or accessed remotely ([RTC 6016.1](#))
- **Prewritten Computer Software:** Software that is held or existing for general or repeated sale or lease, even if the prewritten software was initially developed on a custom basis or for in-house use, including the combination of two or more prewritten programs ([RTC 6010.9](#))
- **Accessed Remotely:** Accessed for consideration by use of a digital code, password, or other means prewritten computer software that resides on the vendor's server or the server of a third party
- **Tangible Storage Media:** Any tangible device or material capable of storing a digital product, including, but not limited to, any internal or external drive, disk, memory card, or other item capable of storing a digital product ([RTC 6016.2](#))
- **Transferred Electronically:** Obtained by the purchaser, by means other than tangible storage media, in a manner that allows the purchaser to open, view, access, download, copy, possess, store, manipulate, update, or otherwise use the digital product ([RTC 6016.2](#))
- **Custom Computer Software:** Software prepared to the special order of a single customer ([RTC 6010.9](#))
- **SaaS:** Software as a Service

What Is Excluded or Exempt?

Not every digital purchase will be subject to tax. The discussion paper identifies several items that are excluded from the definition of a digital product, including:

- **A Digital Asset:** A digital representation of value that is recorded on a cryptographically secured distributed ledger or any similar technology, as specified by the Secretary of the Treasury of the United States
- **A Digital Audio Work:** A work that results from the fixation of a series of musical, spoken, or other sounds, including a ringtone or music, that is transferred electronically or accessed remotely
- **A Digital Audiovisual Work:** A series of related images that when shown in succession impart an impression of motion, together with accompanying sounds, if any, that is transferred electronically or accessed remotely
- **A Digital Book:** A work that is generally recognized in the ordinary and usual sense as a book that is transferred electronically or accessed remotely
- **Digital Infrastructure:** A cloud-based service provided remotely that allows a user to create, deploy, scale, or run the user's own computer software on the service provider's digital platform without managing, operating, or maintaining the user's own infrastructure, including any hardware, software, networks, and facilities that are required to allow the user to create, deploy, scale, or run the user's own computer software, required to complete the task

- **A Digital Video Game Product:** An electronic, interactive game played for entertainment purposes by manipulating an input device to produce visual feedback on a screen that is transferred electronically or accessed remotely
- **A Digital Visual Work:** Artwork created by using computer hardware and software processes which results in artwork in a digital format that is transferred electronically or accessed remotely

The discussion paper also identifies exemptions for certain transactions such as:

- Digital products purchased solely for use outside California or in interstate or foreign commerce
- Reproduction for sales to third parties
- Service provided in electronic form/SaaS only if it meets both of the following conditions:
 - The service primarily involves the application of human effort by the service provider
 - The human effort originated after the customer requested the service

(This exemption does not apply when the customer is purchasing the right to use or access the provider's software)

The treatment of educational platforms will require careful review. Many platforms purchased by LEAs combine digital books, instructional videos, assessments, student tracking, and software functions into one agreement. While some components may be excluded, other components may be taxable.

Custom computer software, other than a basic operational program, is generally excluded from the definitions of a sale and purchase. The specific regulatory guidance, and interpretation of custom computer software, is still being developed by the CDTFA, and several examples are outlined in the discussion paper. Qualifying custom modifications to prewritten software may also be nontaxable when the charges for the modifications are separately stated. Therefore, how costs are identified in the contract and invoice may become increasingly important.

Who Is Responsible for the Tax?

According to the CDTFA's discussion paper, California sales tax is imposed on the retailer. The retailer may collect sales tax reimbursement from the purchaser when the contract provides for it. When sales tax does not apply, the purchaser is generally responsible for reporting and paying use tax on taxable purchases.

However, a retailer engaged in business in California that makes sales subject to California use tax is required to collect the use tax from its customers and remit it to the CDTFA. The discussion paper also provides that these retailers are liable for use tax they fail to collect and remit.

Accordingly, LEAs should not assume that the absence of tax on an invoice means the purchase is exempt. If the retailer does not collect applicable use tax, the LEA may still have a responsibility to report and pay it.

Separate rules apply when a purchaser obtains more than \$5 million in electronically transferred or remotely accessed digital products from a single retailer. Once the threshold is exceeded, responsibility generally shifts

to the purchaser to self-assess and pay the use tax directly to the CDTFA, unless the CDTFA approves a waiver.

What Can LEAs Do Now?

As LEAs prepare for implementation, they should:

- Identify any existing and upcoming software and subscription agreements and whether they will be subject to the new tax
- Review agreements that extend beyond January 1, 2027
- Review the [Discussion Paper](#), including the examples provided pertaining to subscription or software purchase dates
- Determine whether agreements combine software with services or excluded digital content
- Ask vendors how sales or use tax will be addressed
- Ensure potentially taxable and nontaxable components are separately identified when appropriate
- Consider the potential additional cost when developing and updating budget projections when preparing the First Interim report, and future fiscal reports
- Contact the LEA legal team for technical questions or interpretations of the impacts of specific contract language

The regulations are not yet final, and the CDTFA acknowledges that not every question will be addressed through the initial emergency rulemaking process. Additional clarification is expected through an ongoing industry guide and future rulemaking. However, it is important for LEAs to prepare and understand that:

- **LEAs are not provided a general exemption from this new tax.** In addition, Section 37 of SB 122 provides that **no state reimbursement** is required for LEAs pursuant to Section 6 of [Article XIII B](#) of the California Constitution
- These taxes **will likely impact** LEAs' 2026-27 budgets and multiyear projections, as the new requirements take effect January 1, 2027

The CDTFA is currently moving through the interested parties and emergency rulemaking process. Written comments, suggestions, or proposed regulatory language from interested parties, including LEAs, are due to the CDTFA by September 24, 2026, and may be submitted to PPDD-BTC.InformationRequests@cdtfa.ca.gov.

The CDTFA has acknowledged that the initial emergency regulations will not address every implementation question and plans to provide additional clarification through an ongoing industry guide and future rulemaking.

We will continue to provide updates as more information becomes available. However, LEAs should start planning now, as these changes will have a financial impact.

Note: A federal appeals court revived a lawsuit brought by Jewish parents and teachers challenging ethnic studies materials used by some Los Angeles Unified School District teachers as antisemitic, allowing the plaintiffs to amend their complaint after a lower court found they had not sufficiently demonstrated harm.

Federal Court Revives Antisemitism Lawsuit Involving Los Angeles Unified Ethnic Studies

By John Fensterwald
EdSource
September 16, 2026

A group of Jewish parents and teachers are celebrating a recent court ruling that will allow them to refile a lawsuit against the United Teachers Los Angeles union and creators of the controversial “liberated” ethnic studies curriculum that some Los Angeles Unified teachers use.

A three-judge panel of the U.S. Court of Appeals for the Ninth Circuit reversed a lower court ruling that had dismissed the case, *Concerned Jewish Parents and Teachers of Los Angeles v. Liberated Ethnic Studies Model Curriculum Consortium*.

The panel also voided about \$600,000 in legal fees that U.S. District Court Judge Fernando Olguin had awarded the defendants’ attorneys. The court issued an eight-page ruling on Sept. 4. Los Angeles Unified was a minor defendant in the suit.

While the appeals court agreed with Olguin that the plaintiffs had not shown they were personally harmed by the curriculum, the court preserved the plaintiffs’ right to resubmit an amended complaint for a future trial on the merits.

The ruling sets the stage for renewed litigation over content in those Los Angeles Unified courses that have continued to use elements of the contested “liberated” curriculum. The enactment this year of Assembly Bill 715, which extends protections from discrimination based on religion and national identity to cover textbooks, materials and teacher training programs, could benefit the plaintiffs’ case, according to their attorneys.

“The case took several years, but we stood firm because we knew the initial ruling was wrong; Jews are protected from a public trampling of their rights, just as every other category of Americans are,” said Lori Lowenthal Marcus, legal director of The Deborah Project. The public interest law firm filed the lawsuit on behalf of two Jewish Los Angeles Unified teachers and parents, who are part of Concerned Jewish Parents and Teachers of Los Angeles.

In a press release, the Liberated Ethnic Studies Model Curriculum Consortium said the reversal will not thwart its “unwavering commitment to developing ethnic studies that is anti-racist and liberatory” for California classrooms.

“The ongoing litigation is part of a broad, coordinated attack on academic freedom that seeks to silence educators and censor what students can learn about the complexities of our shared history,” the consortium said. “Developing educational resources and advocating for marginalized voices are core expressions protected by the First Amendment.”

UTLA did not respond to a request for comment.

Roots of a long-standing conflict

In their lawsuit, filed in 2022, the Jewish Los Angeles Unified teachers and parents group alleged that the Liberated Ethnic Studies Model Curriculum Consortium’s “overtly racist and antisemitic teaching material . . . discriminates against a segment of California residents on the basis of their religious beliefs.”

The authors of the “liberated” curriculum — mainly instructors and professors in ethnic studies departments at California State University and the University of California — included anti-Zionism and opposition to Israel as a key element of their American ethnic studies curriculum. The curriculum characterizes Israel as a modern prototype of 19th century European colonialism, which the plaintiffs say is inaccurate as well as prejudiced.

The lawsuit said United Teachers Los Angeles and then-president Cecily Myart-Cruz, along with two members of the LAUSD-UTLA Ethnic Studies Committee, promoted adopting the instructional materials in high school ethnic studies courses, even though the district had not adopted the curriculum. Gov. Gavin Newsom, and the Legislature, in approving a 2021 law mandating an as-yet unfunded ethnic studies mandate, disavowed it.

Advocates of the “liberated” ethnic studies approach had shaped the original version of the state’s Model Ethnic Studies Curriculum Framework. State leaders, including State Superintendent of Instruction Tony Thurmond and State Board of Education President Linda Darling-Hammond, rejected it and in 2019 ordered that contested sections be largely rewritten.

The lawsuit alleged that the parent plaintiffs and their children are “imminently threatened” by the “liberated” curriculum and are “being forced . . . to choose between protecting the sincerely held religious beliefs of their children and availing themselves of their legal right to send their children to a California public school.”

In a November 2024 decision, Olguin dismissed the lawsuit, characterizing the complaint “as difficult to understand and contains a morass of largely irrelevant — and sometimes contradictory — allegations.” He said that plaintiffs failed to demonstrate specifically “with any degree of clarity precisely what plaintiffs believe defendants have done or, more importantly, how plaintiffs have been harmed.”

Olguin concluded that the plaintiffs’ complaint raised significant First Amendment concerns over prior restraint of speech.

“In effect, plaintiffs seek to litigate the propriety and legality of a potential curriculum with which they disagree,” he wrote. “It would be of great concern for the educational project and for academic freedom if every offended party could sue every time they did not like a curriculum or the way it was taught.”

Olguin cited California’s “anti-SLAPP law,” which awards damages to discourage meritless lawsuits intended to intimidate defendants from exercising their speech rights. It stands for Anti-Strategic Lawsuit

Against Public Participation. After concluding it would be unlikely that the Jewish parents would win the case, he dismissed the lawsuit and granted the defendants lawyers fees of about \$600,000.

At the time, defendants celebrated Olguin's decision.

"This is a win for liberatory critical ethnic studies and academic freedom. It's a testament to the power of solidarity and liberation, whether that be in South Los Angeles or in Gaza," Theresa Montano, a professor of Chicano and Chicana Studies at Cal State Northridge and a defendant in the case, said in 2022.

Mark Kleiman, an attorney for the defendants, told teachers on the press call at the time, "The moral of this story for people in the other school districts is, you don't have to be afraid of these kinds of attacks. Given half a chance in a fair courtroom, you will be vindicated."

The celebration proved premature. In their ruling, appeals court judges Kenneth K. Lee, Patrick J. Bumatay and Jennifer Sung agreed with Olguin's decision that the plaintiffs had not shown harm. But they reversed Olguin by allowing the plaintiffs to file an amended complaint, and canceled the requirement that plaintiffs pay defendants' legal fees.

Lowenthal Marcus confirmed that the Deborah Project will refile an amended lawsuit. "It has not been hard finding people who have been harmed in the past; getting people to come forward for fear of retribution has been more difficult," she said.

Major settlement of Bay Area antisemitism lawsuit

The ruling was the second legal victory involving California education for the Deborah Project this summer. On May 26, the project attorneys and the Sequoia Union High School District in Redwood City reached a far-reaching settlement to end a 2024 lawsuit brought by Jewish families whose children attended Woodside and Atherton high schools. The families alleged that the district "has a long history of tolerating casual antisemitism on its campuses."

"Students and faculty have openly joked about Nazis and the Holocaust, while certain teachers have peddled antisemitic falsehoods about Middle East history without facing consequences. District leadership has consistently turned a blind eye to such behavior," the lawsuit alleged.

Marcus, the legal director for the Deborah Project, called the settlement "a model in litigation we and others are pursuing in antisemitic discrimination cases across the country."

Among the settlement's provisions:

- The "Israel-Palestine Conflict" will fall under the district's "Controversial Issue" policy requiring teachers to discuss issues impartially, with adequate and appropriate factual information and without promoting any point of view.
- A neutral decision-maker selected by the plaintiffs and the district will resolve disputes about teaching materials and antisemitic incidents. That person will also review supplementary materials on the conflict before use in classrooms.

- Antisemitism training, also chosen jointly by plaintiffs and the district, will be mandatory and teach about all forms of antisemitism “from both the Left and the Right, both focused on individual Jews and on the Jewish state,” according to Marcus.
-

Note: While not included in this article, this Public Policy Institute of California poll found that a majority of likely voters say they would vote yes (58% versus 40% no) on Proposition 3, which would make Proposition 30/55 permanent.

New Poll Finds California Voters Feel Pessimistic Ahead of Elections

By Andrew Graham
The Sacramento Bee
September 15, 2026

A majority of California adults, 54%, say the state is headed in the wrong direction and an even higher majority, around 71%, expect bad economic times ahead, according to a new poll by the Public Policy Institute of California that captured voters’ gloomy outlooks ahead of the November elections.

Pollsters found Democrat Xavier Becerra leading his Republican opponent by 22 percentage points in the race to be California’s next governor. Pollsters also surveyed likely voter attitudes toward a number of high profile ballot measure initiatives, including Proposition 40, the one time tax on billionaires. A slim majority, 51%, of likely voters said they’d vote yes on the measure.

The polling comes as the Iran war stretches on and continues to drive spikes in gasoline prices, and most recently record-high prices for diesel fuel. It also comes as a stock market boom for Artificial Intelligence companies exacerbates the impacts of already rising wealth inequality, particularly in California’s Bay Area where many technology companies are based.

Californians see the state as divided between the haves and have-nots, according to the survey. PPIC’s pollsters found 70% of adults view the state through that lens. Though 55% of those adults consider themselves among the haves, 58% of respondents also told pollsters recent price increases were causing them financial hardship.

African American and Latino adults were feeling the squeeze the most. Sixty-four percent and 68% of adults in those racial groups say they’re feeling squeezed, while only 46% of Asian Americans and 52% of white Californians said the same.

Newsom maintains slim approval. Californians despise federal electeds

Going into his last months in office, Gov. Gavin Newsom maintains the favorable opinion of a slim majority of voters and outpaced the state’s solons. Fifty-one percent of adults told pollsters they approve of his job performance, while just 45% said the same about the California Legislature.

In Democrat-leaning California, disdain for President Donald Trump outpaces that of a nation that has widely soured on the president. Seventy-six percent of adults told pollsters they disapprove of his job performance. The New York Times’ tracker of daily polling on the president’s popularity put disapproval nationwide at

58% on Tuesday. In California, only 17% of adults said they approved of the job the U.S. Congress, which is run by Republicans, is doing.

But poll respondents weren't particularly cheerful about the ideas of Democrats either, or of Democratic Socialists, who have been much in the news of late. Forty-one percent of likely voters believe the Democratic Party has "a lot of" or "some" good ideas, and an even lesser figure, 29%, think so of Republicans. Democratic socialist-identifying politicians also didn't score well — only 37% of likely voters liked their ideas.

"Californians are clearly grumpy and aren't enamored with any particular political party or movement," PPIC polling chief Mark Baldassare said in a news release announcing the new survey.

"Across gender, race, and income level, voters seem skeptical of what Democrats, Republicans, and democratic socialists are offering," Baldassare said.

Ballot measures

Pollsters also asked voters about some of the long list of propositions on the state ballot, which according to PPIC features the most of such measures since 2016. The 14 propositions are too many for voters, 77% of them told PPIC.

While the billionaire tax held a slim majority, so did two other measures on the ballot that would each, if passed, counteract the tax. Proposition 41, which is pitched as a government transparency measure requiring auditor approval for new tax proposals but would nullify the billionaire tax, carried 51% of voters in the poll, against 44% no and 5% undecided. Meanwhile 54% of voters polled said they'd vote yes on Proposition 42, which prohibits new taxes on personal property. Forty-three percent of voters would go against it and 4% did not know.

PPIC also polled voters on Proposition 45, which would streamline approval for certain building projects under the California Environmental Quality Act, by putting deadlines on government agencies and the courts to issue approvals or rejections, among other changes. A slim majority, 49%, of likely voters said they'd vote yes, while 46% said no and 5% said they were undecided.

A coalition of environmental and public health groups have mounted an increasingly vocal campaign against Proposition 45, which for its part found deep-pocketed backers among the state's technology executives and industry groups.

Fifty-five percent of likely voters also said they'd reject Proposition 39, which would require voters to present government-issued identification to vote. A majority of Republicans, 85%, supported that measure, but only 19% of Democrats and 43% of independent voters.

Fresno Unified School District
Board Communication

From the Office of the Superintendent
To the Members of the Board of Education
Prepared by: Steven Shubin, Deputy Executive

Date: September 25, 2026
Phone Number: (559) 457-6227

Regarding: BMI Dependent Verification Audit Results

The purpose of this communication is to provide an update on the results of the Dependent Verification audit completed by BMI. Dependent verification audits are a common healthcare plan practice used to confirm eligibility for coverage and are generally recommended every 4 to 5 years as part of fiduciary stewardship of plan resources. The Joint Health Management Board (JHMB) contracted with BMI to administer the audit and communicate requirements to participants. Notifications were issued multiple times between December 2025 and May 2026, including emails and mailed notices. The original documentation submission deadline was March 11, 2026, and the JHMB extended the appeal deadline to June 18, 2026, to allow participants ample time to submit their required documents for appeals. Individuals who had not completed the audit by the required deadlines were notified in May that their unverified dependent(s) had been removed from coverage. These notices were sent via certified mail and were the fifth written communication, in addition to prior email notifications from BMI.

To verify eligibility for spousal coverage, participants were required to submit a marriage certificate (or other approved proof of marriage) and supporting documentation showing both spouses' names. When documentation was incomplete or submitted incorrectly, BMI notified participants and provided instructions to correct deficiencies within the required timeframe.

The final results from the audit revealed that 1,534 dependents were to be dropped on April 30, 2026, and 588 were approved for reinstatement before the June 18, 2026, deadline. A total of 946 dependents were removed from the plan, broken down as follows:

- Kaiser Senior Advantage – 8
- Kaiser HMO Plan – 95
- Medicare Advantage/Open Choice – 86
- Aetna PPO Plan – 641
- Dental/Vision – 116

The average projected cost avoidance, based on JHMB's historical utilization and claims experience, is estimated at \$8,455 per ineligible dependent per year. On that basis, total annual cost avoidance is estimated at approximately \$8.0 million.

If you have any questions about the information included in this communication or need further information, please contact Steven Shubin (559) 457-6227. Thank you.

Cabinet Approval:



Name and Title: Patrick Jensen, Chief Financial Officer

Fresno Unified School District
Board Communication

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

Date: September 25, 2026

Phone Number: (559) 457-3750

Regarding: 2026/27 Charter School Petition Renewal and Annual Oversight

The purpose of this communication is to provide the Board with an overview of the 2026/27 charter petition renewal and annual oversight work of the Charter Office, including the upcoming renewal petitions for Carter G. Woodson Public Charter School and Golden Charter Academy.

Annual oversight visits are conducted for District authorized charter schools as part of the district's oversight responsibilities under California Education Code section 47604.32. Consistent with the Education Code, the Charter Office's annual oversight review is structured around educational program success, equity and access, effective operations and governance, and financial viability. This framework provides a consistent approach for reviewing each school's program, performance, operations, student services, fiscal practices, and compliance with its charter and applicable requirements.

For charter renewals, Education Code sections 47605 and 47607 require a public hearing no later than 60 days after receipt of the petition and Board action within 90 days, unless the timeline is extended by mutual agreement for up to 30 additional days. Under the District's procedures, the first public hearing occurs while the renewal petition is under review by District staff. The review culminates in a report of findings and staff recommendation, which is published at least 15 days before the second public hearing, when the Board considers whether to grant or deny the renewal petition.

Carter G. Woodson Public Charter School submitted its renewal petition on September 10, 2026. Copies of the renewal petition for Board Trustees were delivered to the Board Office on September 24, 2026. The school's renewal oversight visit is scheduled for October 8, 2026. Golden Charter Academy plans to submit its renewal petition on October 26, 2026. Upon submission, Golden Charter Academy's renewal petition will follow the same review process, with the school's renewal oversight visit scheduled for November 12, 2026.

If you have any questions about the information included in this communication or need further information, please contact Sean Virnig, Ph.D. at (559) 457-3923. Thank you.

Cabinet Approval:



Carlos Castillo (Sep 24, 2026 11:44:54 PDT)

Name and Title: Carlos Castillo, Ed.D., Chief Academic Officer