

**COUNTYWIDE CHIEF BUSINESS OFFICERS MEETING**

**NOVEMBER 14, 2019**

**9:30 a.m. to 12:00 p.m.**

**OAK GROVE ROOM**

**AGENDA**

Welcome and Introductions

SCCOE Updates

Emergency Preparedness/PSPS Discussion - Michael Vallez/Shanny Yam/Ann Redd, Santa Clara COE

Legislative and Budget Updates - Leilani Aguinaldo, School Services of CA

CBO Roundtable

**MEETING SCHEDULE FY 2019-2020**

DATE	TIME	ROOM
August 22, 2019	9:30 a.m. - 12:00 p.m.	Gilroy Room
October 3, 2019	9:30 a.m. - 12:00 p.m.	Gilroy Room
November 14, 2019	9:30 a.m. - 12:00 p.m.	Oak Grove Room
January 23, 2020	9:30 a.m. - 12:00 p.m.	Gilroy Room
February 27, 2020	9:30 a.m. - 12:00 p.m.	Oak Grove Room
March 19, 2020	9:30 a.m. - 12:00 p.m.	Gilroy Room
April 23, 2020	9:30 a.m. - 12:00 p.m.	Milpitas Room
May 21, 2020	9:30 a.m. - 12:00 p.m.	Milpitas Room

## SCCOE | SCC School Districts Emergency Contact Information

District	First Name	Last Name	Position	EP Function	Business Phone	After-Hours Phone	E-mail
<b>Alum Rock Union School District</b>	Hilaria	Bauer	Superintendent				<a href="mailto:hilaria.bauer@arUSD.org">hilaria.bauer@arUSD.org</a>
	Daniel	Flores	Maintenance, Operations, Transportation	Emergency Mgr			<a href="mailto:daniel.flores@arUSD.org">daniel.flores@arUSD.org</a>
	Maribel	Carrillo	Executive Assistant to Supt.- Communication Support (PIO)				<a href="mailto:angel.rodriquez@arUSD.org">angel.rodriquez@arUSD.org</a>
<b>Berryessa Union School District</b>	Dr. Roxanne	Fuentes	Superintendent				<a href="mailto:rfuentes@busd.net">rfuentes@busd.net</a>
	Miguel	Cruz	Director, School Facilities	Emergency Mgr			<a href="mailto:mcruz@busd.net">mcruz@busd.net</a>
	Kim	Gomez	Asst. to Superintendent (PIO)				<a href="mailto:kgomez@busd.net">kgomez@busd.net</a>
	District 24-hr Emergency Line						
<b>Cambrian School District</b>	Dr. Carrie	Andrews	Superintendent				<a href="mailto:andrewsc@cambriansd.com">andrewsc@cambriansd.com</a>
	Carlena	Gandey	Admin Asst to Superintendent				<a href="mailto:grandeyc@cambriansd.com">grandeyc@cambriansd.com</a>
	Kristi	Schwiebert	Asst. Superintendent - Personnel Services	Emergency Mgr			<a href="mailto:schwiebertk@cambriansd.com">schwiebertk@cambriansd.com</a>
	Steve	Fisher	Student Services Program Specialist				<a href="mailto:fishers@cambriansd.com">fishers@cambriansd.com</a>
	Dawn	Foreman	Coordinator of Marketing, Communication, and Community Engagement (PIO)				<a href="mailto:foremand@cambriansd.com">foremand@cambriansd.com</a>
<b>Campbell Union High School District</b>	Robert	Bravo	Superintendent				<a href="mailto:rbravo@cuhSD.org">rbravo@cuhSD.org</a>
	Meredith	Hudson	Chief of Strategy & Human Capital				<a href="mailto:mhudson@cuhSD.org">mhudson@cuhSD.org</a>
	Sarah	Kennedy	Coordinator of Community Engagement (PIO)				<a href="mailto:skennedy@cuhSD.org">skennedy@cuhSD.org</a>

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	Nancy	Torres Pfeiffer	Asst Supt/CBO				<a href="mailto:npfeiffer@cuhsd.org">npfeiffer@cuhsd.org</a>
<b>Campbell Union (Elementary) School District</b>	Dr. Shelly	Viramontez	Superintendent				<a href="mailto:sviramontez@campbellusd.org">sviramontez@campbellusd.org</a>
	Marla	Sanchez	Marketing & Communications Specialist (PIO)				<a href="mailto:msanchez@campbellusd.org">msanchez@campbellusd.org</a>
	Peg	Tushak	Assistant to the Superintendent (PIO)				<a href="mailto:ptushak@campbellusd.org">ptushak@campbellusd.org</a>
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	Jeff	Bowman	(COO)	Emergency Mgr			<a href="mailto:bowman_jeff@cusdk8.org">bowman_jeff@cusdk8.org</a>
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<b>East Side Union High School District</b>	Chris	Funk	Superintendent				<a href="mailto:funkc@esuhsd.org">funkc@esuhsd.org</a>
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	Roger	Silveira	Director of Facilities	Emergency Mgr.			<a href="mailto:silveirar@esuhsd.org">silveirar@esuhsd.org</a>
<b>Evergreen School District</b>	Emy	Flores	Superintendent				<a href="mailto:eflores@eesd.org">eflores@eesd.org</a>
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<b>Franklin-McKinley School District</b>	Juan	Cruz	Superintendent				<a href="mailto:juan.cruz@fmsd.org">juan.cruz@fmsd.org</a>
	Jason	Vann	Asst Supt Business Services				<a href="mailto:jason.vann@fmsd.org">jason.vann@fmsd.org</a>
	Vanessa	Burbach	Energy Management, Property & Liability	Emergency Mgr			<a href="mailto:vanessa.burbach@fmsd.org">vanessa.burbach@fmsd.org</a>
	Veronica	Lanto	Director - Maintenance and Facilities				<a href="mailto:veronica.lanto@fmsd.org">veronica.lanto@fmsd.org</a>
	Yelitza	Pena	Director, Community Relations (PIO)				<a href="mailto:yelitza.pena@fmsd.org">yelitza.pena@fmsd.org</a>

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<b>Fremont Union High School District</b>	Polly	Bove	Superintendent				<a href="mailto:polly_bove@fuhsd.org">polly_bove@fuhsd.org</a>
	Graham	Clark	Deputy Superintendent				<a href="mailto:graham_clark@fuhsd.org">graham_clark@fuhsd.org</a>
	Erik	Walukiewicz	Director, Facilities	Emergency Mgr			<a href="mailto:erik_walukiewicz@fuhsd.org">erik_walukiewicz@fuhsd.org</a>
	Rachel	Zlotziver	Coordinator of Communications (PIO)				<a href="mailto:rachel_zlotziver@fuhsd.org">rachel_zlotziver@fuhsd.org</a>
<b>Gilroy Unified School District</b>	Dr. Deborah	Flores	Superintendent				<a href="mailto:debbie.flores@gilroyunified.org">debbie.flores@gilroyunified.org</a>
	Alvaro	Meza	Assistant Superintendent, CBO	Interm Emergency Mgr			<a href="mailto:alvaro.meza@gilroyunified.org">alvaro.meza@gilroyunified.org</a>
			Director of Safety & Security	Emergency Mgr			<a href="#">still vacant position as of 11/6</a>
	Melanie	Corona	Public Information Officer (PIO)				<a href="mailto:melanie.corona@gilroyunified.org">melanie.corona@gilroyunified.org</a>
<b>Lakeside Joint School District</b>	Sean	Joyce	Superintendent	Emergency Mgr			<a href="mailto:sjoyce@lakesidelosgatos.org">sjoyce@lakesidelosgatos.org</a>
	Nancy	Heymann	Administrative Assistant (PIO)				<a href="mailto:nheymann@lakesidelosgatos.org">nheymann@lakesidelosgatos.org</a>
<b>Loma Prieta Joint Union School District</b>	Lisa	Fraser	Superintendent				<a href="mailto:l.fraser@loma.k12.ca.us">l.fraser@loma.k12.ca.us</a>
	Paul	Harville	Director of Facilities & Maintenance	Emergency Mgr			<a href="mailto:p.harville@loma.k12.ca.us">p.harville@loma.k12.ca.us</a>
	Eileen	Nevans-Franks	Administrative Assistant (PIO)				<a href="mailto:e.bevans@loma.k12.ca.us">e.bevans@loma.k12.ca.us</a>
<b>Los Altos School District</b>	Jeffrey	Baier	Superintendent				<a href="mailto:jbaier@lasdschools.org">jbaier@lasdschools.org</a>
	Marcy	Birnie	Executive Assistant (PIO)				<a href="mailto:mbirnie@lasdschools.org">mbirnie@lasdschools.org</a>
	Erin	Green		Emergency Mgr			<a href="mailto:egreen@lasdschools.org">egreen@lasdschools.org</a>
<b>Los Gatos Union School District</b>	Paul	Johnson	Superintendent				<a href="mailto:pjohnson@lgusd.org">pjohnson@lgusd.org</a>
	Michelle	Strachan	Executive Assistant to Supt				<a href="mailto:mstrachan@lgusd.org">mstrachan@lgusd.org</a>

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	Neal	Lansing	Director, Facilities and Operations	Emergency Mgr			<a href="mailto:nlansing@lgusd.org">nlansing@lgusd.org</a>
	Marla	Rodriguez	Asst. Supt, Serving as PIO				<a href="mailto:mrodriguez@lgusd.org">mrodriguez@lgusd.org</a>
	District After Hours Number						
<b>Los Gatos-Saratoga Joint Union High School District</b>	Dr. Michael	Grove	Superintendent				<a href="mailto:mgrove@lgsuhd.org">mgrove@lgsuhd.org</a>
	Jane	Marashian	Exec. Assistant/Communications Coordinator (PIO)				<a href="mailto:jmarashian@lgsuhd.org">jmarashian@lgsuhd.org</a>
	Tony	Palma	Facilities & Security Liaison	Emergency Mgr.			<a href="mailto:tpalma@lgsuhd.org">tpalma@lgsuhd.org</a>
	Julie	Grenier					<a href="mailto:jgrenier@lauhsd.org">jgrenier@lauhsd.org</a>
<b>Luther Burbank School District</b>	Edith	Mourtos	Interim Superintendent				<a href="mailto:emourtos@lbsdk8.org">emourtos@lbsdk8.org</a>
	Rudy	Avalos	PIO				<a href="mailto:ravalos@lbsdk8.org">ravalos@lbsdk8.org</a>
	Nick	Laskosky		Emergency Mgr.			<a href="mailto:nlaskosky@lbsdk8.org">nlaskosky@lbsdk8.org</a>
<b>Metropolitan Education District</b>	Alyssa	Lynch	Superintendent/PIO				<a href="mailto:alynch@metroed.net">alynch@metroed.net</a>
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<b>Milpitas Unified School District</b>	Cheryl	Jordan	Superintendent				<a href="mailto:cjordan@musd.org">cjordan@musd.org</a>
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	Brian	Shreve	Director, Maintenance, Operations, Transportation	Emergency Mgr.			<a href="mailto:bshreve@musd.org">bshreve@musd.org</a>
<b>Moreland School District</b>	Dr. Mary Kay	Going	Superintendent				<a href="mailto:mkgoing@moreland.org">mkgoing@moreland.org</a>

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<b>Mountain View-Los Altos Union High</b>	Nellie	Meyer	Superintendent				<a href="mailto:nellie.meyer@mvla.net">nellie.meyer@mvla.net</a>
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	Cynthia	Greaves	Communications Mgr. (PIO)				<a href="mailto:cynthia.greaves@mvla.net">cynthia.greaves@mvla.net</a>
<b>Mountain View-Whisman School District</b>	Dr. Ayinde'	Rudoph	Superintendent				<a href="mailto:supt@mvwsd.org">supt@mvwsd.org</a>
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	Rebecca	Westover	CBO				<a href="mailto:rwestover@mvwsd.org">rwestover@mvwsd.org</a>
	Carmen	Ghysels	Human Relations Chief				<a href="mailto:cghysels@mvwsd.org">cghysels@mvwsd.org</a>
	Brian	Perron	MOT Director				<a href="mailto:bperron@mvwsd.org">bperron@mvwsd.org</a>
<b>Oak Grove School District</b>	Jose	Manzo	Superintendent				<a href="mailto:jmanzo@ogsd.net">jmanzo@ogsd.net</a>
	Oscar	Ortiz	Safety Committee Chair	Emergency Mgr.			<a href="mailto:oortiz@ogsd.net">oortiz@ogsd.net</a>

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	Cecilia	Poon	(PIO)				<a href="mailto:cpoon@orchardsd.org">cpoon@orchardsd.org</a>
	Michelle	Quilantang	Principal	Emergency Mgr			<a href="mailto:mquilantang@orchardsd.org">mquilantang@orchardsd.org</a>
	Megan	Jalali	Asst Principal				<a href="mailto:Mjalali@orchardsd.org">Mjalali@orchardsd.org</a>
<b>Palo Alto Unified School District</b>	Don	Ausin	Superintendent				<a href="mailto:daustin@pausd.org">daustin@pausd.org</a>
	Vicky	Lao	Executive Asst. to Superintendent (PIO)				<a href="mailto:vlao@pausd.org">vlao@pausd.org</a>
	Karen	Hendricks	Deputy Superintendent				<a href="mailto:khendricks@pausd.org">khendricks@pausd.org</a>
	Mike	Jacobs	Safety, Security and Disaster Preparedness Mgr	Emergency Mgr			<a href="mailto:mijacobs@pausd.org">mijacobs@pausd.org</a>
			Emergency Prep				<a href="mailto:eprep@paloaltopta.org">eprep@paloaltopta.org</a>
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	Stephen	McMahon	Deputy Superintendent				<a href="mailto:smcmahon@sjusd.org">smcmahon@sjusd.org</a>
	Steve	Adamo	Director of Facilities				<a href="mailto:sadamo@sjusd.org">sadamo@sjusd.org</a>
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	Jennifer	Thomas	Mrg, Risk Mgmt and Benefits				<a href="mailto:jthomas@sjusd.org">jthomas@sjusd.org</a>
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<b>Santa Clara Unified School District</b>	Dr, Stella	Kemp	Superintendent				<a href="mailto:skemp@scusd.net">skemp@scusd.net</a>
	Susan	Harris	Principal on Special Assignemnt	Emergency Mgr			<a href="mailto:sharris@scusd.net">sharris@scusd.net</a>
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	Amy	Schaumberg	Ex. Admin to the Superintendent				<a href="mailto:aschaumberg@saratogausd.org">aschaumberg@saratogausd.org</a>
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<b>Sunnyvale School District</b>	Dr. Benjamin	Picard	Superintendent of Schools				<a href="mailto:benjamin.picard@sesd.org">benjamin.picard@sesd.org</a>
	Rob	Smiley	Chief Operations Officer	School Safety & Emergency Preparedness			<a href="mailto:rob.smiley@sesd.org">rob.smiley@sesd.org</a>
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# Santa Clara County Office of Education

COUNTYWIDE CHIEF BUSINESS OFFICERS MEETING

NOVEMBER 14, 2019

Prepared By:

**Leilani Aguinaldo**  
Director, Governmental Relations

**Robert Miyashiro**  
Vice President



# FISCAL REPORT

PUBLICATION DATE: NOVEMBER 1, 2019

## Late School Start Time Bill (SB 328) FAQs

 **BY KYLE HYLAND**

 **BY MICHELLE MCKAY UNDERWOOD**

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posted November 1, 2019

Governor Gavin Newsom officially signed Senate Bill (SB) 328 (Chapter 868/2019) into law on Sunday, October 13, 2019. SB 328 requires the school day for middle schools and high schools, including those operated as 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. The bill exempts rural school districts from the start time restrictions.

Since Governor Newsom signed this bill into law, we have received several questions from the field about the provisions of the law and how this bill will affect school agencies moving forward. We answer many of those questions below:

**Q1.** Can school agencies apply for a waiver from the bill's provisions to the State Board of Education (SBE)?

**A1.** No. While the SBE has some power to grant waivers to school agencies for a number of Education Code sections, this new law is not one of them. The California Department of Education explicitly states on their website that since this statute is not waivable by the SBE, the CDE will return any requests to waive Education Code § 46148 back to the school agency (you can find more information [here](#)).

**Q2.** How does SB 328 define "school day"?

**A2.** The measure specifies that "school day" has the same meaning as defined by the school district or charter school for purposes of calculating average daily attendance (ADA) in order to compute any apportionments of state funding.

**Q3.** The bill exempts rural school districts from the start time restrictions; how are rural school districts defined in the measure?

**A3.** While SB 328 exempts rural school districts from its provisions, the bill does not define what districts would qualify as rural. The author's office has indicated that this definition will likely get worked out via legislative clean-up language during the 2020 legislative year.

**A4.** What about zero period?

**Q4.** The bill does not prohibit a school or charter school from offering classes before the start of the school day to a limited number of pupils who do not generate ADA.

# FISCAL REPORT

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PUBLICATION DATE: OCTOBER 18, 2019

## Governor Newsom Signs AB 1353 Into Law— Shortening the Classified Employee Probationary Period

 **BY DANYEL CONOLLEY** **BY MICHELLE MCKAY UNDERWOOD**

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posted October 15, 2019

On Monday, October 7, 2019, Governor Gavin Newsom signed Assembly Bill (AB) 1353 (Chapter 542/2019), which amends [Education Code Section 45113](#) by shortening the probationary period for classified employees in non-merit districts. Current law provides the maximum length of a probation period shall not exceed 1 year. AB 1353 shortens this probationary timeline to either 6 months or 130 days of paid service, whichever is longer, and makes this timeline consistent with merit-based districts. This law change applies to non-merit K–12 school districts and is effective January 1, 2020.

This change was sought by the California Federation of Teachers, which argued that the different probation timelines between non-merit- and merit-based districts had resulted in confusion and inequity among classified school employees. Opponents argued that the two systems are significantly dissimilar enough to justify different probationary periods and the shortened time period offers insufficient time to evaluate the performance of an employee before the probationary period ends.

It is common for collective bargaining agreements to include probationary periods for classified employees. This change will significantly impact those collective bargaining agreements which provide a probationary period longer than six months and up to one year. AB 1353 allows for collective bargaining agreements entered into before January 1, 2020, to remain “status quo” until the expiration or renewal of the current contract.

It is critical that employment contracts are in compliance with the law, as a contract may only supersede a legal requirement if the terms of the agreement offer equal or greater benefits to the employee. We recommend that K–12 school agencies conduct an analysis of the classified employee collective bargaining agreement to determine how this change may impact the contract language. Remember, provisions of the contract do not always exist in isolation; in some cases, a change in one article may impact others. In this case, changes in the probationary period can impact promotion, transfer, evaluation, and leave language in addition to other employment areas.

More information regarding AB 1353 can be found [here](#).

# FISCAL REPORT

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PUBLICATION DATE: NOVEMBER 1, 2019

## Ask SSC . . . What Constitutes a "Major Transit Stop"?



BY MICHELLE MCKAY UNDERWOOD

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posted October 22, 2019

**Q.** I understand that some developer fees under Assembly Bill (AB) 48 ([Chapter 530/2019](#)) will be reduced or eliminated for multifamily housing developments based on their proximity to a “major transit stop.” How is that defined?

**A.** AB 48, which places a \$15 billion K–16 education facilities bond on the March 2020 ballot, temporarily reduces or eliminates developer fees for multifamily housing developments. The intent of Governor Gavin Newsom’s Administration in seeking this change was to incentivize developers to create affordable housing by reducing or eliminating this cost.

Developer fees for multifamily housing developments are reduced by 20%, except for those that are located no further than one-half mile from a major transit stop, for which fees are eliminated entirely. AB 48 uses an existing definition for “major transit stop” as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods.

This provision becomes effective if the facilities bond is approved by voters on March 3, 2020, and will sunset on January 1, 2026.

# FISCAL REPORT

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PUBLICATION DATE: OCTOBER 18, 2019

## By the Way . . . CDE Publishes FAQs About Availability of J-13A Waiver for LEAs Affected by PG&E's Public Safety Power Shutoff

**BY MATT PHILLIPS, CPA**

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posted October 18, 2019

Pacific Gas and Electric (PG&E) has embarked upon a campaign to shut off power, known as the Public Safety Power Shutoff (PSPS), when weather conditions are most advantageous for fire risk. The PSPS is PG&E's response to the fires that have ravaged the state over the past couple of years.

As of October 8, 2019, PG&E's most recent implementation of the PSPS is planning to affect thirty counties, and several hundred thousand customers, with an effective shutoff time beginning October 9, 2019, at 4:00 a.m. The estimated downtime is yet to be determined.

Local educational agencies (LEAs) may also be affected by the power shutoffs and the California Department of Education (CDE) has provided a frequently asked questions (FAQs) webpage about the availability of the J-13A waiver as a result of these power shutoffs. The FAQs can be accessed by clicking [here](#).

While the guidance does not provide an explicit approval, and many LEAs do not have a history of school closures and emergency days built into their calendar, we commend the CDE for providing the FAQs. The webpage provides contact information for the department should additional questions regarding the J-13A waiver arise as a result of the PSPS.

# FISCAL REPORT

PUBLICATION DATE: NOVEMBER 15, 2019

## State Auditor's Office Releases Results of LCFF Audit

 [BY LEILANI AGUINALDO](#)

 [BY MATT PHILLIPS, CPA](#)

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posted November 6, 2019

The California State Auditor (Auditor) conducted the first ever audit of the tracking and use of funds received by local educational agencies (LEAs) through the Local Control Funding Formula (LCFF). The audit was authorized by the Joint Legislative Audit Committee, and the Auditor was tasked with analyzing the LCFF and Local Control and Accountability Plans (LCAPs) for three school districts—Clovis Unified School District (USD), Oakland USD, and San Diego USD. Specifically, the scope of the Auditor's review included the following objectives:

### Regarding the LCFF:

- Identify and evaluate each school district's methodology for distributing and spending LCFF funding on its students or at its schools
- For at least three years, examine each school district's total LCFF funding and expenditures and assess how they have changed
- Determine for each school district and a selection of schools the appropriateness of expenditures for English learners, youth in foster care, and those from households with low incomes

### Regarding the LCAP:

- Identify and assess the goals that are aimed at raising student achievement within each school district's LCAP
- Review and assess each school district's LCAP and determine if the LCAP complies with applicable legal requirements
- Provide recommendations for improving LCAPs

The Auditor's findings highlight an area that has been a point of deliberation during the short lifespan of the LCFF and the LCAP: What are allowable uses of supplemental and concentration grant funds, and how should they be tracked in financial systems? The Auditor's findings highlight the significant flexibility allowed over the use of supplemental and concentration grant funds. The flexibility masked whether targeted funding benefitted intended student groups, and thus led to "likely deferred improvements in performance outcomes for intended student groups." The Auditor's finding also noted that the significant length of LCAPs and the construct of the LCAP template has decreased, rather than increased, transparency.

The Auditor provides a number of recommendations to the Legislature, including that state law be amended to require that unspent supplemental and concentration grant funds retain their designation at year end and that LEAs use the unspent funds for intended student groups in subsequent years. The Auditor also provided recommendations to the State Board of Education (SBE) aimed at making LCAPs more transparent and effective.

The SBE anticipates that three out of four of the Auditor’s LCAP recommendations will be addressed by the updated LCAP template and instructions that will be considered by the SBE at its January 2020 meeting. In addition, the SBE responded to the Auditor’s findings by emphasizing that, “One of LCFF’s key innovations was to shift the focus of state accountability from “inputs” to “output.” Through the use of illustrative examples, the SBE cautioned that tracking supplemental and concentration grant funds in the manner recommended by the Auditor, “could pose serious challenges and substantially impact the LEA’s budgeting process.” The SBE also pointed to research that demonstrates that, “LCFF is, in fact, leading to improved outcomes for the students who generate the additional funds.”

The entire audit, along with the response from the SBE and comments by the Auditor, can be found [here](#).

# FISCAL REPORT

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PUBLICATION DATE: NOVEMBER 1, 2019

## State Revenues on Target for September

 **BY ROBERT MIYASHIRO** **BY PATTI HERRERA**

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posted October 29, 2019

State General Fund revenues for September essentially hit the mark, posting a gain above the forecast of \$98 million, or 0.8%. According to the Department of Finance's *Finance Bulletin*, this brings year-to-date revenues above the forecast level by \$287 million, or 1.0%.

Within this total, however, the story is a little less clear. The corporation tax outperformed the forecast, coming in \$501 million higher than expected (a 45.1% gain), and the sales and use tax beat the forecast by \$52 million (a 2.5% gain). On the other hand, the personal income tax (PIT), the largest of the big three taxes, came in \$401 million short, or 4.6% less than projected.

The shortfall in the PIT was largely related to weakness in estimated payments of tax filers whose income is often related to capital gains. Due to the progressive nature of California's PIT, large swings in this revenue source are not uncommon. The *Finance Bulletin* shows that other receipts, which include estimated payments, were short \$431 million, while withholding receipts from those with payroll jobs were \$53 million above the forecast. All other revenue sources were short a net \$54 million.

On the economic front, the Department of Finance report indicates that state personal income increased by 5.2% from the second quarter of 2018 to the second quarter of 2019, beating the U.S. total gain in personal income of 4.9% for the same period.

California's labor market continues to perform strongly. The state's unemployment rate dropped to 4.0% in September, the lowest rate on record, and the labor force participation rate held steady at 62%. The U.S. unemployment rate hit a 50-year low in September, reaching 3.5%. Similarly, the state added 21,300 jobs in September, accounting for about 16% of the national increase for the month (note: the state accounts for about 12% of the U.S. population).

Housing permits of 116,800 in August 2019 are 4.3% higher than last year's August level of 112,000. For the period January through August, housing permits averaged 108,000 units per month this year, down 14% from the 125,000 average for the same period in 2018.

Finally, home sales in August are up slightly from last year, with 406,100 single family units sold, up 1.6% compared to August 2018. The median home price reached \$617,410 in August, up 3.6% on a year-over-year basis.



# FISCAL REPORT

PUBLICATION DATE: OCTOBER 18, 2019

## New School Funding Initiative Submitted for Title and Summary



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posted October 16, 2019

A new initiative, titled the [Full and Fair Funding: the Public School Progress, Prosperity and Accountability Act of 2020](#), was submitted for title and summary by the Attorney General on Monday, October 14, 2019. This is the first step before the proposal can be decided by voters at the November 2020 general election.

Proposed by the California School Boards Association (CSBA), the Association of California School Administrators, and the Community College League, the initiative would place a new tax on corporations and millionaires with the new revenues earmarked for K–14 education, estimated to be roughly \$15 billion annually.

In announcing their proposal, CSBA Chief Executive Officer and Executive Director Vernon Billy stated, “This education-only initiative will reverse the disinvestment from public education we’ve seen since the 1970s.”

Beginning in 2021, the proposal would add a two-percent tax on taxable income of more than \$1 million and a 3% tax on taxable incomes greater than \$2 million. Corporate taxes would also be increased by up to 5% for corporate income greater than \$1 million.

Revenues generated from this proposal would be deposited into the Investment in California’s Public Schools and Community Colleges fund with 89% percent of the revenues earmarked for K–12 local education agencies (LEAs) and 11% for community colleges.

Funds would be allocated to LEAs in proportion to each LEA’s share of the Local Control Funding Formula targets after accounting for local revenues, with no LEA receiving less than \$500 per unit of average daily attendance (ADA). Funding, which would be subject to annual audit procedures, would be used for:

- Workforce preparation
- School safety
- Recruitment and retention of teachers and school leaders
- Reducing achievement gaps
- Pre-kindergarten early learning services
- Computer science education

No more than 5% could be used for administration.

In addition, \$500 million of these funds generated from the initiative would be allocated on a per-ADA basis in grades 7 through 12 to LEAs for the purpose of implementing state computer science standards and purchasing computers and technology for the classroom.

In order to qualify for the November ballot, proponents will need to collect a minimum of nearly one million signatures from registered voters.

# FISCAL REPORT

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## Overview of Special Education in California



BY MICHELLE MCKAY UNDERWOOD

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posted November 8, 2019

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.

# FISCAL REPORT

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PUBLICATION DATE: NOVEMBER 1, 2019

## Funds Based on Preschoolers with Disabilities Due out Late November



BY MICHELLE MCKAY UNDERWOOD

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posted October 23, 2019

Assembly Bill 114, the 2019–20 State Budget education clean-up trailer bill, was signed by Governor Gavin Newsom on October 2, 2019, kicking off the process for providing funds to districts based on their December 2018 count of resident preschoolers with disabilities. While the California Department of Education (CDE) had hoped to apportion these funds by late October or early November, the late signing of the bill has delayed the release of funds.

The CDE now anticipates that the first half of the funds will be released by the end of November, sent through the State Controller, then county offices of education, and ultimately to the district of residence. The other 50% is scheduled to be released in April 2020 in a second apportionment.

The latest per-pupil estimate from the CDE is a rate of \$9,010, \$35 above School Services of California Inc.'s (SSC) estimate in July. For more information on these funds, see "[Ask SSC . . . Preschoolers with Disabilities FAQs](#)," in the September 20, 2019, *Fiscal Report*.