

May 18, 2020

The Honorable Toni Atkins
Senate President Pro Tempore
State Capitol, Room 205
Sacramento, CA 95814

The Honorable Anthony Rendon
Speaker of the Assembly
State Capitol, Room 219
Sacramento, CA 95814

The Honorable Holly Mitchell, Chair
Senate Budget and Fiscal Review Committee
State Capitol, Room 5050
Sacramento, CA 95814

The Honorable Phil Ting, Chair
Assembly Budget Committee
State Capitol, Room 6026
Sacramento, CA 95814

The Honorable Richard D. Roth, Chair
Senate Budget and Fiscal Review
Subcommittee #1 on Education
State Capitol, Room 2080
Sacramento, CA 95814

The Honorable Kevin McCarty, Chair
Assembly Budget Subcommittee #2 on
Education Finance
State Capitol, Room 2136
Sacramento, CA 95814

RE: Response to the Governor's 2020-21 May Revise

Dear Senators and Assembly Members,

In March, schools across California unexpectedly closed and shifted learning online in response to the coronavirus (COVID-19) pandemic. We did so to protect the health and safety of our students, staff, and the communities we serve and to assist with “flattening the curve.” In a little more than two months, we have provided more than 24 million meals, acquired more than 300,000 devices and hotspots to address the digital divide, and invested in training for more than 40,000 educators to strengthen the quality of distance learning. All of these efforts required our districts to make significant expenditures.

As the Legislature’s budget deliberations get underway, we urge you to keep the health and safety of our students, staff, and communities a top priority. Reopening our school campuses will require more – *not fewer* – resources to ensure and sustain proper implementation of public health guidance and the safety of all of those involved. Cuts will mean that the reopening of schools will be delayed even after State guidance and clearance from public health officials is given. The notion that schools can continue to operate safely in the fall with a decreased State budget is not realistic. We cannot in good conscience risk the health and safety of our students and staff by returning to the classroom prematurely and without funding for the necessary precautions given the continued lack of a national testing program and a lack of clear understanding of the impacts of coronavirus on young people.

Since closing, our school districts have experienced increased costs and will continue to face fiscal pressures in the months and years ahead in three major areas, including the following:

- **Spring 2020:** New costs in response to our COVID-19 response related to the shift to online distance learning, providing meals, cleaning, personal protective equipment (PPE), addressing the digital divide, among others;
- **Summer and Fall 2020:** New costs to mitigate the learning loss by expanding summer learning and safely returning to in-classroom instruction, including costs associated with social distancing requirements that could result in severely reduced class sizes, staggered schedules or hybrid learning models; nurses to monitor student health, trained professionals to address students' mental health needs exacerbated by the pandemic; the purchase of personal protective equipment (PPE) for staff and students; and increased cleaning costs to allow for thorough disinfection of school sites; and
- **Fiscal Year 2020-21 and the Foreseeable Future:** Cuts to school districts' budgets that hamper our ability to sustain our operations and meet all students' needs.

We support the allocation of one-time federal funds for learning loss and summer school, and the use of state revenues to cover school employers' pension contributions. However, the cuts for the 2020-21 budget come at a time when we are being asked to do more – *not less* – to deliver a quality education for students. As part of the budget deliberations, we urge the Legislature and Governor to consider addressing these needs to protect the integrity of public education:

- Reallocate the proposed \$493 million May Revision increase to special education base rates to any Special Education Service Plan Areas (SELPA) serving preschool and K-12 aged students (3-22) with moderate to severe disabilities to address the funding inequities associated with serving these students.
- Enact a statewide utility surcharge to generate a new funding source to provide all California students with universal access to a device and internet at home.
- Allocate funding from the State's \$16 billion Budget Stabilization Account to minimize reductions to school funding.
- Allocate non-Proposition 98 funds to allow for the purchase of PPE, thermometers, and other medical equipment to ensure the health and safety of students and staff or, at the very minimum, provide free PPE to schools from the state's stockpile.
- Protect districts from legal liability if students or staff contract the virus when schools reopen.
- Create flexibility and local discretion in the use of the \$4.4 billion federal funds for summer school and reopening of school campuses.
- Pursue additional fiscal and programmatic flexibilities through at least 2023-24, including:
 - Suspend new mandates imposed by laws signed into law in 2019.
 - Authorize school districts to earn average daily attendance (ADA) using a three-year rolling average of ADA.
 - Authorize school districts to earn funding for excused absences related to COVID-19.
 - Authorize short-term independent study for less than five consecutive days.
 - Suspend the statutory requirements related to class size reductions.
 - Delay instructional material adoptions and implementation of curriculum frameworks until 2022-23 school year.
 - Authorize school districts to deposit fund balances and revenues from developer fees into the General Fund (rather than being restricted for facilities only).

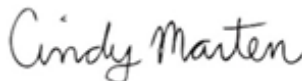
- Authorize school districts to reduce the instructional year and minutes without penalty.
- Provide flexibility in requirements for deposits into the Routine Restricted Maintenance Account.
- Authorize certificated employees to retire mid-year, be rehired as substitute teachers for the remainder of the school year and suspend the 180 days requirement that prevents retirees from returning to the classroom.

This is the time to find a way to do the extraordinary things necessary to deliver on the promise of a great education for every child enrolled in a public school. Reopening the economy will require partnership and collaboration in a way that ensures the health and safety of California's students.

Sincerely,



Austin Beutner
Superintendent
Los Angeles Unified



Cindy Marten
Superintendent
San Diego Unified



Chris J. Steinhauer
Superintendent
Long Beach Unified



Vincent C. Matthews
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San Francisco Unified



Kyla Johnson-Trammell
Superintendent
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Jorge A. Aguilar
Superintendent
Sacramento City Unified

cc: Honorable Gavin Newsom, Governor of California
Honorable Tony Thurmond, Superintendent of Public Instruction
Linda Darling-Hammond, President, State Board of Education
Karen Stapf Walters, Executive Director, State Board of Education
Ben Chida, Chief Deputy Cabinet Secretary, Governor's Office
Keely Martin Bosler, Director of Finance
Jeff Bell, Education Program Budget Manager, Department of Finance
Jessica Holmes, Assistant Education Program Budget Manager, Department of Finance
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