California school news
Weekly Update

September 28, 2022

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Legislative update: Gov. Newsom vetoes two major kindergarten bills; signs SB 490

With just a few days left in the signing period, Gov. Gavin Newsom has **vetoed two major proposals that would have changed the way kindergarten works in California and signed another that will significantly increase school nutrition costs.** Senate Bill 70 (Rubio, D-Baldwin Park)**, would have made kindergarten mandatory** beginning in the 2024–25 school year by requiring students to have completed one year of kindergarten before starting first grade. Assembly Bill 1973 (McCarty, D-Sacramento), **would have required school districts to provide one full-day kindergarten class** beginning in 2027–28 for schools with an unduplicated pupil percentage of 50 percent or more and beginning in 2029–30 for all other schools. **CSBA opposed both measures,**

not because it doesn't see the value of expanding access to kindergarten, but due to the lack of funding and resources provided to fulfill the new requirements.

The **veto message for both bills included a warning that "with our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing."** The Governor has included this language in rejecting a number of bills not funded by this year's budget, not just legislation addressing public education.

In more disappointing news, **SB 490, which will place schools under an unreasonable standard prohibiting the purchase of foreign food products unless the international option is at least 25 percent less expensive than the domestic alternative — without additional funding provided in this year's budget — has been signed into law by Gov. Newsom.** As the law is implemented, CSBA will continue to advocate for adequate funding to build out the state's new universal meals program.

School facilities funding faces new hurdles in state budget legislation

The 2022–23 state budget and subsequent trailer bills made **important changes districts should be aware of regarding school facilities funding and developers' fees.** In the initial budget bill, the state provided $1.3 billion General Fund for the School Facility Program in the absence of available general obligation bond authority. Assembly Bill 185, a follow-up measure known as a "clean up" trailer bill, **created several new conditions that must be met for local educational agencies to access Level 3 Developer Fees and utilize California Environmental Quality Act (CEQA) impact mitigation to ensure adequate school facilities are built when funding in the School Facility Program is exhausted and/or a school bond fails.** AB 185 is currently on the Governor's desk awaiting final approval.

CSBA opposed these changes on several grounds:

- **Failure to specify non-Proposition 98 funds**: The clean-up language failed to specify non-Proposition 98 funds — which are intended for the classroom — when state resources are provided for school facilities funding.
- **Failure to address funding sufficiency**: AB 185 does not ensure sufficient funding is available when limiting schools' access to developer fees and the CEQA mitigation process. Without defining "sufficient funding," any funds (even $1) deposited into the School Facility Program will eliminate a district's ability to levy Level 3 fees, even though the new construction program is currently oversubscribed. A district that has a newly identified facilities need today, such as a new housing development that brings in more families and children, would not have the type of assured income stream needed to plan and execute school facilities plans.
- **Creation of additional hurdles to access necessary funds**: The two amended

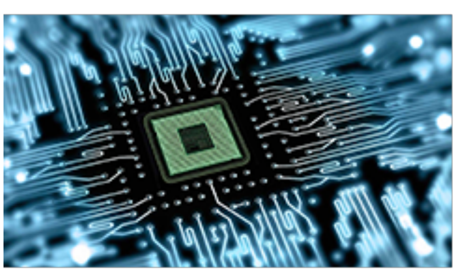
Government Code sections that allow schools to charge Level 3 Developer Fees or use CEQA impact mitigation are often last resorts to ensure that necessary schools are built to house students. AB 185 effectively creates additional hurdles, leaving districts on the hook for the full cost of facilities when state revenues are oversubscribed.

- **Disincentivizing future partnerships with builders**: Builders have had a vested interest in ensuring there is available funding in the School Facility Program to avoid triggering Level 3 Developer Fees. By creating additional hurdles and inserting broad language to amend sections 65997 and 65995.7 of the Government Code, AB 185 all but voids any possibility of ever utilizing Level 3 fees. Therefore, builders no longer have an incentive to continue partnering with the state and school districts for future school facilities funding, continuing to leave districts and the state with nearly all of the cost to house students brought in by new development.

School Boards in Action: San Marcos USD's Portrait of a Graduate vision

Leadership, adaptability, communication, critical thinking and empathy — those are the **five skills San Marcos Unified School District is looking to instill in high school seniors** by the time they receive their diplomas as part of its **Portrait of a Graduate** vision. The vision came to fruition this academic year as the initiative to **equip young adults with the 21st-century skills needed to thrive** launched at all levels of learning: preschool, elementary, middle and high school. "This is intended to impact every student in the district," said board President Stacy Carlson. Measurements for the vision's impact are still being developed, but initial ways will include senior projects, exit interviews and data collection. **Learn more about the vision »**

Federal update: E-rate spending extension and cybersecurity grants



The Federal Communications Commission **granted a request for a waiver and extension of the current E-rate deadline of Sept. 30, 2022, for certain non-recurring services. The new deadline is Sept. 30, 2023.** In the **notice**, the FCC acknowledges that while most schools and libraries across the United States have returned to in-person learning, "they are still impacted by the challenges that stem from the ongoing coronavirus (COVID-19) pandemic. Specifically, they are **experiencing delays in estimated delivery**

and installation of E-Rate-eligible equipment and services, due to labor and equipment shortages from the global supply chain disruptions that have been exacerbated during the COVID-19 pandemic." **Learn more »**

The Department of Homeland Security announced implementation of a new **cybersecurity grant program for state, local and territorial governments.** Funding from the State and Local Cybersecurity Grant Program (SLCGP) and the Tribal Cybersecurity Grant Program (TCGP) will **help eligible entities address cybersecurity risks and threats to information systems owned or operated by, or on behalf of, state, local and territorial governments**. Through two distinct Notice of Funding Opportunities, SLCGP and TCGP combined will distribute $1 billion over four years to support projects. The program will distribute $1 billion over the next four years. School districts will have access to the funds but cannot apply for this grant directly. The **Frequently Asked Questions** resource notes **that "local governments [including local educational agencies] are eligible as subapplicants to their State Administrative Agency and must work with their state or territory's Cybersecurity Planning Committee to receive subawards."** **Learn more »**

Supporting student attendance

As students settle into the 2022–23 school year, education leaders are focusing on addressing **continuing issues with student attendance.** According to a June 2022 report from Attendance Works, ***Monitoring Who Is Missing Too Much School: A Review of State Policy and Practice in School Year 2021– 22,*** **nearly all student groups suffered from absenteeism during the pandemic, but historically marginalized groups tended to miss more school and fall further behind academically**. To close out Attendance Awareness Month, **this interview in CSBA's *California School News* with Attendance Works Executive Director Hedy Chang** surveys the California attendance landscape and shares best practices for addressing chronic absenteeism. **Read the interview »**

Save with the GO Bond Refunding Pool

For more than 30 years, California school districts and community college districts have **saved time and money by issuing tax and revenue anticipation notes (TRANs) through the California School Cash Reserve Program Authority sponsored by CSBA and the California Association of School Business Officials**, the largest pooled TRAN financing in the nation. The GO Bond Refunding Pool follows in this tradition by allowing districts **to unlock taxpayer savings by driving down costs** through an easy-to-use shared financing platform. **Learn more »**

Stay up to date with the latest news and resources on the CSBA blog.

Virtual events

MIG Course 4: Human Resources/Collective Bargaining
Oct. 3-4 | **Register**

MIG Course 5: Community Relations & Advocacy/Governance Integration
Oct. 6-7 | **Register**

MIG Course 3: School Finance Part 1 and Part 2
Oct. 11-12 | **Register**

MIG Course 3: School Finance Part 1 and Part 2
Oct. 14-15 | **Register**

MIG Course 4: Human Resources/Collective Bargaining
Oct. 26-27 | **Register**

In-person events

The Brown Act
Oct. 20 | Rancho Cucamonga | **Register**

CSBA Annual Education Conference and Trade Show
Dec. 1-3 | San Diego | **Register**

View complete calendar

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