Recommended view setting: side-by-side

• If your screen is displaying presenter thumbnails across the top and the slides as the main content below (as seen to the right) we recommend you do the following:
  • Navigate to the “Active Speaker and Thumbnail View” icon, which is located in the top right corner of the screen.
  • Hover your cursor over it for a moment, and three other options should pop out.
  • Select side-by-side by clicking on the side-by-side icon.
Budget Perspectives Workshop 2020-21
Budget Act
Workshops sponsored by:
Politics and Backdrop

• It’s an election year
• Legislature asserts authority to respond to COVID-19 crisis, makes significant changes to Governor’s May Revision
• Compromise largely retains Administration’s revenue estimates and “trigger off” approach to additional federal funds
• Legislature protects K-12 schools and other programs with large deferrals rather than direct cuts
• One-time federal funds and PERS/STRS relief ease pressure, but big fiscal and operating challenges remain
• Key issue for schools is how to reopen during a pandemic
• AB 1384 – Would limit legal liability related to COVID-19 for schools
Impacts of COVID-19 Pandemic

• Nation and California are clearly in a recession

• $60 billion swing in GF budget condition over 4 months – from $5.6 billion surplus in Governor’s January Budget to $54.3 billion deficit at May Revision

• Almost 1 in 5 Californians who were employed in February were out of work in May

• Regional differences in economic impact, with tech sector fairing better and tourism and service sectors hit hard

• In addition to reopening the economy, timing and amount of federal funds are critical to California recovery
GF Revenues, Expenditures and Reserves

- $139.7 billion in total available 2020-21 GF resources (includes prior year balance of $2 billion)
- $137.7 billion total 2020-21 revenues/transfers
  - $118.7 billion total GF revenues projected for 2020-21
  - Includes $10 billion from federal funds and other state fund loans and transfers
  - Plus $8.8 billion from reserves (BSA, Safety Net and Prop 98 Reserve)
- Revenues assume tax policy changes (including limiting offsets for more than $5 million of tax liability for 2020-22) that net $4.4 billion in 2020-21
- 2020-21 total GF expenditures are $133.9 billion, leaving a Fund Balance of $5.8 billion
- BSA will be $8.3 billion (was $16.5 billion in 2019 BA), $2.6 billion in discretionary reserve (SFEU), $450 million (was $900 million) in Safety Net Reserve, and zero in Prop 98 reserve
Proposition 98

• Loss of revenue drops 2020-21 Prop 98 Guarantee by more than $13 billion from January

• 2020-21 K-12 share of Prop 98 is now $63.2 billion

• Damage in current and fiscal years is mitigated by Prop 98 deferrals, pushing total of $12.9 billion of K-14 payments into the 2021-22 fiscal year

• Hit to Prop 98 for three-year budget period is almost $17 billion compared to January

• Still a Test 1 year, with only a small ADA change (less than 40,000 students statewide) compared to 2019-20
Prop 98 Changes Over the Last Year

(Dollars in Billions)

- 2018-19
- 2019-20
- 2020-21

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Prop 98 Supplemental Payments

• Starting in 2021-22, a supplemental appropriation of 1.5% of total GF revenues in support of K-14 public schools

• On top of Prop 98 guarantee, supplemental payment becomes part of the Prop 98 base the next year

• Annual obligation until supplement payments total $12.4 billion (roughly equivalent to amount if Test 2 applied to 2019-20 and 2020-21)

• This provision is subject to modification in future budgets or legislation (same as any other statute)
Principal Apportionment Deferrals

Two sets of K-12 Principal Apportionment Deferrals for a total of $11.1 billion pushed to next fiscal year:

• $1.9 billion in June 2020 payments deferred to July 2020, and then repeated for June 2021 to July 2021

• Additional $9.2 billion deferred in 2020-21 from:
  • June 2021 to July 2021 - $524.9 million
  • May 2021 to August 2021 - $2.38 billion
  • April 2021 to September 2021 - $2.38 billion
  • March 2021 to October 2021 - $2.38 billion
  • February 2021 to November 2021 - $1.54 billion
Principal Apportionment Deferrals, cont.

- Director of Finance authorized to use additional federal funds provided in the 2020-21 fiscal year to offset (i.e., trigger-off) deferrals starting with the earliest first: $14 billion federal funds equals $5.8 billion K-12 offset

- $100 million available from each 2020-21 deferral for SPI and Director of Finance to mediate impacts on districts or charter schools that are facing insolvency as a result deferrals

- A deferral creates a one-time loss of funds in the year implemented, and may create significant cash flow and auditing issues in addition to budget impacts

- Hopefully the loss is matched by a one-time gain when deferrals are repaid in better times.
District & Charter LCFF Entitlement

• Base Grant per ADA (with Zero COLA on 2019-20 base):
  K-3 = $7,702  7-8 = $8,050
  4-6 = $7,818  9-12 = $9,329

• Grade Span Adjustments: 10.4% = $801 per K-3 ADA
  2.6% = $243 per 9-12 ADA

• Supplemental Grant = 20% of Adjusted Base Grant
• Concentration Grant = 50% of Adjusted Base Grant
• TIIG and HST Add-ons remain constant
• Total LCFF about $63 billion for 2020-21
County Office of Education LCFF Entitlement

• **Alternative Education Grant**
  - Base Grant per ADA (with Zero COLA) = $12,310
  - Supplemental Grant = 35% of Base Grant per unduplicated students + juvenile court school students
  - Concentration Grant = 35% of Base Grant per unduplicated student (beyond 50%) + 50% of juvenile court school enrollment

• **Operations Grant** - $719,783 (with Zero COLA) for each COE, plus
  - $119,964 per each school district in the county, plus
  - A per ADA amount based on county-wide ADA, ranging from $76.82/ADA in the smallest counties to $43.90/ADA in the largest
Basic Aid Districts and Property Taxes

• No “Fair Share” reduction to:
  • LCFF/categorical
  • Minimum State Aid (MSA)
  • Basic Aid Supplemental or District of Choice apportionments
  • In lieu property tax transfers to charter schools

• Clarifies how excess ERAF funds are calculated and distributed by county auditor-controllers, commencing with 2019-20 fiscal year
  • State Controller to issue guidance to counties by Dec 31, 2020
  • If a county fails to allocate ERAF revenues per the guidance, the Controller may request a writ of mandate to require the county auditor-controller to comply

• Recession has already begun to slow growth in property tax revenues (fewer sales mean fewer reassessments) - extent remains uncertain
Stand-Alone Categorical Programs

Proposed for Ongoing Funding

- After School Education & Safety Program ($646 million)
- Career Technical Education Incentive Grant ($150 million)
- K-12 Strong Workforce Program ($150 million)
- State Assessment Program ($117 million + $20.2 federal)
- California Partnership Academies ($21.4 million)
- County Office Fiscal Oversight ($6.9 million)
- College Planning and Preparation Website ($6.5 million)
- California School Information Services ($6.5 million)
- Specialized Secondary Education Grants ($4.9 million)
- Agricultural Education Incentive Program ($4.1 million)
- Teacher Dismissal ($300,000)

- Special Education: ($3.9 billion)*
- Child Nutrition ($173.7 million + $2.8 billion federal)*
- Adult Education Block Grant ($543.6 million)*
- Mandate Block Grant: ($241.4 million)*
- Foster Youth Programs: ($27.3 million)*
- American Indian Education Centers ($4.4 million)*
- American Indian Early Childhood Education Program ($593,000)*

*Normally would receive a COLA
ADA and Instructional Minutes

- Sets 2020-21 ADA for funding purposes at 2019-20 P-2 levels
  - 2019-20 P-2 ADA calculated on July 1, 2019 through February 29, 2020 attendance
  - Holds LEAs harmless from declining ADA, but provides no increase in funds for ADA growth
  - Not the traditional “Greater of current or prior year” soft-landing provision
  - Governor: “I urge members of the Legislature to pursue targeted solutions…”

- Suspends Annual Instructional Minutes requirement but maintains Minimum Schoolday minutes requirement(s)
- Maintains Instructional Days (length of year) requirement(s) and penalty
- Suspends PE Minutes requirement
- Suspends process for to apply for credit for emergency ADA (J-13A)
- None of these requirements are waivable by the State Board of Education
Instruction in the 2020-21 School Year

• SB 98 provides three options for providing instruction in 2020-21:
  1. In-person instruction
  2. Distance Learning
  3. Hybrid instruction model through in-person and Distance Learning

• Legislature clarified intent was to provide LEAs flexibility in developing instructional models but that LEAs should provide in-person instruction “to the greatest extent possible”

• Distance Learning is modeled after Independent Study (IS) but is a distinct instructional model and attendance accounting methodology with separate requirements – IS not changed or limited by SB 98
Instructional Minutes

How instructional minutes are measured depends on mode of instruction:

- **In-classroom:** minutes based on time spent under immediate physical supervision and control of a certificated employee of the LEA
- **Distance Learning:** minutes based on the time value of assignments as determined by a certificated employee of the LEA
- **For school days when student receives both in-person and Distance Learning instruction,** time under immediate physical supervision will be combined with time value of assignments
Distance Learning

LEAs may offer Distance Learning under one of two circumstances:

1. On an LEA or schoolwide level as a result of order/guidance from a state or local public health officer
   • Does not require LEA to obtain authorization from public health official
   • Distance learning should be part of instructional model that adheres to most recent available public health orders/guidance

2. For students who are medically fragile, would be put at risk by in-person instruction, or who are self-quarantining because COVID-19 exposure
   • “At-risk by in person instruction” undefined, open to interpretation by student’s parent/guardian
   • No requirement for medical note or verification
Distance Learning and Student Engagement

• If using Distance Learning, LEAs must do the following for every student:
  • Track/monitor student’s daily engagement in distance learning
  • Keep a weekly record documenting a student’s synchronous or asynchronous engagement each schoolday, verifies participation, and tracks student’s assignments
  • Regularly communicate with parents and guardians regarding a student’s academic progress.

• LEAs must develop written procedures for reengaging students who are absent from distance learning for more that 3 schooldays or 60% of the instruction days in a week
Distance Learning

• Every LEA must adopt a Distance Learning Plan which describes how they will ensure student access and participation, staff training, etc.

• Distance Learning program requirements include daily live interaction with students, academic supports for students not performing at grade level, accommodations for special education students, integrated instruction for English-learners, and meals for students eligible for free and reduced-price meals.

• Distance Learning penalties include LCFF apportionment withholding by SPI, but no penalties before September 1, 2020.

• Details on each of these items is provided in the Appendix.
One-Time Funding

• $5.3 billion in one-time federal CARES Act and state funding for LEAs to mitigate learning loss related to COVID-19 school closures
  • $4.4 billion from Federal Coronavirus Relief Fund (CRF)
  • $539.9 million from State GF
  • $355.2 million from Federal Governors’ Emergency Education Relief Fund (GEER)

• Funds will be allocated in three ways:
  • $2.9 billion (CRF) to LEAs based on supplemental and concentration grant allocation
  • $1.5 billion (CRF & GEER) to LEAs based on special education enrollment
  • $979.8 million (CRF and state GF) to LEAs based on total LCFF allocation
One-Time Funding, Cont.

- Expenditure requirements differ depending on source of funding
  - CRF and State GF Funding must be used for COVID-19 related costs generated between March 1, 2020 to December 30, 2020
  - GEER funding must be used for COVID-19 costs generated between March 13, 2020 and September 30, 2021

- Permissible uses of funding include:
  - Learning supports that begin prior to start of the school year & continuing intensive instruction and supports into the school year
  - Extending instructional school year by increasing number of instructional minutes/days
  - Additional academic services for students, incl. devices and connectivity
  - Integrated student supports to address other barriers to learning
Elementary and Secondary School Emergency Relief (ESSER) Fund

- State received $1.6 billion in federal ESSER funding under the CARES Act
- $1.5 billion of funding required to go out based on LEA Title I, Part A allocations
  - Must be spent on COVID-19 related costs (broadly defined)
  - LEAs must apply for their share of the funding through application on CDE’s website (https://www3.cde.ca.gov/esserassurances/logon.aspx)
- Remaining $164.7 million will be allocated for the following purposes:
  - $112.2 million for COVID-19-related meal reimbursement
  - $45 million for grants to LEAs to coordinate or expand community schools
  - $6 million for UC Subject Matter Projects to provide educator professional development around providing high-quality distance learning and addressing learning loss
Accountability

• No Standard LCAP for 2020-21
• LEAs must adopt a Learning Continuity and Attendance Plan (Continuity Plan) by September 30, 2020
• Hold two public meetings:
  • LEAs present Continuity Plan to governing board--must post 72 hours prior to hearing
  • Second meeting to adopt Continuity Plan after first hearing and on different day
  • LEAs must consult stakeholders, as specified, including Parent Advisory and EL Parent Advisory Committee for review and comment
• LCFF budget overview for parents adopted by December 15, 2020, with the first interim budget report
• Federal one-time funds can be spent before the adoption of the plan
• CDE, in consultation with the SBE executive director, will develop a template for the Continuity Plan by August 1, 2020
Continuity Plan

• Describe plan, including how state, federal and learning loss mitigation funds will be used to provide continuity of learning and address the impact of COVID-19 on pupils, staff, and the community in the following areas:
  • Distance Learning
  • Learning Loss
  • Mental Health/ Social Emotional Well-being of students and staff
  • Professional Development
  • Pupil Engagement and Outreach
  • School Nutrition

• Describe how LEAs are increasing or improving service in proportion to unduplicated students
Special Education

- $545 million to increase the special education base rate to $625/ADA
  - Funding now based on a SELPA’s ADA for the current FY, the most recent prior FY, or the second most recent prior FY, which ever is greater
  - Includes hold-harmless for any SELPA already receiving a higher base rate
  - Beginning with the 2021-22 FY, requires statewide base rate to be adjusted for COLA

- $100 million for the low-incidence, high cost pool

- $15 million federal IDEA funds for the Golden State Teacher Scholarship Program to increase the special education teacher pipeline

- $8.6 million federal IDEA funds to help LEAs develop dispute resolution and statewide mediation services, related to special education distance learning service delivery models

- $500,000 federal IDEA funds for study of current special education governance and accountability structure

- $600,000 federal IDEA funds for 3 workgroups to create statewide IEP template, provide recommendations on alternative pathways to diplomas for students with disabilities, & study costs of out-of-home care
Employer Contribution Rates

Redirects the $2.3 billion for employer long-term unfunded liability provided in the 2019-20 Budget to further reduce CalPERS and CalSTRS contribution rates in 2020-21 and 2021-22

### CalSTRS

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### CalPERS

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<td>2026-27</td>
<td>26.2*</td>
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*Latest projected rates and subject to change
Early Childhood Education

The Budget Act includes the following major ECE provisions:

• No COLA for child care programs, but rejects 10% trigger cuts and reductions for negative growth to all child care programs as proposed in MR

• Provides attendance hold harmless in 2020-21 for direct-contract providers
  • Providers reimbursed 100% of maximum reimbursable amount, or net reimbursable program costs – whichever is less
  • Providers must open by either September 8, 2020 or within 21 calendar days of their approved calendar start-date, whichever is sooner, and remain open through 2020-21 program year
  • Hold harmless also applies to providers closed by state or local public health order due to the COVID-19 Pandemic, but that are providing distance learning services

• Commencing July 1, 2021, moves all child development/ECE programs (except CSPP) to the Department of Social Service (DSS)

• Includes “trigger-up” language, prioritizing use of additional child care federal dollars if they materialize
State Preschool

Adjustments to CSPP span both 2019-20 and 2020-21

• LEA-based CSPP Prop 98 expenditures reduced by $130 million:
  • $110.4 million in 2019-20 (unexpended fund balances)
  • $19.6 million in 2020-21 (reduced demand)

• Non-LEA based CSPP planned expansion eliminated, funding reduced by $159 million GF:
  • $31.4 million by eliminating 10,000 slots slated to start April 1, 2020
  • $95.6 million by withdrawing the annualization of April 1, 2020 slots
  • $31.9 million by eliminating 10,000 additional slots slated to start April 1, 2021
Other ECE Changes

• Triggers funding increase if additional federal child care dollars materialize, prioritizing funding as follows:
  • Up to $100 million for AP programs
  • Up to $50 million for CSPP and general child care
  • Up to $25 million in stipends to assist licensed child care providers with costs associated with reopening due to COVID-19, and to supplement unfunded costs due to low attendance/closure
  • Up to $125 million for all subsidized child care providers

• Eliminates the following 2019 Budget Act investments:
  • $300 million in full-day Kindergarten facility grants
  • $235 million for grants to renovate and construct facilities
  • $195 million for workforce development
School Nutrition

• $112.2 million in federal ESSER funding for meal reimbursement to LEAs that served meals between March 2020 - August 2020 due to COVID-19-related physical school closures
  • Allows for up to an additional $0.75 in reimbursement per meal
  • Application now available on CDE’s website

• USDA extended waivers through end of 2020-21 school year to give LEAs flexibility to provide meals to free-and-reduce price students engaged in distance learning, allowing:
  • Meals that do not meet normal meal patterns, when necessary
  • Meals to be served outside of group settings and outside of standard times to facilitate grab-and-go and other alternate service options
  • Parent/guardian pick-up of meals for students participating in distance learning

• USDA waiver that allowed provision of meals to every student has not yet been extended, currently expires August 30, 2020
Layoffs

- Prohibits August 15th summer layoffs of permanent or probationary certificated staff, except a certificated employee holding a position that requires an administrative or supervisory credential, for the 2020-21 fiscal year.

- Intent language that all districts, county offices of education, community colleges, and joint powers authorities avoid layoffs to classified staff in the 2020-21 fiscal year.

- Prohibits layoffs of permanent or probationary classified employees with classifications in or assignments to positions in nutrition, transportation or custodial services from July 1, 2020 until June 30, 2021.

- Letter to Journal states intent that classified 60-day notice letters issued in last two months be rescinded.

- Does not prohibit the termination of a classified employee for good cause.
Infrastructure & Utilities

• Utility rate escalations expected for PG&E, SCE & SDG&E over next 3 fiscal years
• What are Districts doing to combat rate increases, COVID impacts & improve resiliency?
  – Modernizing inefficient equipment
  – Improving air quality & ventilation
  – Creating “smart” buildings
  – Renewable energy (solar, battery)
• How are Districts funding infrastructure improvements?
  – Private sector funding
  – Local bonds
  – State funding
  – Utility incentives
  – Self Generation Incentive Program (SGIP)
  – Routine Restricted Maintenance Programs (RRMA)
Technology Considerations for Reopening Schools

• CITE has a great reopening checklist for technology
• DA can help with Cybersecurity Assessments
• Take opportunity to include automation of business systems
• Adopt clear and manageable policies for distance learning

www.daexpertise.com

www.cite.org
Other Issues

• LEA and staff flexibility measures (see Appendix)
• Legislative intent language regarding school police and SROs
• $60 million for Classified Employee Summer Assistance Program
• $50 million for Early Literacy Support Block Grant, and $3 million for a to-be designated COE to be expert lead in literacy
• $4 million for a to-be designated COE to administer the Dyslexia Initiative
• $750,000 for Sacramento COE to develop distance learning curriculum and instructional guidance for Math and English
November Ballot Measures

• Legislative time-crunch and last-minute negotiations
• 12 measures, including 6 Constitutional amendments, 4 statute changes, one bond, and one referendum
• Major changes proposed to:
  • Property Tax/Prop 13: Split Roll (Prop 15) and Property Tax Transfers and Inheritance (Prop 19)
  • Race and Civil Rights: Repeal of Prop 209 (Prop 16), allowing parolees to vote (Prop 17), and allowing (some) 17 year-olds to vote (Prop 18)
  • AB 5 and “App-Based” Drivers (Prop 22)
  • Consumer Privacy (Prop 24)
What’s Next?

• July 15 tax deadline – update to state revenue projections
• August or Fall Revision to budget (Summer/Fall workshop)?
• Federal relief package in August?
• Trend of pandemic?
• School begins - will be different around the state
• November election – focus on control of federal government
Thank You

• Please feel free to use the content
• For any additional questions, please contact:
  – Barrett Snider: barrett@capitoladvisors.org
Other Critical Issues

- Money Bag Deferral Chart
- Distance Learning Plans
- Distance Learning program requirements
- Distance Learning penalties
- LEA flexibility measures
- Staff and program flexibility
Apportionment Deferrals
As of State Budget Adoption
Fiscal Year 2020/21

$11 Billion deferred from FY 2020/21 to FY 2021/22

Deferrals subject to change if Federal funds are received.

$2.38B June to July 2021

$2.38B May to Aug 2021

$2.38B April to Sept 2021

$2.38B March to October 2021

$1.54B February to November 2021

$1.9B June to July 2020

2019/20  2020/21  2021/22
Distance Learning Plans

Every LEA must adopt a Distance Learning Plan with the following:

• How LEA will provide continuity of instruction to ensure students have access to full curriculum of substantially similar quality regardless of the method of delivery.
• Plan ensuring instructional continuity for students if transition between in-person instruction and distance learning is necessary.
• Plan for ensuring access to devices and connectivity for all pupils to support distance learning whenever it occurs.
• How LEA will measure participation & assess student progress, as well as how the time value of student work will be measured.
• What professional development and resources will be provided to staff to support provision of distance learning
• What new roles and responsibilities of affected staff will be, to extent staff roles and responsibilities change because of COVID-19
• What additional supports for pupils with unique needs will be provided
Every Distance Learning program must also include the following:

- Daily live interaction for students with teachers and peers for purposes of instruction, progress monitoring, and maintaining school connectedness.
  - Governing board may adopt alternative plan for frequent live interaction that provides a comparable level of service and school connectedness, if daily live interaction is not feasible
- Academic and other supports for students who are not performing at grade level or need additional student services, like mental health services
- Special education and related services with any accommodations necessary to ensure a individualized education programs (IEP) can be implemented in distance learning environment
- Designate and integrated instruction in English language for English learners (EL), including assessment of English language proficiency and ability to reclassify as fully English proficient.
- Nutritionally adequate meals for free and reduced-price-eligible students, for each day of the scheduled school year.
Distance Learning Penalties

• SPI required to withhold part of an LEA’s LCFF apportionment for failure to comply with Distance Learning student engagement requirements
  • Amount withheld based on the percentage of days out of compliance and LEA’s derived value of ADA, multiplied by ADA of each affected grade level
  • “Derived value of ADA” differs between LEAs, depending on LEA’s unduplicated count and grade levels offered.
  • LEA will not be penalized for noncompliant distance learning instruction provided before September 1, 2020.

• If student fails to participate daily in either in-person instruction or distance learning, that student will be deemed absent
  • LEA required to document that absence and report it for purposes of its chronic absenteeism rates in its LCAP
LEA Flexibility Measures

• Hardship deferral exemptions for some LEAs
• Authority to use proceeds from the sale of surplus property for one-time general fund purposes
• Increases on LEA internal inter-fund borrowing limits, subject to public hearing
• Authority for LEAs to exclude state pension payments on behalf of LEAs from the calculation of required contributions to RRM
• Extension of audit timelines
LEA Flexibility Measures, cont.

• Eliminates the requirement for the approval by the State Board of Education for school district joint occupancy agreements.
• Increased waiver authority for CDE to provide flexibility for before and after school programs
• Flexibility for charter schools planned to open or expand during 2020-21 school year
Flexibility for Staff and Programs

• Extension of teacher credential exam and fee validity periods

• Flexibility on Pupil Personnel Services Credential field practice assignment

• One year extension of the deadline for T-K teachers to obtain 24 college units of early childhood education, to August 1, 2021

• Waiver and suspension of certain Migrant Education provisions

• Extension of ELPAC Testing Window