



## **YPI CHARTER SCHOOLS EXECUTIVE DIRECTOR'S REPORT**

**December 09, 2019**

*The mission of the YPI Charter Schools (YPICS) is to prepare students for academic success in high school, as well as post-secondary education; prepare students to be responsible and active participants in their community; and enable students to become life-long learners. Students at YPI Charter Schools will become active citizens who characterize the ideals of a diverse and democratic society. Students will provide service to their community, take responsibility for their own learning, and develop the habits of mind and body that will empower them to be successful in high school and beyond.*

CCSA:

*From President and CEO Myrna Castrejon -*

Dear Friends,

On October 29, 2019, the CCSA Board of Directors approved a new organizational strategic plan. Our strategy emerges from a close examination of our core competencies, is aligned with our members' needs, and is anchored to our unwavering Kids-first orientation.

Over the last decade and a half, you have defied expectations, consistently proving that gaps in achievement and opportunity can be closed and our schools can be transformative places for hundreds of thousands of kids. Study after study proves that California's non-profit charter schools are an indispensable part of the public education system and collectively we serve an important public interest in closing persistent achievement gaps. Our state's most vulnerable students today learn more, achieve more, and are better prepared for college and career because of charter schools.

Successful organizations commit to constant improvement and clear-eyed strategic visioning based on need and opportunity. We have realigned our organization to focus on a geographic— rather than functional—design and reorganized teams so that we can double down on our core competencies of:

- Local and Statewide Advocacy
- Politics
- Communications

In the coming weeks and months, we will strengthen how we organize our work in serving members by:

- Streamlining direct individual supports and improving member response.
- Increasing investments in advocacy communications.
- Advancing quality on behalf of the sector.
- Aligning and strengthening local and statewide advocacy efforts.
- Recommitting to work in coalitions that strengthen local reform ecosystems where 'great schools for all' can thrive.

In the coming weeks and months, we will also share more information about the practical implications of our new strategic plan. If you have questions in the meantime, please direct them to [communications@ccsa.org](mailto:communications@ccsa.org).

Working together, we are positioned to succeed in a new era as a strong, vibrant charter school sector that consistently delivers for California's kids. 2020 is guaranteed to be another big year for us and the public school kids we serve. I look forward to conquering it together.

Adelante!

Myrna **Castrejon**, President and CEO

Note: This newly approved strategic plan has resulted in some staff changes at CCSA, including the Los Angeles office.

**State:**

*From School Services of California -*

**“Short Outline of California School Finance History Based on the Recollections of Ken Hall”**

*[Note from John Gray. From time to time it is good to take a break and seek counsel and wisdom from those who were the trailblazers in your chosen profession. About once a quarter I have lunch with those trailblazers to tap into that wisdom. For me, that means having lunch with Ken Hall, School Services of California Inc. (SSC) Founder, Davis Campbell, former Executive Director of the California School Boards Association and Chair of the University of California, Davis, School of Education and a bunch of other stuff that he says is impressive, and Kelvin Lee, former Superintendent of Dry Creek Elementary School District for 30+ years. Since I am the one who always pays, and because they are doing me the favor, Ken orders a really expensive glass of wine, Davis orders an expensive beer I have never heard of, while Kelvin and I have water or iced tea.*

*At our recent lunch, we talked about all of the many events that shaped California school finance. It was a great conversation, as I heard their firsthand knowledge from when they were trailblazing and I was in junior high school. I asked Ken if he would put pen to paper so I could share that wealth of information with our readers. The following is a guest article from Ken Hall, founder of SSC. Oh yes, Davis would want me to tell you he is also the author of “The Governance Core,” which is on the SCC best seller’s list.]*

1971: California Supreme Court (Court) concludes the *Serrano v. Priest* lawsuit and finds the California school finance system to be unconstitutional. The Court order’s differentials in education funding per average daily attendance (ADA) must be reduced to “insignificant” differences. The Court remands the case back to lower court.

1972: Senate Bill (SB) 90 (1406/1972), the Reagan Moretti Property Tax Relief Act, is adopted in December 1972. The bill provides state funding for major property tax rollback, including schools; eliminates numerous “permissive overrides”; adds major funding for equalization of school funding; establishes school revenue limits with differential amounts per ADA going forward based on a district’s 1972—73 funding level; adopts first Urban Impact Aid for school districts; adopts a requirement that the state must fund mandated program costs; implements modest property tax controls on county governments; and increases state income and sales taxes.

1973—74: Los Angeles Superior Court rules SB 90 was insufficient in meeting the Supreme Court standards of equalization; appeals begin. The appeals uphold the County; the state is given six years to address the obligations of the *Serrano v. Priest* decision.

1975: Governor' Jerry Brown takes office.

1976—77: Legislature adopts Assembly Bill (AB) 65, which provides for added major' school equalization; establishment of "gyp" tax for obligation of high property tax districts to fund tax increases in low property tax districts; and numerous provisions to respond to the *Serrano v. Priest* decision.

Winter—Spring, 1978: Assessors around the state, but especially in Los Angeles, reassess residential properties and issue tax bills with major increases in local property taxes—tax payers scream. Howard Jarvis and Paul Gann launch the Proposition 13 campaign for a huge rollback in property tax rates and for controls on future assessed increases. As it becomes clear that Proposition 13 is going to pass, Governor Brown becomes a "born again tax cutter." The former Assembly Speaker and current State Treasurer Jesse Unruh claims that the state has an "obscene" surplus and huge reserves.

June 1978: Proposition 13 is adopted by the electorate. The immediate result was \$4—5 billion in property tax income being lost; new local special taxes requiring two-thirds vote; the repeal of the option for local agencies to seek electorate approval of local taxes to pay for capital bonds; the assessed value on all properties to remain at the 1975 level, except for cost-of-living increase of no more than 2%; and all local governments, including schools, lose billions in local income as the total local tax rate is capped at 1%. Governor Brown calls a special session to address the state's response.

Summer 1978: The Emergency Conference Committee of the state Legislature designs a state "bailout" with state support for local governments at reduced levels. Schools become very dependent on the State for future funding as property taxes decline to a lower percentage of total funding—the provisions of AB 65 and most other funding systems for education are repealed, but revenue limits continue as the primary mechanism for funding schools. Legislature adopts the bailout. Schools suffer losses of 9% to 15% in revenues based on their income level. Funding loss is, however, moderated by the 9% to 15% because it is based on the anticipated 1978—79 State Budget growth prior' to Proposition 13.

1979: the Legislature considers and the Governor signs AB 8—which provides a funding system for local governments and schools going forward. It lets school districts keep previously electorate-adopted tax increases; and therefore, provides funding for schools at differential levels to equalize funding levels. It concludes that the distribution of the 1% local property tax revenues will be based on proportional property tax allocation in 1977—78.

1981—82: Governor Brown provides, in his January State Budget, a 6% cost-of-living increase for schools. However, due to a state recession and the loss in state income, Brown rescinds the cost-of-living increase in his May Revision. For the first time in recent state history, schools will have no cost-of-living increase per ADA in 1982—83 State Budget. State Superintendent of Public Instruction Wilson Riles pleads for a cost-of-living adjustment restoration to no avail.

1981=82: San Jose Unified School District (USD) suffers a strike by their teachers and goes to fact finding to settle the salary dispute. The fact finding chair, with the support of the California Teachers Association (CTA) representative, recommends a 9% salary increase and the school board accepts the fact finding report and adopts a 9% salary increase—based, in part, on the 6% revenue limit increase in state funding. With the rescission of the cost-of-living increase in the State Budget, San Jose USD claims bankruptcy and for the first time in state history, a federal bankruptcy judge accepts jurisdiction. After a celebrated hearing, the judge orders the salary increase to be rescinded. The CTA appeals this

decision but loses in court, so salaries are rolled back and it takes until 1985 for the district to be able to fund any salary increases.

1982 Campaign: George Deukmejian defeats Los Angeles Mayor Tom Bradley to become governor, based primarily on a law and order campaign. Bill Honig becomes state superintendent of public instruction. Senator Deukmejian makes modest campaign commitments to help schools after the zero cost of living. Superintendent Honig launches a 'save California schools' campaign, which attracts hundreds and so he continues the campaign into 1983. His campaign leads to the development of a conference committee of the state Legislature to address school funding and reform.

1983: The Legislature adopts and the Governor signs SB 813—which included major added school equalization; establishment of longer day (minute controls by grade level for minimum education delivery); longer year requirements (180 days up from 175); and added categorical programs for support and control of schools. The bill is hailed as a savior for K—12 education.

1983—84: A Superior Court rules that California has satisfied the obligations of *Serrano v. Priest* and funding has been reduced to insignificant differentials. Court of Appeals upholds the decision and the Supreme Court refuses to hear an appeal.

1987: Governor Deukmejian and Assembly Speaker Willie Brown are unable to reach a compromise on the return of state surpluses to tax payer's. Governor Deukmejian prevails and returns \$1.2 billion to California income tax payers; however, schools claim the state surplus should have been returned to school agencies and other needy local agencies.

November 1988: State elections focus on forty-one state propositions on the ballot, including nine bond acts for higher education, K—12 districts, water, homeless, and others. The proposition campaigns focus on other issues and Proposition 98, which provides three tests for school funding in the State Budget, is adopted with only a small margin of victory.

1990: U.S. Senator Pete Wilson is elected as governor over Mayor Diane Feinstein. The governor commits and tries to focus state funding for schools to early childhood issues. However, major earthquakes and fires plague his Administration, and school funding remains a legal and political debate over the state obligations of Proposition 98.

1991: Senator Gary Hart proposes and the Governor signs legislation to authorize one hundred charter schools, which are destined to be a major reform in K—12 governance and delivery. The cap of one hundred schools is later eclipsed with hundreds of schools adopting the charter school opportunities for education delivery without the many cumbersome hurdles of state law.

1991—92: Richmond USD attempts to close its doors in April due to lack of funds. The district claims that it cannot keep the doors open and sends all students and teachers home. The lack of funds is in large part due to school board adoption of a district budget that assumes one thousand students from surrounding school districts will enroll at Richmond USD, due to its amazing educational program. The local superintendent, who later goes to jail for Workers' Compensation fraud, sells the local agency and the Administration of President George Bush on the idea that the district is providing an amazing education that will attract students from throughout the North Bay area.

1992: State Supreme Court rules (*Butt v. State of California*) that Richmond USD cannot close its doors and the state of California is responsible for local education, which is a fundamental right. State provides a loan to Richmond USD to cover the costs for the rest of the year and to pay debt, which has accumulated, including \$18 million dollar's—of the total \$60 million loan--owed to IBM for computers

that are never used. The state appoints a state administrator to run the district while also ensuring the loan is repaid. Future students lose funding based on the errors and extravagant expenditure of the school board.

1992: The state Legislature adopts numerous provisions to control local school district budgets. This includes an obligation for county offices of education (COEs) to approve district budgets and also requires that districts have a positive multiyear finance balance. It also establishes the Fiscal Crises Management Assistance Team (FCMAT), funded by the state to assist in school district budget supervision—Kern COE wins a competitive bid to manage and house FCMAT. Numerous measurements are included in state supervision of budgets, including an obligation for local agencies to have a reserve—as determined by the California Department of Education and the authority of the state—to appoint a state administrator for districts that are insolvent and/or a fiscal advisor in the case of districts facing potential fiscal insolvency.

1995: A major unexpected state surplus is sought by schools for major increases in funding. The CPA claims the added funding needs to be used to roll back class sizes. Governor Wilson, in a veiled response to CTA, calls for class-size reduction and proposes to use \$1.5 billion to roll back class sizes for grades K—3 to twenty students in his May Revision Budget. The provision is adopted in the State Budget with optional implementation to be immediate.

1995—96: Schools reel under the “burden” to immediately roll back class sizes at lower grades, and a few school districts reject the optional provision to roll back to twenty students. Thousands of relocatable classrooms are purchased/leased and thousands of new teachers hired. Academics claim that unless the class size is rolled back to sixteen it might as well be twenty-four in order to be helpful to the delivery of education. Parents and teachers hail the lower class size as a very positive provision. Districts are given a common dollar reimbursement for the program costs of lower class size, but funding does not cover full costs if a district's prior class size was over approximately twenty-eight to twenty-nine students.

1998: Governor Gray Davis is elected.

1997—2000: Numerous categorical programs are adopted for school districts, and the state adopts major retirement increases for the California Public Employees' Retirement System (CalPERS) and the California State "teachers' Retirement System (CalSTRS) members due to a large state surplus and very positive state budgets going forward.

2001: The stock market crashes and capital gains income for the state drops dramatically. The state faces major funding shortfalls and therefore funding for schools remains relatively constant until 2006.

October 2003: Governor Davis is recalled and Governor Arnold Schwarzenegger assumes office.

2010—2013: Governor Jerry Brown is elected and provides a dramatic change in school finance. After more than fifty years, revenue limit funding is repealed and replaced by the Local Control Funding Formula (LCFF) with a delegated ability to the local agency to determine their funding priorities. Numerous categorical programs are repealed and replaced with base finding plus supplemental funds for those districts with high numbers of economically disadvantaged students, English learners, and foster youth. The state decision making for schools shifts to the State Board of Education with the appointment of Sue Burr as board executive secretary and Michael Kirst as board chair by the Governor. The Local Control and Accountability Plan is adopted with the intent to ensure school districts provide increasing levels of educational accomplishment.

2013—19: Major increases in funding are provided to K—12 schools but the increases in CalSTRS and CalPERS pension payments consume many of the funding increases. The finance goals established in the initial LCFF are met in 2018—19, which is in advance of the adopted schedule.

“Overview of Special Education in California”

In advance of significant 2020—21 State Budget conversations on special education, the Legislative Analyst’s Office released an *Overview of Special Education in California*. The report provides a high-level review of special education laws, services, outcomes, funding, and costs. As stated in the conclusion, their “intent throughout this report has been to help the Legislature understand [special education] complexity, with the ultimate goal of better positioning the Legislature to engage with the administration in developing cost-effective policy responses for improving special education in California.”

The report makes no specific recommendations for special education but does note some interesting observations that may come into play in the upcoming State Budget conversations:

- Adjusted for inflation, between 2007—08 and 2017—18, special education expenditures increased 28%—attributing one-third of that increase to staff salaries and the other two-thirds to a rise in incidence of students with relatively severe disabilities
- During that same time, local unrestricted funding has been covering an increasing share of special education expenditures, rising from 49% in 2007—08 to 61% in 2017—18
- The average annual cost of educating a student with disabilities (SWD) is now \$26,000 (compared to \$9,000 for a student without disabilities) and that cost can range significantly
- The prevalence of students with relatively severe disabilities has almost doubled since 2000—01, largely driven by the rise in autism which now affects about 1 in 50 students
- The majority of SWDs are in mainstream classrooms
- Compared to other California students, SWDs are disproportionately low income and disproportionately African American
- The suspension rate of SWDs is almost double the statewide average
- The average percentile on state tests for SWDs in 2017 was 18th

The 2019—20 State Budget education trailer bill includes a preview of continued special education conversations to come. As a condition of continued funding, Assembly Bill 75 states that the director of finance and the chair and vice chair of the Joint Legislative Budget Committee must notify the state superintendent of public instruction that a 2020—21 budget trailer bill makes statutory changes designed to improve the academic outcomes of individuals with exceptional needs. These statutory changes may include:

- Expansion of inclusive practices to ensure that every individual with exceptional needs has access to learn in the least restrictive environment
- Opportunities for local educational agencies to receive state and regional support to address disproportionality of special education identification, placement, and discipline and ensure equitable access to services for individuals with exceptional needs
- Review of existing funding allocations for special education
- An examination of the role of Special Education Local Plan Areas in the delivery of special education services and supports for individuals with exceptional needs, including increasing accountability and incorporation into the statewide system of support

As noted above, the Legislature will likely look to this report as a foundational part of the upcoming conversations around special education.

## “SBE Approves Details for the ELPI and Modifications to the ESSA State Plan”

At its November 6, 2019, meeting, the State Board of Education (SBE) approved the methodology and cut scores for the English Learner Progress Indicator (ELPI) and clarified the definitions of ineffective and out-of-field teachers for California’s Every Student Succeeds Act (ESSA) State Plan.

The 2019 California School Dashboard (Dashboard) will be the first year that local educational agencies (LEAs) can be identified for state differentiated assistance and schools can be identified for federal assistance under ESSA based on their performance on the ELPI. For this reason, the SBE had to approve the methodology and cut scores for the ELPI at the November board meeting in order for the indicator to be ready for the December release of the Dashboard.

The ELPI is unique from the other Dashboard indicators because it is the only indicator required under ESSA to measure progress towards proficiency rather than just proficiency. This means that two year’s of data are required to determine the Status (current year performance level) for this indicator while three years of data are needed to determine the Status and Change (how performance level compares to prior-year data), both of which are necessary to populate one of the five color-coded performance levels on the Dashboard.

The SBE approved the methodology and cut scores for the ELPI Status by splitting levels two and three of the English Learner Proficiency Assessments for California (ELPAC), creating six ELPI levels based on the ELPAC split. The rationale for this split is that it reflects the research-based timeline of five to seven years for an English learner student at level 1 on the ELPAC to reach English language proficiency.

Since a performance color cannot be populated for the ELPI until the 2020 Dashboard, the SBE also approved using the ELPI Status of “very low” as a proxy for “red,” the lowest color performance on the Dashboard, in order to identify LEAs for state differentiated assistance and schools for federal ESSA assistance (comprehensive support and improvement, targeted support and improvement, and additional targeted support and improvement) using the 2019 Dashboard.

The SBE also made some modifications to California’s ESSA State Plan at the November meeting. While the SBE members have expressed their displeasure in needing to define ineffective and out-of-field teachers, doing so is required by federal law. For this reason, the SBE approved the California Department of Education’s (CDE’s) recommended clarifying revisions to the definitions of ineffective and out-of-field teachers currently in California’s ESSA State Plan.

The other change the SBE made to the ESSA State Plan was revising the long-term goal for the extended graduation rate to 90.5%. This was necessary after the SDE adopted a five-year extended graduation rate for the Graduation Rate Indicator at their July meeting. This means that in order for California to reconcile their state and federal accountability requirements into one system, California’s ESSA State Plan needed to be revised to set the same long-term goal for the extended graduation rate as they did for the Graduation Rate Indicator back in July. The graduation rate changes will be reflected on the 2019 Dashboard when it is released the week of December 9.

In addition to the action on the ELPI and the ESSA State Plan, the SBE also approved the State Superintendent of Public Instruction’s proposed California Science Test (CAST) threshold scores, to be effective beginning with the 2018—19 administration.

## “Additional New Laws Affecting LEAs in 2020”

While School Services of California Inc. has reported on the final outcomes of many bills, we wanted to bring attention to a few additional new laws. While these new laws may not have a large fiscal impact to local educational agencies (LEAs), they may impose a state mandate, so we think they are important for LEAs to note. With the exception of Senate Bill (SD) 265 (Chapter 785/2019), which took effect immediately upon being signed, all of the new laws listed below will take effect on January 1, 2020.

**Assembly AB 5 (Chapter 711/2019)—Employment Discrimination: Enforcement.** This bill prohibits a person from requiring any employee or applicant for employment, as a condition of employment, continued employment, or the receipt of any employment-related benefit, to waive their right to file for violations of any provision of the California Fair Employment and Housing Act or other specific statutes governing employment. The bill also prohibits an employer from threatening, retaliating, discriminating against, or terminating any employee or applicant for employment because of the refusal to consent to the waiver of their rights.

**AB 189 (Chapter 674/2019)—Child Abuse or Neglect: Mandated Reporters: Autism Service Personnel.** This bill adds qualified autism service providers, professionals, and paraprofessionals to the list of individuals who are mandated reporters.

**AB 272 (Chapter 42/201f)—Pupils: Use of Smartphones.** This bill explicitly authorizes the governing body of a school district, a county office of education (COE), or a charter school to adopt a policy to limit or prohibit the use of smartphones by students while they are at school or under the supervision and control of an employee(s) of the school district, COE, or charter school.

**AB 543 (Chapter 428/2019)—Education: Sexual Harassment: Written Policy: Posters.** Current law requires each educational institution in the state to have a written policy on sexual harassment and to display that policy in a prominent location in the main administrative building or other area of the educational institution’s campus or school site. The policy must be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session, as applicable. This bill requires a copy of the policy also be provided as part of an orientation program conducted for continuing students.

**AB 709 (Chapter 437/2019)—School Districts: Governing Boards: Pupil Members.** Current law requires an LEA with one or more high schools to appoint one or more student members to the governing board if students submit a petition to make those appointments. Student members also have the right to attend all meetings of the governing board, except executive sessions, and must be seated with the members of the governing board and be recognized as a full member’ at the meetings, including receiving all open meeting materials presented to the board members at the same time the materials are presented to the board members. This bill requires a student member to also be appointed to subcommittees of the governing board in the same manner as other board members, be made aware of the time commitment required to participate in subcommittee meetings and work, and authorizes them to decline an appointment to a subcommittee.

**AB 711 (Chapter 179/2019)—Pupil Records: Name and Gender Changes.** This bill requires a school district, charter school, or COE to update a former student’s records to include their updated legal name or gender if the school district, charter school, or COE receives government-issued documentation demonstrating that the former’ student’s legal name or gender was been changed.

**AB 947 (Chapter 778/2019)—Visually Impaired Pupils: Expanded Core Curriculum.** This bill authorizes school districts, COEs, and charter schools to consider elements of the expanded core



curriculum when developing an Individualized Education Program (IEP) for a student who is blind, has low vision, or is visually impaired. If an orientation and mobility evaluation is needed for a student who is blind, has low vision, or is visually impaired, this bill requires that these evaluations be conducted by appropriately certified specialists and occur in familiar and unfamiliar environments; in varying lighting conditions; and in the home, school, and community, as appropriate.

**AB 982 (Chapter 779/2019)—Pupils: Homework Assignments for Suspended Pupils.** Existing law authorizes the teacher of any class from which a student is suspended to require the suspended student to complete any assignments and tests missed during the suspension. This bill additionally requires a teacher, upon the request of a parent, legal guardian, or other person holding the right to make educational decisions for the student, to provide the homework that would otherwise have been assigned to a student who has been suspended from school for two or more school days. If a homework assignment is turned in upon the student's return to school from suspension or within the timeframe originally prescribed by the teacher, whichever is later, and it is not graded before the end of the academic term, the assignment will not be included in the calculation of the student's overall grade in the class.

**AB 1127 (Chapter 781/2019)—Interdistrict Attendance: Prohibition on Transfers by a School District of Residence.** This bill prohibits a school district of residence from prohibiting the interdistrict transfer of a victim of an act of bullying if there is no available school for an intradistrict transfer and the school district of proposed enrollment approves the application for transfer.

**AB 1319 (Chapter 458/2019)—Migrant Education: Pupil Residency.** This bill requires LEAs to allow a migratory child to continue attending their school of origin or a school within the school district of origin regardless of any change of residence of the student.

**AB 1354 (Chapter 756/2019)—Juvenile Court School Pupils: Joint Transition Planning Policy: Individualized Transition Plan.** This bill requires a COE, as part of the joint transition planning policy, to assign transition oversight responsibilities to existing COE personnel who will work in collaboration with the county probation department, as needed, and relevant LEAs to ensure that specified transition activities are completed for the student. It also requires COE personnel to facilitate the transfer of complete and accurate education records and the student's IEP when a student enters the juvenile court school.

**AB 1595 (Chapter 543/2019)—Elementary and Secondary Education: Omnibus Bill.** If a school district or charter school elects to offer any interscholastic athletic program, existing law requires the school district or charter school to acquire at least one automated external defibrillator (AED) for each school within the school district or the charter school. This bill instead requires a school district or charter school offering an interscholastic athletic program to acquire at least one AED for each school that participates in the program within the jurisdiction of the school district or the charter school.

**AB 1767 (Chapter 694/2019)—Pupil Suicide Prevention Policies.** This bill requires the governing board of an LEA that serves students in kindergarten through grade 6 to adopt and update a policy on pupil suicide prevention that specifically addresses the needs of high-risk groups before the beginning of the 2020—21 school year. The policy must be age appropriate and delivered and discussed in a manner that is sensitive to the needs of young students and must be written to ensure proper coordination and consultation with the county mental health plan for a referral for mental health or related services made on behalf of a student who is a Medi-Cal beneficiary. The bill also requires the policy to address any training on suicide awareness and prevention to be provided to teacher's of students in all of the grades served by the LEA.

**SB 142 (Chapter 720/2019)—Employees: Lactation Accommodation.** Existing law requires employers to provide a reasonable amount of break time to employees desiring to express milk for the employee’s infant child and to make reasonable efforts to provide the employee with the use of a room—or other location, other than a bathroom—in close proximity to the employee’s work area for the employee to express milk in private. Existing law also exempts an employer from the break time requirement if the employer’s operations would be seriously disrupted by providing that time to employees. This bill instead requires an employer to provide a lactation room or location that includes prescribed features and requires an employer’ to provide access to a sink and refrigerator in close proximity to the employee’s workspace. Denial of reasonable break time or adequate space to express milk will be deemed a failure to provide a rest period in accordance with state law. Employer’s will be prohibited from discharging, or in any other manner discriminating or retaliating against, an employee for exercising or attempting to exercise rights under these provisions and would establish remedies that include filing a complaint with the Labor Commissioner. Employers with fewer than fifty employees may seek an exemption if the employer demonstrates that the requirement posed an undue hardship by causing the employer significant difficulty or expense, though the employer must make a reasonable effort to provide a place for an employee to express milk in private.

**SB 265 (Chapter 785/2019)—Pupil Meals:** Child Hunger Prevention and Fair Treatment Act of 2017. The Child Hunger Prevention and Fair Treatment Act of 2017 requires certain LEAs that provide school meals through the federal National School Lunch Program or the federal School Breakfast Program, to ensure that a student whose parent or guardian has unpaid school meal fees is not shamed, treated differently, or served a meal that differs from other students. This bill instead requires those LEAs to ensure that a student whose parent or guardian has unpaid school meal fees is not denied a reimbursable meal of the student’s choice because of the fact that the student's parent or guardian has unpaid meal fees and to ensure that the pupil is not shamed or treated differently from other pupils. This bill went into effect on October 12, 2019.

“Governor Newsom Signed 75% of Governor Brown's Vetoed Bills”

Over one month removed from taking his final actions on legislation for the 2019 year, the capitol community continues to analyze Governor Gavin Newsom’s legislative actions in his first year as governor. In particular, many were wondering what Governor Newsom would do with the numerous bills that were vetoed by former Governor Jerry Brown and reintroduced by lawmakers this past year with the hopes that Governor Newsom would sign those measures into law. Research by policy consultants and other capitol insiders has found that there were eighty-eight bills that were vetoed by Governor Brown during his tenure that were reintroduced this past year and made it to Governor Newsom's desk. Of those eighty-eight bills, Governor Newsom signed sixty-six into law and vetoed the other twenty-two.

The table below shows the bills with implications for the IC—12 system that were vetoed by Governor Brown during his tenure, but signed into law by Governor Newsom in 2019:

2019 Bill Signed by Newsom	2018 Bill Vetoed by Brown	Summary
Assembly Bill (AB) 9 (Reyes, D-San Bernardino)	AB 1870 (Reyes)	Extends the stature of limitations from one year to three years for all Employment-related discrimination, harassment, and retaliation claims filed With the Department of Fair Employment and Housing.
AB 51 (Gonzalez, D-San Diego)	AB 3080 (Gonzalez)	Prohibits requiring applicants for employment for employees to waive their right to a judicial forum as a condition of employment or continued employent.

<b>2019 Bill Signed by Newsom</b>	<b>2018 Bill Vetoed by Brown</b>	<b>Summary</b>
AB 218 (Gonzalez)	AB 310 (Gonzalez)	Extends the time for commencement of actions for childhood sexual assault to forty years of age or five years from discovery of the injury, provides enhanced damages for a cover up of the assault, and provides a three-year window in which expired claims would be revived
AB 378 (Limon, D-Santa Barbara)	AB 101 (2011) (Perez, D-Los Angeles)	Authorizes family child care providers to form, join and participate in organized representation and to bargain on matters relating to subsidized child care programs
AB 493 (Gloria, D-San Diego)	AB 2153 (Thurmond, D-Richmond)	Requires the California Department of Education to develop or update resources for in-service training on schoolsite and community resources for the support of lesbian, gay, bisexual, transgender, and questioning students
AB 1354 (Gibson, D-Carson)	Senate Bill (SB) 304 (2017) (Portantino, D-La Cañada Flintridge)	Requires county offices of education to ensure that a student enrolled in a juvenile court school for more than twenty school days has an individualized transition plan and access to specified educational records upon release
AB 1507 (Smith, D-Santa Clarita)	SB 739 (2015) (Pavley, D-Agoura Hills)	Eliminates the authorization for a charter school to be located outside the boundaries of its authorizer
SB 126 (Leyva, D-Chino)	AB 709 (2015) (Gibson)	Requires charter school governing boards to comply with a variety of the same open meeting, conflict-of-interest, and disclosure laws as traditional school district governing boards
SB 142 (Wiener, D-San Francisco)	SB 937 (Weiner)	Imposes new building and employer requirements for ensuring access to adequate lactation space
SB 223 (Hill, D-San Marco)	SB 1127 (Hill)	Authorizes the governing board of a local educational agency (LEA) or charter school to adopt a policy that allows a parent or guardian to administer medicinal cannabis to an authorized pupil at schoolsite.
SB 225 (Durazo, D-Los Angeles)	SB 174 (Lara, D-Bell Gardens)	Makes any person at least eighteen years of age and a resident of California eligible to hold an appointed civil office, regardless of that person's citizenship and immigration status.
SB 328 (Portantino)	SB 328 (Portantino)	Requires the school day for middle schools and high schools, including charter schools, to begin no earlier than 8:00 a.m. and 8:30 a.m., respectively, by July 1, 2022, or the date in which a district's collective bargaining agreement that is operative on January 1, 2020, expires, whichever is later
SB 419 (Skinner, D-Berkeley)	SB 607 (Skinner)	Prohibits the suspension of a pupil in grades 4 and 5 for willful defiance and for five years prohibits the suspension of a pupil in grades 6-8

Some of the education bills that were previously vetoed by Governor Brown were also vetoed by Governor Newsom in 2019. The bills that were vetoed by both governors that would have affected the public school system had they been signed are highlighted in the table below:

<b>2019 Bill Vetoed by Newsom</b>	<b>2018 Bill Vetoed by Brown</b>	<b>Summary</b>
AB 171 (Gonzalez)	AB 3081 (Gonzalez)	Would have extended anti-retaliation and anti-discrimination protections to survivors of sexual harassment
AB 500 (Gonzalez)	AB 568 (2017) (Gonzalez)	Would have required school districts, charter schools, and community colleges to provide at least six weeks of full pay for pregnancy-related leaves of absence taken by certificated, academic, and classified employees.
AB 751 (O'Donnell, D-Long Beach)	AB 951 (O'Donnell)	Would have required the State Superintendent of Public Instruction to approve one or more nationally recognized high school assessments, such as the SAT or ACT, that school districts and charter schools could have used in lieu of the grade 11 state assessment
AB 1212	AB 2348 (2016)	Would have required the Department of Transportation and Department of

(Levine, D-Marín County)	(Levine)	Water Resources to produce a list of priority infrastructure projects for funding consideration by the California State Teachers' Retirement System and the California Public Employees' Retirement System boards
SB 695 (Portantino)	SB 358 (2017) (Portantino)	Would have required an LEA, upon a parent's request, to translate a pupil's completed Individualized Education Program (IEP) As well as any evaluation, assessment, or progress data used to determine eligibility or development of an IEP

It is important to note that some of the issues that Governor Newsom has vetoed this year do not necessarily mean that he is against those specific proposals. In fact, he may be willing to use some of those issues as future bargaining chips in budget and policy negotiations with the Legislature, or he may be more inclined to sign certain measures into law a few years from now, particularly if public opinion or the political climate changes on a certain issue.

**“CalPERS Issues Revised Employer Contribution Rate Estimates”**

The California Public Employees' Retirement System (CalPERS) has just finalized the Schools Pool Actuarial Valuation report, as of June 30, 2018, and has adjusted its estimates for employer contribution rates, as follows:

Year	Prior Employer Contribution Rate	Current Employer Contribution Rate
2019-20	19.721%	19.721%
2020-21	22.70%	22.80%
2021-22	24.60%	24.90%
2022-23	26.40%	25.90%
2023-24	26.10%	26.60%
2024-25	26.30%	27.00%
2025-26	26.20%	26.80%
2026-27	N/A	26.70%

\*Actual for 2019—20 and estimated for future years

These rates reflect the application of Senate Bill 90 (Chapter 33/2019), which included a \$904 million contribution from the state to reduce the employer contribution levels by 0.9% in 2020—21 and 0.3% in the subsequent years. These updated rates should be used for local agency 2019—20 First Interim reports, if feasible, and will be included in the next version of our SSC Financial Projection Dashboard to be prepared with the 2020—21 Governor's Budget Proposal in January 2020.

District:

LAUSD has been meeting with charter schools that have been fined prop 39 overallocation fees. It is clear that LAUSD is expecting the overallocation fees to be paid and is willing to work out a payment plan for schools. Charter schools want to make sure that it clear that schools have paid their pro rata share, which for the high school means that YPICS has paid close to \$200,000 annually for all classrooms assigned even if the school has been overallocated space. Bert Corona High School has paid for all of the classrooms assigned whether the school has reached full enrollment or not. However, the district has only allocated one, maximum up to two half classrooms, approximately 300 square feet each for our Special Education Program at the high school (the current SPED population is 28%) and one office space with an administrative staff of 7 +. We have met with the Superintendent of Business Services and felt that she is listening.

We will continue to work with the district to move toward more of an understanding of where we are in trying to reach a resolution that is fair and equitable.

YPICS:

## **GEAR UP**

### *Administration/Fiscal:*

YPICS is still working toward a permanent GEAR UP Solution. We have been working closely with the US Department of Education (USED), Los Angeles Unified School District (LAUSD), and the charter schools named in GEAR UP Grant #1 to remedy the fall out from the closure of YPI. In the interim there is a two-step transition plan. First, YPICS has hired back the GEAR UP coordinators and advisors from YPI. Under the direction of Nick Wu, GEAR UP Manager, services resumed back on 5 out the 6 high school campuses named in the grant. One LAUSD school decided to decline services until a third party provider is in place. The US Department has approved YPICS to use a Sole Source provider. The YPICS Board has selected Think Together as the provider. The USED conducted a site visit to review financial records, audits, organizational chart, receipts, general ledgers, and contracts for the GEAR UP Grant. The YPICS Executive Director, Board Chair, Chief Operations Officer, finance team, and grant administrative staff took part in the four-hour site visit, on Thursday, December 5, 2019. After the site visit the USED will provide a final approval of the Think Together MOU. Once the latter occurs, part 2 of the transition plan will be put in place with clear dates and deadline moving forward.

Additionally, YPICS is also working in collaboration with the LAUSD Deputy Superintendent of Instruction, the GEAR UP Office, and the Data and Accountability Branch to finalize YPICS MOUs. However, we will need to go through the same process to completely transition to Think Together.

### *Program*

The focus of grant support for the last two weeks of November was supporting seniors with completing college UC and CSU applications. The focus for the month of December is private school applications and FAFSA completion. January, rehire tutors, aggressively restore positions and all college career activities in place prior to October 25, 2019.

### **Whetstone:**

The data shows that the leadership team at all schools have been provided more than 200+ coaching touch points for teachers as of this point in the school year. Across all three schools teachers are demonstrating growth in skills toward the middle and some are the end of phase 2 of the Get Better Faster Model. We look forward to being able to spend more time on coaching second semester.

### **Youth Truth Survey:**

Survey results are in! Teachers, staff, students, and parents participated in the Fall Youth Truth Survey. The Executive Administrators plan to share individual results within their respective Board Reports, however, the one trait that had the highest results with 86% of respondents identifying strong personal relationship as high amongst all three schools. The national average in this area is amongst urban schools is 56% and in California it is 74%. Trust is at the core of strong academic success. When students feel support by their teachers they learn more and do better in school. More to come!

### **Oversight Visits**

**MORCS:**

The oversight review was on November 20, 2019. Board Chair Mary Keipp was also in attendance. The team acknowledged the focus on coaching of teachers, interventions for struggling students, and a clear instructional plan that supports all students.

**BCCS:**

Board Treasurer Micheal Green and Board Member Water Njboke plan to attend the Bert Corona review on December 13, 2019.

**BCCH:**

The BCCH review will take place after the winter break on February 14, 2020.

**Benchmark Assessments:**

The second iReady assessments are being administered through December 15, 2019. Scores will be analyzed and results with an action plan to address deficiencies to the Board’s Academic Excellence Committee in January.

**Suspension Rates:**

YPICS continue to work on decreasing suspension rates at each school. In spite of the hard work and strategies that the teams have put into place, it is difficult to compete with the local schools who have district-wide ability to send or opportunity transfer students to another school and not document a suspension. The YPICS do not have that ability and are holding to state guidelines as to documenting true in and out of school suspensions.

YPICS Suspension Rates				
	15-16	16-17	17-18	18-19
MORCS	9.1%	12.9%	15%	12.1%
BCCS	7.6%	8.3%	6.7%	6.1%
BCCH	3.8%	9.3%	6.7%	1.9%



