



MARIN COUNTY
OFFICE OF EDUCATION
building the future... one student at a time

2020-21 State Budget Update

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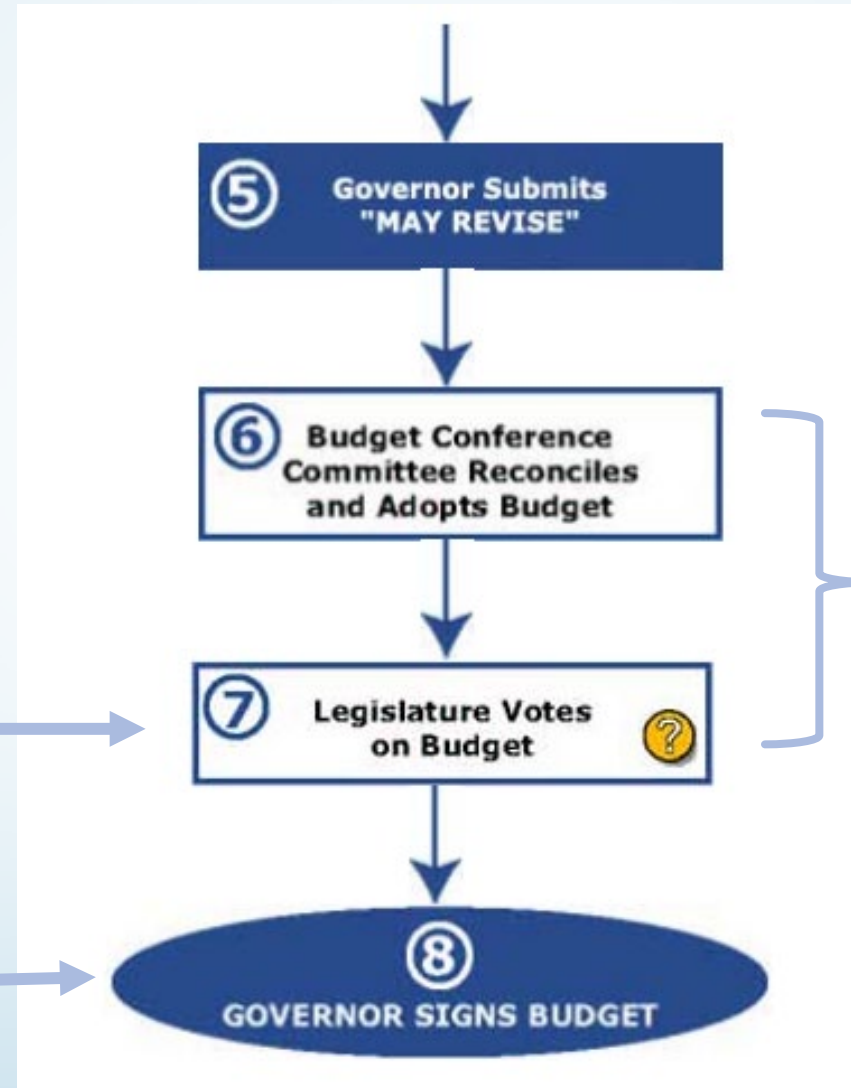
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The Deal...

- As we shared last week.....
 - The Governor & Legislature had been negotiating a budget deal
 - On Monday, June 22 they reached agreement on the State's budget
 - Details & amendments continue to come forward



Budget Process Review



Technically we're still here

Governor expected to sign by end of week or early next

Senate & Assembly Leadership reached agreement with Governor on a budget deal. Deadline for Governor to sign is June 30

Budget Review

What do we know now?



Today's presentation shares information on the education omnibus budget trailer bill – Senate Bill 98 and/or Assembly Bill 77

2020-21 Budget

- \$139.7 billion in Revenues, Transfers
- \$8.3 billion in Reserves

For comparison purposes, Governor's pre-COVID projections were:

- \$151.6 billion in Revenues
- \$20.1 billion in Reserves

Prop 98

- Spends above the Proposition 98 minimum guarantee in General Fund at \$70.5 billion, for the 2020-21 Budget Year
 - Same as Governor's May Revise
- Appears to adopt the May Revise "Pay Back" schedule for the difference between total Prop 98 funding level and Test Two in the Guarantee.

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LCFF

- Removes 10% cut
- Defers/suspends 2.31% COLA

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Deferrals

Up to \$11+ billion

- 2019-20 P2 Apportionment
 - \$1.9 billion
 - June Apportionment moved to July
- 2020-21
 - \$11 billion
 - Up to \$5.7 billion of deferral eliminated if \$14 billion in federal relief is received by 10/15
 - \$300 million for hardship
 - February → November
 - March → October
 - April → September
 - May → August
 - except as specified for certain amounts of warrants scheduled to be drawn in February to June

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Pension Relief

- **Adopts CalPERS/CalSTRS Contributions**
 - 2019 Budget Act included \$850 million to buy down local educational agency employer contribution rates for CalSTRS and CalPERS in 2019-20 and 2020-21, as well as \$2.3 billion towards the employer long-term unfunded liability.
 - Proposes redirecting \$2.3 billion to provide fiscal relief to pay CalSTRS and CalPERS towards long-term unfunded liabilities to further reduce employer contribution rates in 2020-21 and 2021-22.

Pension Relief Rate Reductions

	STRS		PERS	
	2020/21	2021/22	2020/21	2021/22
Current	18.4%	18.2%	22.67%	25.0%
Proposed	16.15%	16.02%	20.7%	22.84%

CARES Act Funding

- \$112.2 million for LEA school meal reimbursements to provide for summer and COVID-19-related closures during March 2020 to August 2020
- If oversubscribed, claims will be prorated
- Must use funds by December 31, 2020

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Elementary and Secondary School Emergency Relief Fund (ESSER Fund)

CARES Act - ESSER Funding

- California received \$1.6 billion in federal Elementary and Secondary School Emergency Relief funds
 - 90 percent (\$1.48 billion) will be allocated to local educational agencies in proportion to the amount of Title I-A funding for COVID-19 related costs
 - Remaining 10 percent (\$164.7 million) is available for COVID-19 related state-level activities.

Elementary and Secondary School Emergency Relief Fund (ESSER Fund)

- While LEAs will need to apply to receive ESSER funding, the preliminary allocation amounts have been released to help LEAs with the development of their 2020-21 fiscal year (FY) budget (SACS Resource Code 3210).
- ESSER Fund Application now available! See <https://www.cde.ca.gov/fg/cr/caresact.asp>
- An LEA may use ESSER funds for any allowable expenditure incurred on or after March 13, 2020
- Funds for administrative costs remain available to the SEA for obligation through September 30, 2022

Learning Loss
Mitigation
Grants
CARES Act
Funding (New)
\$5.3 billion

- \$2.855 billion to LEAs using Supplemental & Concentration funding formula
- \$1.5 billion to eligible LEAs based upon the total number of pupils with exceptional needs enrolled in the LEA using 2019-20 Fall 1 Census special education data.
- Additional \$980 million using LCFF formula, from State General Fund
- Learning Loss funds must be used by December 31, 2020

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Special Education

- \$545 million base grant increase
 - New special education funding formula at a rate of \$625 per average daily attendance. No additional funds for Marin SELPA
- A \$100 million increase to the low-incidence disabilities cost pool
- \$1.1 million for governance/accountability studies (federal)
- \$8.6 million for alternative dispute resolution
- When developing IEP, include what IEP will provide during emergency conditions (e.g., school closures due to pandemic)
- Districts must have plans to ensure special education services are provided if distance learning is offered; and

Categoricals

Maintains/Restores the following:

- K-12 Strong Workforce Program: \$79.4 million
- Career Technical Education Incentive Grant Program: \$77.4 million
- Adult Education Block Grant: \$66.7 million
- California Partnership Academies: \$9.4 million
- Career Technical Education Initiative: \$7.7 million
- Classified School Employee Summer Assistance Program: \$60 million

ASES

After School Education and Safety Program

- Maintains additional \$100 million
- Waives ASES program's hours of operation and pupil-to-staff ratio and required funding adjustments for the ASES and High School ASSETs programs.
- Authorize CDE, during the 2020–21 school year, to prorate the funding rates for programs receiving ASES grants operating for more than 3 hours per day, up to 6 hours per day.

Personal Protective Equipment

- SB 117 allocated \$100 million to purchase personal protective equipment or paying for supplies and labor related to cleaning school sites, or both.
- Budget revises the calculation of average daily attendance for certain local educational agencies, revises the minimum amount a local educational agency is required to receive, and expands the purposes for which the moneys may be spent.

Employee Layoff Restrictions

Certificated August Layoff “Window”

- Is inoperative from July 1, 2020, to July 1, 2021 for certificated employees
 - Exception for administrative or supervisory credential - may be terminated

Classified Positions Layoff Prohibition

- Prohibits Classified Layoffs during 2020-21 fiscal year for certain positions
 - Employees who hold classifications in, or are assigned to positions in, **nutrition, transportation, or custodial services**

COVID-19 School Closure Certification

- Due to provisions in Governor's Executive Order N-26-20 and SB 117
- Tied to ADA Hold Harmless during 2019-20
- Now available on the CDE website
- Web-based application
 - [COVID-19 School Closure Certification](#)
- No deadline but required

2020-21 ADA Hold Harmless

- Provides 2020-21 ADA hold harmless for funding at the 2019-20 ADA level
- As a condition of receiving the ADA hold harmless, an LEA must:
 - Provide distance learning for students unable to attend schools due to the impacts of COVID-19
 - For students with disabilities, describe in IEPs how services will be provided if distance learning is required
 - Physical Education minutes requirement suspended
 - Adopt “learning continuity and attendance” plans by September 30, 2020

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Instruction in 2020-2021

“A local educational agency shall offer in-person instruction to the greatest extent possible” (EC 43504)

- For 180 day requirement, “an instructional day is a day in which all pupils are scheduled for the length of the day established by the governing board or body of the local educational agency in a classroom under the immediate supervision of a certificated employee or in distance learning that meets the minimum requirements described in this part.”
- For purposes of calculating apportionments for the 2020–21 fiscal year, a local educational agency ***shall*** offer in-person instruction, and ***may*** offer distance learning, ***pursuant to the requirements of this part.***

Distance Learning Conditions

(EC 43503(a)(2))

- “Distance learning may be offered under either of the following circumstances:”
 - On a local educational agency or schoolwide level as a result of an order or guidance from a state public health officer or a local public health officer.
 - For pupils who are medically fragile or would be put at risk by in-person instruction, or who are self-quarantining because of exposure to COVID-19”

Distance Learning Defined

(EC 43500)

- **Distance Learning Means....**

- Instruction in which the pupil and instructor are in different locations and pupils are under the general supervision of a certificated employee of the LEA
- Distance learning may include, but is not limited to, all of the following:
 - Interaction, instruction, and check-ins between teachers and pupils through the use of a computer or communications technology.
 - Video or audio instruction in which the primary mode of communication between the pupil and instructor is online interaction, instructional television, video, tele-courses, or other instruction that relies on computer or communications technology.
 - The use of print materials incorporating assignments that are the subject of written or oral feedback.

“In-person instruction” means instruction under the immediate physical supervision and control of a certificated employee of the local educational agency while engaged in educational activities required of the pupil.

Requirements for Distance Learning Offerings (EC 43503(b))

“Distance learning shall include all of the following:”

- Confirmation or provision of access for all pupils to connectivity and devices adequate to participate in the educational program and complete assigned work.
- Content aligned to grade level standards equivalent to in-person instruction.
- Academic and other supports designed to address the needs of pupils who are not performing at grade level, such as English learners, pupils with exceptional needs, pupils in foster care or experiencing homelessness, and pupils requiring mental health supports.
- Special education, related services, and any other services required by a pupil’s individualized education program with accommodations necessary
- Designated and integrated instruction in English language development for English learners
- Daily live interaction with certificated employees and peers for purposes of instruction, progress monitoring, and maintaining school connectedness.

Distance Learning

School Nutrition

- Requirement to provide nutritionally adequate meals for pupils who are eligible for free and reduced-price meals, whether engaged in in-person instruction or distance learning
- Contingent upon the state receiving an approved waiver from the United States Department of Agriculture, for each day of the scheduled school year.

Distance Learning Attendance Records (EC 43504)

- Each local educational agency shall document daily participation for each pupil on each schoolday, in whole or in part, for which distance learning is provided. A pupil who does not participate in distance learning on a schoolday shall be documented as absent for that schoolday
 - Daily participation may include, but is not limited to, evidence of participation in online activities, completion of regular assignments, completion of assessments, and contacts between employees of the LEA and pupils or parents or guardians.

Distance Learning Attendance & Reengagement Strategies

- LEAs shall ensure weekly engagement records are completed for each pupil documenting synchronous or asynchronous instruction for each whole or partial day of distance learning, verifying daily participation, and tracking assignments.
- **For all pupils who are absent from distance learning for more than three schooldays** or 60 percent of the instructional days in a school week, each local educational agency **shall develop written procedures for tiered reengagement strategies**, including, at minimum, verification of current contact information, daily notification to parents/guardians of absences, a plan for outreach from the school to determine pupil needs including connection with health and social services as necessary and, when feasible, transitioning the pupil to full-time in-person instruction.
- Each school shall regularly communicate with parents and guardians regarding a pupil's academic progress

Audit of Instructional Days, Attendance Records and Reengagement

Audit Requirements

- The Controller shall include instructions necessary to enforce the requirements of this part in the 2020–21 audit guide
 - For a school district or charter school that offers fewer than the instructional days required, there is a loss of LCFF funding proportionate to number of days less than requirement
 - For LEA that does not comply with reporting requirements, the Superintendent shall withhold from the LEA's LCFF apportionment the proportionate percentage
 - Document daily participation
 - Ensure that a weekly engagement record is completed
 - Documentation of the absence for purposes of reporting its chronic absenteeism rates
 - A local educational agency that provides distance learning shall not be penalized for instruction provided before September 1, 2020, that fails to meet the requirements of this section.

Instructional Days and Minutes

(EC 43501, 43502 & 43504)

- **180 Instructional Days Requirement/175 for Charters**
- **Required minutes for minimum schoolday for all LEAs:**
 - 180 instructional minutes in kindergarten
 - 230 instructional minutes in grades 1 to 3, inclusive
 - 240 instructional minutes in grades 4 to 12, inclusive
 - 180 instructional minutes for pupils in grades 11 and 12 that are also enrolled part time in classes of the CSU or UC
 - 180 instructional minutes for any pupil who is also a special part-time student enrolled in a community college.
 - 180 instructional minutes for pupils enrolled in a continuation high school..
- For the 2020–21 school year, minimum requirements for annual instructional minutes are waived

Instructional Minutes

(EC 43502)

- LEAs shall meet instructional day and minute requirements in the 2020–21 school year through in-person instruction or a combination of in-person instruction and distance learning, *pursuant to this part*
- For distance learning, instructional time shall be based on the time value of assignments as determined, and certified to, by a certificated employee.
- For a combined day of instruction delivered through both in-person instruction and distance learning, time scheduled under the immediate supervision of a certificated employee of the LEA can be combined with assignments made under the general supervision of a certificated employee of the LEA to meet the equivalent of a minimum day of instruction

2020-21 LCAP
replaced by
Learning
Continuity and
Attendance
Plan
(EC 43509)

- Requirement to adopt a local control and accountability plan and annual update for the 2020–21 school year is waived.
 - Paragraph 2 of Exec Order No. N-56-20 regarding December adoption is no longer applicable, however still need to adopt the LCFF Budget Overview for Parents (EC 52064.1) by Dec. 15th with First Interim Report (EC 1240)
- **New requirement to adopt a learning continuity and attendance plan by September 30, 2020**
 - Requirements may not be waived by the SBE
 - AB1835 not part of final budget deal

Learning Continuity and Attendance Plan Template

LCAP
(COVID-19 Style)

- State Superintendent, in consultation with the Executive Director of the State Board of Education, to develop a template for the learning continuity and attendance plan on or before August 1, 2020
- Template shall include, but not be limited to, all of the following...

Required Elements of Learning Continuity and Attendance Plan

LCAP
(COVID-19 Style)



Description of how LEA will provide continuity of learning and address the impact of COVID-19 on pupils, staff and the community **in the following areas**, and the specific actions and expenditures the LEA anticipates taking to support its ability to address the impacts of COVID-19:

- In-person instructional offerings, and specifically, the actions the LEA will take to offer classroom-based instruction whenever possible, particularly for pupils who have experienced significant learning loss due to school closures in the 2019–20 school year or are at greater risk of experiencing learning loss due to future school closures.

Required Elements of Learning Continuity and Attendance Plan

LCAP (COVID-19 Style)



Plans for a distance learning program, including all of the following:

- How the LEA will provide continuity of instruction during the school year to ensure pupils have access to a full curriculum of substantially similar quality regardless of the method of delivery. This shall include a plan for curriculum and instructional resources that will ensure instructional continuity for pupils if a transition between in-person instruction and distance learning is necessary.
- A plan for ensuring access to devices and connectivity for all pupils to support distance learning whenever it occurs.
- How the LEA will measure participation and assess pupil progress through live contacts and synchronous instructional minutes, as well as how the time value of pupil work will be measured.
- What professional development and resources will be provided to staff to support the provision of distance learning, including technological support.
- To the extent that staff roles and responsibilities change because of COVID-19, what the new roles and responsibilities of affected staff will be.
- What additional supports for pupils with unique needs will be provided, including for English learners, pupils with exceptional needs served across the full continuum of placements, pupils in foster care, and pupils who are experiencing homelessness during the period in which distance learning is provided.

Required Elements of Learning Continuity and Attendance Plan

LCAP
(COVID-19 Style)



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How the LEA will address pupil learning loss that results from COVID-19 during the 2019–20 and 2020–21 school years, including all of the following:

- How the LEA will assess pupils to measure pupil learning status, particularly in the areas of English language arts, English language development, and mathematics.
- What actions and strategies the LEA will use to address learning loss and accelerate learning progress for pupils, as needed, and how these strategies differ for pupils who are classified as English learners, are eligible for a free or reduced-price meal, or are foster youth, individuals with exceptional needs, pupils in foster care, and pupils who are experiencing homelessness.
- How the effectiveness of the services or supports provided to address learning loss will be measured.

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Required Elements of Learning Continuity and Attendance Plan

LCAP
(COVID-19 Style)

How the LEA will monitor and support the mental health and social and emotional well-being of pupils and staff during the school year.

What professional development will be provided to staff, and what resources will be provided to pupils and staff to address trauma and other impacts of COVID-19 on the school community.

Required Elements of Learning Continuity and Attendance Plan

LCAP
(COVID-19 Style)

Pupil engagement and outreach, including the procedures of the LEA for tiered reengagement strategies for pupils who are absent from distance learning, and how the LEA will provide outreach to pupils and their parents or guardians, including in languages other than English, when pupils are not meeting compulsory education requirements, or the LEA determines the pupil is not engaging in instruction and is at risk of learning loss.

School nutrition, including how the LEA will provide meals for pupils who are eligible for free or reduced-price meals, for pupils participating in both in-person instruction and distance learning, as applicable and contingent upon the CDE receiving an approved waiver from the USDA, for each day of the scheduled school year.

Required Elements of Learning Continuity and Attendance Plan

LCAP
(COVID-19 Style)

For each of the areas described on the previous five slides:

The Plan shall describe how federal and state funding included in the original or revised budget adopted by the governing board/body of the LEA is used to support the efforts described in the Plan, including federal and state funds provided for learning loss mitigation (the \$5.53 Billion).

If the actions and expenditures described in the Plan are not included in the budget, the Plan shall reference how these expenditures will be included in the first interim report of the LEA.

Required Elements of Learning Continuity and Attendance Plan

LCAP
(COVID-19 Style)

Finally, the Plan shall include a description of how the LEA is increasing or improving services in proportion to funds generated on the basis of the number and concentration of unduplicated pupils under the LCFF in the 2020–21 fiscal year pursuant to the State Board of Ed regulations.

The description shall include the portion of any federal funds provided to backfill reductions to the LCFF on a dollar-for-dollar basis generated on the basis of the number and concentration of unduplicated pupils.

Learning Continuity and Attendance Plan – Engagement

LCAP
(COVID-19 Style)

The governing board/body of an LEA shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, county office of education, or charter school, parents, and pupils in developing a learning continuity and attendance plan.

Learning Continuity and Attendance Plan – Engagement

LCAP
(COVID-19 Style)

Required engagement shall include:

- Solicitation of recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the Plan
- Public notification of the opportunity to submit written comments regarding the specific actions and expenditures proposed to be included in the Plan, using the most efficient method of notification possible. As with LCAP notices, do not need to be printed or sent via mail, but have to be translated when required by EC 48985
- Presentation of the Plan to the parent advisory committee and the English learner parent advisory committee separately for review and comment. Superintendents shall respond, in writing, to comments received from these committees.
- Presentation of the Plan at a public hearing of the governing board/body for review and comment by members of the public. (72 hrs. notice, including where the Plan will be available for public inspection)

Learning Continuity and Attendance Plan – Adoption

LCAP
(COVID-19 Style)



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- The governing board/body shall adopt the Plan in a public meeting to be held after, but not on the same day as, the public hearing
- The governing board/body shall provide options for remote participation in the public hearings and include efforts to solicit feedback pursuant to engagement requirements to reach pupils, families, educators, and other stakeholders who do not have internet access, or who speak languages other than English.
- Not later than five days after adoption of a Plan, the governing board shall file it with the county superintendent of schools. The county superintendent of schools may submit recommendations, in writing, for amendments to the Plan by October 30, 2020. The governing board of a school district shall consider the recommendations in a public meeting within 15 days of receiving them.
- Adopted Plan must be posted on LEA's internet home page

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LEA Flexibility

- Increases LEA inter-fund borrowing allowances
 - Allow sale of surplus LEA property for one-time spending purposes.
 - Excludes on-behalf pension payments from the Routine Restricted Maintenance
- Account requirements
 - Extends audit timelines
- Freezes LCAP Dashboard along with Differentiated Assistance eligibility

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SACS Software Update

- \$4.2 million for the 2020–21 fiscal year for allocation to Fiscal Crisis and Management Assistance Team for the Standardized Account Code Structure system replacement project.

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Thank You

- Information continues to unfold
- We'll continue to provide updates as more information becomes known

Questions?

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