

Innovations Academy Board Agenda: August 11, 2020 @ 6:00 pm

Meeting location(s)

Innovations Academy 10380 Spring Canyon Road San Diego, CA 92131	5519 McMillan Street Oakland, CA 94618	10333 Avenida Magnifica San Diego, CA 92131
Join with Google Meet: meet.google.com/eba-eyfs-fqa		
Join by phone (US) +1 585-491-8521 (PIN: 106306138)		

*Members of the public need not state their names when entering the conference call. Call-in number is provided as a convenience to the public.

Board Attendance

--	--	--	--	--	--	--	--

Others in Attendance

--	--	--	--	--	--	--	--

Agenda

Topic	Minutes
➤ Call to order / roll call	Time / Date Board in Attendance: 1. Other Present: 1.
➤ Approval of current agenda	Vote to approve current agenda - 1st motion - 2nd motion- Vote: Approved by:
➤ Approval of prior month meeting minutes See Board Minutes for June 23, 2020	Vote to approve past minutes - 1st motion- 2nd motion- Vote: Approved by: 1.
➤ Public comments (3 mins per person)	➤ ➤
o Teacher briefing (Tony)	Discussion:

Intro to new IA teachers	➤
<ul style="list-style-type: none"> o Financial update (Josh) <ul style="list-style-type: none"> ✓ Budget Update Preliminary Budget Update 	(see packet: Budget Reforecast and Summary) Discussion: ➤
<ul style="list-style-type: none"> o Director update (Christine) <ul style="list-style-type: none"> ✓ Report on Innovations Back to School Plans-remote/in-person/hybrid (see packet: Reopening Info, Surveys and Final Decision Form) ✓ Status report for occupancy of building at 5454 Ruffin Rd.(see packet: Building Readiness Update) ✓ Update on State Bill 98 to limit ADA for 2020-2021 (see packet: CCSA summary, EdSource article, Public Charter Lawsuit) ✓ LCAP deferral and new Learning Continuity and Attendance Plan (LCAP2) introduction of requirements (see packet: From old LCAP) 	<u>Item – Director Update</u> Discussion: Back to School Plans ➤ Discussion: Building Status ➤ Discussion: ADA Funding and SB 98 ➤ Discussion LCAP2 or LCP ➤
➤ Next board meeting	
<ul style="list-style-type: none"> o Confirm date of open board meeting 1 and 2 for LCP 	
<ul style="list-style-type: none"> o Identify agenda items for next meeting <ul style="list-style-type: none"> ✓ Approve handbooks ✓ LCP Public Meeting #1 	➤
Meeting adjourned	

The foregoing minutes were approved by the Board of Directors of Innovations Academy on _____.

Secretary

Please contact Innovations Academy Board @ Board@InnovationsAcademy.org if you require special assistance or a listening device to attend the Board Meeting. Requests must be made 48 hours in advance.

1. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:
 - At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the State of California;
 - All votes taken during a teleconference meeting shall be by roll call;
 - If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
 - All locations where a member of the Board of Directors constituting the quorum participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;
 - Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
 - The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.
 - The Brown Act prohibits requiring members of the public, to provide their names as a condition of attendance at the meeting; however, those wishing to speak may be required to identify themselves.

Innovations Academy Board Minutes: June 23, 2020 @ 6:00 pm

Meeting location(s)

Innovations Academy 5454 Ruffin Rd. San Diego, CA 92123	5519 McMillan Street Oakland, CA 94618 ----- 3965 Riviera Dr. San Diego, CA 92109	Join via GoogleMeet https://meet.google.com/azd-i-vxg-buu Phone: 413-561-2103 PIN 424 811 795#
---	---	---

*Members of the public need not state their names when entering the conference call. Zoom link and Call-in number provided as a convenience to the public.

Board Attendance

Faraz Sharafi	Stephen Rosen	Keely Moore	Nathan Cooper	Danielle Strachman		
---------------	---------------	-------------	---------------	--------------------	--	--

Others in Attendance

Tony Spitzberg	Christine Kuglen	Jeff with MyPoint Credit Union	MaryAnne Hawke (parent)	Sally Lutz (parent)	Josh Eng (CSMC)	Jennifer OttRoll (parent)
Michelle Bishop	Ali Kolb					

Agenda

Topic	Minutes
➤ Call to order / roll call	Time / Date 6:06pm 6/23/2020 Board in Attendance: 1. Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi Other Present: 1. Christine Kuglen, Tony Spitzberg, Ali Kolb, MaryAnne Hawke, Sally Lutz, Josh Eng, Jennifer OttRoll, Michelle Bishop
➤ Approval of current agenda	Vote to approve current agenda - 1st motion - Keely Moore 2nd motion- Stephen Rosen Vote: Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi
➤ Approval of prior month meeting minutes	Vote to approve past minutes -

	<p>1st motion- Faraz Sharafi 2nd motion- Stephen Rosen Vote: Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi</p>
➤ Public comments (3 mins per person)	<p>Notes:</p> <ul style="list-style-type: none"> • Jeff- MyPoint Credit Union. New neighbors across the street and wanted to introduce himself and ask how we can collaborate in the future.
➤ Financial Update (CSMC, Josh Eng)	<p>440 students enrolled for this year. Budget is based on 410 to be safe.</p>
➤ Approval of the 2020-21 Preliminary Budget	<p>Vote to approve Preliminary Budget - 1st motion - Stephen Rosen 2nd motion- Faraz Sharafi Vote: Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi</p>
➤ Approval of the 2020-21 Consolidated Application	<p>Vote to approve Consolidated App- 1st motion - Stephen Rosen 2nd motion- Nathan Cooper Vote: Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi</p>
➤ Approval of the 2019-20 EPA Estimated Expenditures	<p>Vote to approve 19-20 Estimated Expenditures - 1st motion - Faraz Sharafi 2nd motion- Stephen Rosen Vote: Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi</p>
➤ Approval of the 2020-21 EPA Estimated Expenditures	<p>Vote to approve 20-21 Estimated Expenditures 1st Motion: Stephen Rosen 2nd Motion: Faraz Sharafi Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi</p>
<p>➤ Board Report: Summary of IA March-June Distance Learning Plan (Ali) Presentation about types of data collected from our spring distance learning program</p> <p>➤ Approval of COVID 19 Operational Report</p>	<p>Discussion Notes: Ali presented data from spring distance learning, and shared parent feedback on Vote to approve COVID19 Operational Report - 1st Motion: Stephen Rosen 2nd Motion: Faraz Sharafi Vote: Nathan Cooper, Stephen Rosen, Keely Moore, Danielle Strachman, Faraz Sharafi</p>

➤ Information about the development of IA Fall Return to School Plans	Discussion Notes: See board packet for 3 options for possible options in returning to school.
➤ Discussion regarding development of plan	
➤ Policy Report: Due to the many changes in legislation this year, our legal counsel is reviewing our policies and they will be reviewed at our next meeting.	
➤ Next board meeting	8/11/2020 at 6pm
o Confirm date of next meeting	
o Identify agenda items for next meeting	➤
Meeting adjourned	7:08,pm

The foregoing minutes were approved by the Board of Directors of Innovations Academy on _____.

Secretary

Please contact Innovations Academy Board @ Board@InnovationsAcademy.org if you require special assistance or a listening device to attend the Board Meeting. Requests must be made 48 hours in advance.

1. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:
 - At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the State of California;
 - All votes taken during a teleconference meeting shall be by roll call;
 - If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
 - All locations where a member of the Board of Directors constituting the quorum participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;
 - Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
 - The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.
 - The Brown Act prohibits requiring members of the public, to provide their names as a condition of attendance at the meeting; however, those wishing to speak may be required to identify themselves.

Innovations Academy



	NAME	2020-21 PRELIMINARY	2020-21 REFORECAST	VARIANCE
	TOTAL ENROLLMENT	410	410	-
	AVERAGE DAILY ATTENDANCE	393.60	393.60	-
REVENUE	State LCFF Revenue	\$ 3,136,295	\$ 3,261,368	\$ 125,073
	Federal Revenue	\$ 125,132	\$ 355,864	\$ 230,732
	Other State Revenue	\$ 93,657	\$ 93,654	\$ (3)
	Local Revenue	\$ 260,906	\$ 260,906	\$ -
	TOTAL REVENUE	\$ 3,615,990	\$ 3,971,791	\$ 355,802
EXPENSES	Certificated Salaries	\$ 1,826,436	\$ 1,826,436	\$ -
	Classified Salaries	\$ 628,025	\$ 628,025	\$ -
	Benefits	\$ 700,799	\$ 700,799	\$ -
	<i>TOTAL PERSONNEL EXPENSES</i>	<i>\$ 3,155,260</i>	<i>\$ 3,155,260</i>	<i>\$ -</i>
	Books and Supplies	\$ 139,700	\$ 139,700	\$ -
	Services and Other Operating Expenses	\$ 540,415	\$ 540,415	\$ -
	Capital Outlay	\$ 30,000	\$ 30,000	\$ -
	Other Outgoing	\$ -	\$ -	\$ -
	<i>TOTAL OTHER EXPENSES</i>	<i>\$ 710,115</i>	<i>\$ 710,115</i>	<i>\$ -</i>
	TOTAL EXPENSES	\$ 3,865,375	\$ 3,865,375	\$ -
FUND BALANCE	SURPLUS\ (DEFICIT)	\$ (249,385)	\$ 106,417	\$ 355,802
	<i>% of LCFF Revenue</i>	<i>-8.0%</i>	<i>3.3%</i>	
	BEGINNING FUND BALANCE	\$ -	\$ -	
	ENDING BALANCE	\$ (249,385)	\$ 106,417	\$ 355,802
	<i>% of Expenses</i>	<i>-6%</i>	<i>3%</i>	<i>0.0%</i>

Budget Update Board Report August 11, 2020

The board approved the preliminary budget. This is an updated reforecasted budget based on the most recent information and changes. There is no need to approve anything at this time.

1. This update reflects the restoration of the 7.7% COLA
2. This update reflects the 2019-20 ADA Cap – 2020-21 funding is based on 2019-20 ADA numbers.
3. This update includes 3 new revenue streams, the numbers are **preliminary estimates (Please note the spend dates):**
 - a. LLMF - CARES Act Governor's Emergency Education Relief - \$29,901
**** Needs to be spend by 12/30/2020****
<https://www.cde.ca.gov/fg/cr/learningloss.asp>
 - b. LLMF - CARES Act Coronavirus Relief - \$173,062
**** Needs to be spend by 12/30/2020****
<https://www.cde.ca.gov/fg/cr/learningloss.asp>
 - c. LLMF - CARES Act Governor's Emergency Education Relief - \$27,769
**** Needs to be spend by 12/31/2022****
<https://www.cde.ca.gov/fg/cr/learningloss.asp>



Reopening Informational Report

As of August 7th, public and private schools will not be allowed to open in person until certain conditions are met that are rapidly changing but imply that we will not be able to open in person on our first day of school (August 31, 2020). Therefore the entire student population will be learning in a distance learning format.

The whole school distance learning format will involve both synchronous and asynchronous instruction with a focus on small groups and one on one. Interspersed throughout the day. Parents will participate in mandatory online meetings that address the stresses of distance learning (provided by our Marriage Family Therapist) and academic support of students (provided by teachers).

Once we are allowed to provide options for in-person learning, Innovations Academy has offered two plans to parents (see parent information communication). We have asked parents to commit to either a full distance learning plan or a site based plan for the first semester. As of Friday, August 7th, 60% of families chose to return to school in person (when possible) and 40% chose distance learning.

Parent input was used to design both plans (whole school distance model and 2 option model for the future). Parents were asked to complete surveys on

- Early on during the spring launch of emergency distance learning, surveys were sent for initial impact feedback.
- May 24, 2020
- July 19, 2020
- July 26, 2020

Parents were invited to join a Reopening Collaborative Group that met several times online. The group met over several weeks and was composed of administration, teachers and parents.

Parents were sent messages keeping them updated on Sundays which included the director's email and phone number. Many messages were received by the director and conversations were had that provided a variety of input.

Teacher input was taken individually, through a whole school staff meeting in July on Zoom and via surveys on July 5th and July 17th.

Collaboration also involved Outpost Camps, Innovations Academy's extended care program coordinators.

Information was examined from the California Department of Public Health, California Department of Education, San Diego County Public Health and through a small charter school collaborative that the director attends weekly.

Staff will return on August 17th in person to begin to collaborate about the upcoming school year.

Parent Input

I apologize for asking you to complete yet another survey. We are maintaining as much flexibility of thought and action as possible in order to best serve our children and their families. Please know that our intention is and will ALWAYS be to meet the needs of children. I expect all families to take personal responsibility for your own needs and communication of those needs pertaining to school attendance. Your information helps since you are the ones we are trying to serve.

The governor of California placed the following mandates on schools on Friday:

1. All schools will stay closed until the county in which the school is located has been off the "County Monitoring List" aka "The Watchlist" for 14 days. San Diego County is currently on the "watchlist."
2. When schools are allowed to open their doors to all students coming to campus for instruction, all students in 3rd grade and above will be required to wear masks or face shields. All students in K-2 will be "encouraged" to wear masks or face shields. All adults will wear masks or face shields.
3. Adults will be required to stay 6 feet away from one another and 6 feet away from children. (we can talk about what this will look like later)
4. Testing of staff will happen regularly throughout the year on a rotating basis.

If SD County is off the watchlist by August 17th then we will still offer the choice of distance learning or 4 day per week plan starting August 31st. If not, we will be required to start the year distance learning.

With these new parameters and with the goal of supporting families, we are seeking more information from you. Thank you for taking your time.

* Required

1. State your children's full name and current grade level (example: Christine Kuglen (2), Tony Spitzberg (5)) *

2. What is your preference regarding the students' mandatory mask/shield-wearing once we are able to return to campus? *

Mark only one oval.

- Our child(ren) will come to school with a mask provided by our family
- Our child(ren) will come to school with a face shield provided by our family
- Our child(ren) will need a face mask provided by Innovations Academy
- Our child(ren) will need a face shield provided by Innovations Academy

3. Many of our families are struggling to balance their own careers while meeting their child(ren)'s needs. Would you be willing to support families with similarly aged children during the school day while in our mandated distance learning?

Mark only one oval.

- Yes - we have an adult at home full time and would be open to one/two children coming to work at our house
- Maybe - we would need more details
- No - this is not something we are interested in or are not in a position to offer

4. How comfortable are you with your child(ren) meeting with a full class of students outdoors for less than an hour with social distancing and masks during mandated distance learning? (for either instruction or social connection) *

Mark only one oval.

1 2 3 4 5

not comfortable at all willing and comfortable

5. How comfortable are you with your child(ren) meeting with <8 students indoors for less than an hour with social distancing, masks, and plastic partitions during mandated distance learning? *

Mark only one oval.

	1	2	3	4	5	
not comfortable at all	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	willing and comfortable

6. How comfortable are you meeting with small groups of adults outdoors for less than an hour with social distancing and masks during mandated distance learning? *

Mark only one oval.

	1	2	3	4	5	
not comfortable at all	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	willing and comfortable

7. How comfortable are you meeting with a small group of adults indoors for less than an hour with social distancing, masks, and plastic partitions during mandated distance learning? *

Mark only one oval.

	1	2	3	4	5	
not comfortable at all	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	willing and comfortable

8. What other innovative ideas do you have that could help our students build connection during mandated whole school distance learning?

9. What are your childcare needs during mandated distance learning? *

Mark only one oval.

- We need a large level of support (full school day, 5 days a week) *Skip to question 10*
- We need a moderate level of support (partial days and/or a few days a week)
Skip to question 10
- We do not need childcare support

Skip to question 10

Those who need childcare support

For those who need more support, please share your needs.

10. During which segments of time would you need childcare?

Check all that apply.

	Morning (7 am - Noon)	Afternoon (Noon - 4 pm)	Evening (4 pm - 6 pm)
Monday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tuesday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wednesday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thursday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Friday	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Outpost offers childcare for approximately \$5.50/hour. What is your family's financial ability to pay for the childcare you need? *

Mark only one oval.

- We can pay the full amount
- We can pay for less than 25% of our necessary childcare
- We can pay for 25 - 50% of our necessary childcare
- We can pay for 50 - 75% of our necessary childcare
- We can pay for more than 75% of our necessary childcare
- We would need full financial assistance

This content is neither created nor endorsed by Google.

Google Forms



July 26th IA Parent Reopening Survey

Please read the following plan info and descriptions before responding below.

This information is important for you to make an informed decision:

POSSIBLE PLAN A Choice of Distance Learning(DL) or Modified School Week. The following 3 options for learning to choose

Option 1	Option 2	Option 3
M-F Full Distance Learning	M= DL T-F= 8:45-12:30 in school + 1-3:15 DL at home assignments	M=DL T-F 8:45-3:15 in school

Advantages in Comparison to Plan B (below):

-Possibly easier for parents not having to pick up kids at 1 pm

DESKTOP

TABLET

PHONE

Disadvantages in Comparison to Plan B (below):

More challenging to manage time outdoors during 2 breaks and lunch

More challenging to manage eating on campus

0 of 8 answered



Distance Learning Program (DL)/Site Based Program Outlines for Parent Selection

Parents,

I realize this is a difficult decision. I also know that once made, it can be easier for parents to plan for August 31st. Remember, it is highly likely that we will all start in DL mode. But this decision will make it easier for our community to be ready when the time comes that we are allowed to return to our site.

It is the school's job to create a quality, engaging learning experience for our students. We have always seen that as our objective and we will continue to see it as our objective, no matter the obstacles. We are a creative educational team and we have our students' needs at heart. Our mission remains the same: to powerfully create our lives through self-expression, compassionate connection and purposeful learning.

It is your job now to select the option that works for your family. Do not worry about what works for the school, for teachers or other families. Think of your family, your needs and which option will best meet those needs.

All of the details about when students will be doing math, when they will have breaks, how long the breaks are, which bathrooms they will use etc are NOT in this information. If you do not feel safe at school, then the DL option is best for you. There needs to be some trust and some of the answers can only come once we know how many students will be on campus and how many will be in the full DL the whole semester. Thank you for your help with this.

The Current Rules

The following are specific legislated mandates in our state.

The instructional calendar year will have the same number of required days. The instructional minutes requirement has been decreased to 4 hours per day (whether distance learning for work load, or in person learning for number of hours with teacher).

The governing body of a charter school (IA board of directors) must adopt a learning continuity and attendance plan by September 30, 2020 which will include specified information about the instruction IA will provide to pupils in the 2020–21 school year.

California Current Mandates for Distance Learning

Distance learning is defined as “instruction in which the student and instructor are in different locations. This may include interacting through the use of a computer and communications technology, as well as delivering instruction and check-in time with the teacher. Distance learning may include video or audio instruction in which the primary mode of communication between the student and instructor is online interaction, instructional television, video,

telecourses, or other instruction that relies on computer or communications technology. It may also include the use of print materials incorporating assignments that are the subject of written or oral feedback.” Students should receive 4 hours of work load per day. Additionally, the following are mandated:

- 1) Requirement to document pupils’ participation on each school day for which distance learning is provided and to regularly communicate with parents and guardians regarding a pupil’s academic progress.
- 2) Students must participate daily in both live interaction and work completion at home. Parents of students who do not participate for more than 3 days must be contacted and a plan made for participation.
- 3) Requirement to document work completion for students at home
- 4) To be on screen live with teacher one hour per day

California Mandates for In Person/Site Based Learning

- 1) Schools will be allowed to open when SD County has been off of the County Monitoring List for 14 days (A possible waiver of this mandate is coming soon from the CDE which would allow us to open August 31st in person).
- 2) Students in K-2 optional masks/face shields but encouraged
- 3) Students in 3-8 and adults wear masks/face shields
- 4) Adults stay 6 feet from one another and 6 feet away from children, while students should maintain 6 feet of distance from one another as practicable.
- 5) People entering the school must do a health screen, and any student or staff exhibiting a fever or other symptoms will be immediately sent home.
- 6) If anyone in a student or staff member’s household is sick, they too should stay home.
- 7) Recommends staff in every California school be tested for COVID-19 periodically based on local disease trends and as testing capacity allows.
- 8) Following a confirmed case of a student who was at school during his or her infectious period, other exposed students and staff should be home quarantined for 14 days, testing recommended, school remains open
- 9) The school should revert to distance learning when multiple cohorts have cases or 5 percent of students and staff test positive within a 14-day period.

Options for Innovations Academy Families Aug-Dec 2020

Distance Learning Option

Schedule for DL

A child enrolled in our DL program will be required to be online for a minimum of 1 hour of time per day. Times may vary depending on a variety of factors but will always be between 8:30 a.m. and 3:30 p.m. Your child will be completing daily assignments that will be given either on paper or on computer (in a variety of formats). These assignments are in addition to the online time they spend each day with a teacher. Consider the amount of assistance your child may need.

We are required to hold students accountable for assignments that are designated as mandatory. Each live session that a student misses will be counted as an absence. Work designated mandatory and not turned in is also counted as an absence. Students will be expected to make up and complete the work as assigned. After 3 absences, you (parents/guardians) will be required to meet with the administrative team to create a plan that

gets your child online each day for a minimum of one hour with completion of all mandatory assignments..

The core subjects (math, language arts, social studies and science) will be learned by students through a variety of formats (watching a video, interacting with a website, reading a book, completing a writing assignment, taking pictures of objects...) but always taught and/or managed by their classrooms teachers. Additional instruction (PE, art, nature studies, performing arts, robotics, social emotional learning...) will be provided as well in a variety of formats. Additional optional extension and enrichment activities will be provided each week. Students with IEPs will receive services virtually unless the IEP team (including parents) makes a different determination and it is allowed by the California Department of Education. Students and parents will be provided social-emotional support by our school counselor (Jennifer) as needed individually or in groups.

Students will be provided all needed materials and technology. Parents/Guardians may be required to come to school to pick up these materials. Connectivity needs will be addressed as they are brought to our attention. Innovations Academy provides a free cold breakfast to those students who qualify. If your child qualifies for Free and Reduced Meals then we will be in contact with you about pick up options. A form will be released prior to commencement of classes.

3 day Students in DL

Since 3 day students are considered independent study, and must turn in work samples for the days they are not present at school, the same will be true during DL.

Site-Based Learning Option

A child enrolled in our SITE-BASED program will attend school from 8:30 a.m - 1:00 p.m. (but some free aftercare options provided for those designated most in need, see details below) These hours have been chosen to meet the 4 hour mandate while providing ample break time during the school day. Additionally, it provides time for our classroom teachers to work with students in both options. Students will be assigned to a consistent classroom cohort that will depend on the number of distance learning students in their grade level. Cohorts will be between 10-25 students in size. Students will work with the same teacher daily. The following safety measures will be in place:

- Only staff and students will be admitted to the building. Parents who need to speak with office staff will do so out front.
- Upon entry, students will do a health screening including a temperature check and questions regarding their status. This may be altered for students under 3rd grade.
- Any student or staff exhibiting a fever or other symptoms will be immediately sent home.
- If anyone in a student or staff member's household is sick, they too should stay home
- Students in K-2 optional masks/face shields but encouraged
- Students in 3-8 and adults wear masks/face shields
- Adults stay 6 feet from one another and 6 feet away from children, while students should maintain 6 feet of distance from one another as practicable.
- Hallways will be marked for single direction travel.
- Classes will be assigned to specific bathrooms which will be cleaned frequently throughout the day. (K has their own bathrooms)
- Frequent classroom sanitization using electrostatic sprayers and conventional misters will take place throughout the day.

- Partitions will be used in the classrooms
- Students will be taught and will engage in effective hygiene practices.
- Students will not share supplies (markers, scissors, pencils etc)
- Following a confirmed case of a student who was at school during his or her infectious period, other exposed students and staff should be home quarantined for 14 days, testing recommended, school remains open
- The school would be required to revert to distance learning when multiple cohorts have cases or 5 percent of students and staff test positive within a 14-day period.
- Due to the unpredictable nature of our state, all families should be prepared for DL as mandated throughout our first semester (if and when will depend on a variety of factors).
- Students who qualify for Free or Reduced Meals may arrive at school at 8:15 to pick up their free cold breakfast.

Schedule for Site-Based Learning

Social emotional interactions will continue to be an integral part of our program and we will be kind and patient with the variety of ability levels for mask wearing and distancing. Due to the shortened school day, social studies and science will be integrated into language arts and math in creative ways to maximize learning. All academic curriculum will be covered during the school day (8:30-1:00). Additional instruction (PE, art, nature studies, performing arts, robotics, social emotional learning...) will be woven throughout the day. We will continue our no meaningless homework policy. Students are expected to be picked up at 1:00 p.m. unless accepted into and enrolled in the After School Camp.

Students and parents will be provided social-emotional support by our school counselor (Jennifer) as needed individually or in groups. Special ed services will be provided to students on site.

3-Day Students in Site-Based Option

Students who are enrolled in the 3 day program and choose the Site Based Option will attend T, W, Th from 8:30-1:00 p.m.

No Cost After School Camp

For families that need child care support, Innovations Academy will provide care from 1:00-3:00 p.m. at no cost to those families M-F. Based on survey responses and space availability, we will be contacting families that qualify for After School Camp. In After School Camp, small cohorts of students (15 or fewer) will be grouped together to reflect the school day cohorts as much as possible and will work on camp activities throughout the campus inside and outside. Students who are not enrolled with Outpost Care must be picked up promptly at 3:00 p.m.

Outpost Care

Outpost will be providing paid care from 3:00-6:00 p.m. daily. Parents who chose the Site-Based Option will receive information about registration and cost in the next few weeks.

Carpools

Once we are given permission to open, we will support families that wish to connect for

carpool support. Information will be sent to those families who choose the Site-Based Learning Option.

Please make your selection using the link that is in the original ParentSquare communication.

Final Decision Commitment August - December of 20-21 School Year

Please fill out one form for EACH CHILD.

*** Required**

1. My child's full name (Note: fill out a separate survey for each child in your family) *

2. This child's grade level for the 20-21 school year *

Mark only one oval.

K

1

2

3

4

5

6

7

8

3. Once IA is permitted to resume learning on-site, this student will participate in: *

Mark only one oval.

Distance learning *Skip to question 6*

Site-based learning *Skip to question 4*

Site-based Commitment

4. I understand that my child: *

Check all that apply.

- will attend school from 8:30 - 1:00 M-F
- will be screened upon entry
- will follow state mandates while at school (ie mask-wearing, handwashing, etc)
- is mandated by the state of California to quarantine following a positive COVID test result

5. I understand that I (as the parent/guardian): *

Check all that apply.

- am not permitted inside the school building.
- am responsible for keeping my child home if they or anyone in their household exhibits symptoms of COVID-19

Distance Learning Commitment

6. I understand that my child will be responsible for the following each school day: *

Check all that apply.

- Attend one hour Zoom live session according to the weekly schedule
- Complete and submit ~3 hours of independent work (2 hours for kindergartners)

7. I understand that I (as the parent/guardian) am required to: *

Check all that apply.

- provide academic support to my child as needed
- attend a meeting with IA admin if my child exceeds 3 absences (in live session or assignment completion)

This content is neither created nor endorsed by Google.

Google Forms

5454 Ruffin Road: Building Readiness

What's been done since last time

- Installation of the folding doors in MPR and HLC rooms
- Many trainings on HVAC, electricity, kitchen equipment
- Passed the kitchen inspection
- Gym and Fitness Room completed
- Lots of playground work

What's left to do by Balfour Beatty

- By 9/15 Elevator modernization
- By 8/30 Site Landscaping will be complete
- By 8/30 Parking lot asphaltting and slurry sealed and striped will be done
- By 8/14 Administrative staff of IA will have completed the building trainings
- 8/22-23 Final cleaning of building will happen
- 9/14 Installation of furniture upstairs

What's left for us to do:

- Finish unpacking
- Purchase the last furniture
- Asset tag all of our furniture and materials

And later...

- Play structure purchase and installation
- Other play equipment purchase and installation



2020-21 FINAL BUDGET BRIEF

No LCFF Cuts, But Extensive Payment Deferrals in Final Agreement

State Budget Overview

On June 29, 2020 Governor Gavin Newsom signed the 2020 Budget Act and the implementing Trailer Bill legislation. The budget is a \$202.1 billion spending plan that closes a \$54.3 billion budget shortfall caused by the COVID-19 recession. The 2020-21 State Budget is included in [Senate Bill 74](#) and the implementing Education Budget trailer Bill is [Senate Bill 98](#). A full Budget Summary can be found on the [Department of Finance website](#).

According to the Department of Finance, “at the Governor's Budget in January, the state was projecting a surplus of \$5.6 billion. At the May Revision, the state confronted a budget deficit of \$54.3 billion—a four-month swing of \$60 billion caused by the COVID-19 Recession. The budget closes this gap and brings the state’s resources and spending into balance while preserving reserves for future years.”

The final Budget Act uses several approaches to close the significant funding gap, including:

- \$8.8 billion in spending from state reserves.
- \$11.1 billion in reductions and deferrals, including \$6.6 billion in deferred spending on schools.
- \$10.1 billion in new federal funds for further General Fund relief, including \$8.1 billion already received.
- \$4.4 billion in new revenues through a temporary suspension of business incentive tax credits for businesses operating at net losses.
- \$9.3 billion in special fund borrowing and transfers.
- \$10.6 billion saving from cancelling planned program expansions, updated budget assumptions and other solutions.

K-12 Education

The budget includes total funding of \$98.8 billion (\$48.1 billion General Fund and \$50.7 billion other funds) for all K-12 education programs. Due to declining revenue, the constitutional Proposition 98 guarantee level for 2020-21 is \$70.9 billion- more than \$10 billion below the minimum guarantee at the 2019 Budget Act. However, the budget offsets this loss by deferring \$12.9 billion in payments into the next fiscal year to preserve programs and includes \$5.3 billion to mitigate learning loss and support the immediate needs of students and schools. The state has also committed to purchasing personal protective equipment and other supplies needed to reopen schools safely. Other highlights for K-12 and charter schools, discussed in more detail through this Brief, include:



- Funding for the Local Control Funding Formula (LCFF) at the 2019-20 rates but imposing deferrals of nearly \$13 billion in state apportionment payment to schools to achieve this.
- A “hold-harmless” in the 2020-21 fiscal year that funds average daily attendance based on the 2019-20 year, except for new charter schools commencing instruction in 2020-21. (Some accommodation for growing schools and districts is expected to be addressed in the coming weeks.)
- Suspension of traditional ADA accounting for 2020-21, with new rules and procedures on tracking student engagement and reopening schools safely.
- \$5.3 billion in funds to site-based schools to support COVID-related learning loss and provide program supports.
- No Cost of Living Adjustment (COLA) for LCFF or other categorical programs.
- An increase in special education per pupil base rates to \$625 pursuant to a new funding formula.
- No cut to total funding for the SB 740 Charter School Facility Grant Program, retaining total funding at \$137 million.
- A redirection of \$2.3 billion designated for long-term unfunded pension liabilities to reduce Local Educational Agency (LEA) employer contribution rates in the next two years.
- A material revision exemption for site-based charter schools offering distance learning and for new and growing charter schools that choose to delay.
- Limitations on layoffs of teachers and specified classified employees for school districts. However, this provision does not apply to charter schools.

Proposition 98

The provisions of Proposition 98 (1988) establish a minimum funding guarantee for TK through community college education based on complex calculations and interactions of a number of economic and demographic variables. TK-12 education receives approximately 89 percent of Proposition 98 guarantee, with the remainder allocated to community colleges.

Proposition 98 Adjustments for the 2019-20: For 2019-20, the guarantee has decreased about \$3.89 billion compared to the Governor’s January proposal. However, due to several adjustments such as one-time reserves, recapture of unspent funds, and a significant payment deferral from June to July 2020, the budget does not require any operational cuts for the 2019-20 year.

Proposition 98 Funding for 2020-21: The Proposition 98 guarantee in 2020-21 is \$70.89 billion. This is a decrease of about \$13.16 billion from the January estimate. The budget uses several tools such as apportionment deferrals, elimination of COLA and backfill of federal and other funds to partially offset this significant reduction. As a result, LCFF rates will stay flat compared to current year funding with no cut nor COLA provided. These adjustments are discussed in more detail below.

Proposition 98 Guarantee: 2020-21 Final Budget Act (Dollars in Billions)			
Total Prop. 98	2018-19	2019-20	2020-21
January 2020 Estimate	78.45	81.57	84.05
Final Budget Act	78.52	77.68	70.89
Difference	0.07	-3.89	-13.16



Local Control Funding Formula (LCFF)

The Final Budget Act retains the LCFF rates at the 2019-20 fiscal year levels, avoiding the cuts that had been proposed in May, but suspending any COLA. The budget does not propose any other significant changes or adjustments to the LCFF and the basic architecture of the LCFF remains as originally enacted. However, due to significant apportionment deferrals and the cap on school growth (discussed on pages 4 and 6), school must plan carefully for the fiscal year.

The LCFF provides a base target per-pupil rate for grade level span (TK-3, 4-6, 7-8 and 9-12) and additional grade span adjustments for K-3 and high school average daily attendance (ADA). Each pupil who is identified as an English Learner, or who is eligible for free or reduced priced meals (FRPM), or who is a foster youth, generates an additional supplement. Finally, in addition to the base and supplemental grant, districts and charter schools receive an additional weighted grant if they have a high concentration of high-needs pupils overall.

Below are the estimated rates, supplements and multipliers under the LCFF for 2020-21. Actual funding to be received by each school will vary depending on the pupil population.

LCFF Funding Element	LCFF Amounts for 2020-21
Grade TK-3 Base	\$7,702
Grade K-3 Grade Span Adjustment	\$ 801 (10.4% of K-3 target)
Grade 4-6 Base	\$7,818
Grade 7-8 Base	\$8,050
Grade 9-12 Base	\$9,329
Grade 9-12 Grade Span Adjustment	\$ 243 (2.6% of 9-12 target)
Supplement per unduplicated Free or Reduced Priced Meal Eligible Pupil, English Learner or Foster Youth	20% of average base and add-on funding per eligible ADA
Concentration Supplement per pupil above 55% of the lesser of total district or charter percent high need	50% of average base and add-on funding per eligible ADA above 55%

LCFF Tools: The information above provides a brief overview of the LCFF and the estimated component rates for 2020-21. However, an additional tool available is an LCFF calculator developed by the state Fiscal Crisis and Management Assistance Team (FCMAT) to assist schools in estimating LCFF funding. The [FCMAT LCFF Resources page](#) includes the downloadable LCFF calculator. FCMAT has also provided a [Guide for Budget Planning](#) under different scenarios in uncertain times.

In building budgets, charter schools should also include non-LCFF funding sources in their budget planning, such as federal funds, special education funds, the mandate block grant, facility grants, and any other funding the school may receive.

K-12 Education Funding Details

Apportionment Deferrals: The Final Budget Act initiates significant school payment deferrals in the 2019-20, and through 2020-21 fiscal years with an additional deferral from June 2021 into July of 2021 (the 2021-22 fiscal year). These deferrals are necessary to avoid deeper cuts, but also create significant cash flow challenges for many charter schools and school districts. The budget also provides a process for LEAs to request a needs-based exemption to the 2021 deferrals through a process of documenting a



hardship to the LEA. The exemption process was originally initiated in 2010, during the Great Recession, to assist schools with significant cash flow challenges caused by deferrals. Details on the deferral exemption process are found in Education Code Section 14041.8, which requires an application by January 5, 2021.

The following table provides the schedule of apportionment deferrals of state aid payments:

Regularly Scheduled State Payment Date	Date Deferred Payment will be Received	Amount of State Payment Deferred
2020: June	2020: July*	\$4.32 B
2021: February	2021: November	\$1.54 B
March	October	\$2.38 B
April	September	\$2.38 B
May	August	\$2.38 B
June	July*	\$4.23 B

*Deferral crosses fiscal years.

Schools will need to determine the specific impact of these deferrals based on each school’s balance of state aid payments and local taxes. EdSource recently published an informative [overview of state deferrals that you can read here](#). The deferrals do not apply to the local in-lieu property tax payments received by charter schools from school districts which should still be paid on the monthly schedule. Therefore, the total amount of state-aid deferrals will be different depending on the local offset. Further, the Budget Act contains a trigger to reduce deferrals if additional federal aid becomes available, but it is still unknown whether or to what degree deferrals may be reduced.

Schools should be evaluating their needs and options for borrowing to cover cashflow during these extensive payment deferrals. In addition to the hardship waivers noted above, other options may include accessing an existing line of credit (or establishing one), borrowing from the county treasury, or participating in Revenue Anticipation Notes through the school district or county office of education. CCSA is also working with the California School Finance Authority and the lender community to establish lower cost opportunities to support charter schools that may need to access short-term loans to level their cash flow during this time. We will keep you posted as these options develop.

COVID Relief: The budget includes a one-time investment of \$5.3 billion in mostly federal relief funds to local educational agencies to address learning loss related to COVID-19 school closures, especially for students most heavily impacted by those closures. Specifically, funds will be allocated in the following manner:

- \$2.9 billion based on the LCFF supplemental and concentration grant allocation as of the 2019-20 second principal apportionment certification (P-2). Nonclassroom-based charter schools are not eligible for these funds. Funds must be used from March 1, 2020 to December 30, 2020.
- \$1.5 billion based on number of students with exceptional needs ages 3-22 as determined by the 2019-20 Fall 1 Census special education data. Nonclassroom-based charter schools are not eligible for these funds. Funds must be used from March 13, 2020 to September 30, 2020.



- \$979.8 million based on total LCFF allocation. The allocation of these funds would include classroom-based and nonclassroom-based charter schools as of 2019-20 P-2. Funds must be used from March 1, 2020 to December 30, 2020.

Funds may be used for a wide range of learning supports that may begin prior to the start of the school year and continuing into the school year such as, increasing instructional time, providing additional academic services or assessments, acquiring instructional materials, supports, or devices or providing support services such as health, counseling or mental health services, meal access or professional development.

Charter School Facility Grants: The SB 740 Facility Grant Program provides partial cost reimbursement to eligible charter schools in leased space. As proposed in May, the Final Budget Act rescinds the program COLA that was proposed in January but retains funding for the program at the 2019-20 level of about \$137 million. Proposed COLAs have been suspended for virtually all categorical programs. However, we note that this program is currently over-subscribed, meaning that schools will get less than their full funding. In April, the California School Finance Authority reported that they project that for 2019-20, rent and lease costs will be pro-rated, and schools will receive approximately 95 percent of eligible awards and that the “Other Costs” category will not be funded. We expect further reductions in grant awards in 2020-21. More program information can be found at the [CSFA website](#).

Special Education: In January, the Governor’s Budget proposed a multi-year process to improve special education finance services and outcomes. The Final Budget Act retains the basic commitment to increase base rates for lower funded LEAs and apply a three-year rolling average of ADA for determining base grants, allocated through the Special Education Local Plan Areas (SELPA). However, the base rate is adjusted to \$625 per ADA in 2020-21. LEAs funded below target rate will receive the increase, but those at or above will not see an increase in their per pupil rate. The budget also includes \$100 million to increase funding for students with low-incidence disabilities.

Federal IDEA funds in the budget include \$15 million in for the Golden State Teachers Scholarship program for the special education teacher pipeline, \$8.6 million to develop alternative dispute resolution processes for cases that arise as a result of challenges faced during the pandemic, and \$1.1 million for a study of the current special education governance and accountability structures.

CalSTRS and CalPERS Pension Relief: For schools and districts that participate in state pension programs, the Final Budget Act provides a fund shift of \$2.3 billion that had previously been allocated to the retirement systems to reduce the long-term unfunded liability. The funds will instead be used for a direct reduction in employer contribution rates. For 2020-21, the CalPERS employer rate is reduced from 22.67 to 20.7 percent and the CalSTRS rate is reduced from 18.41 to 16.15 percent. For 2021-22 the budget reduces the CalPERS employer rate from 24.6 to 22.84 percent, and the CalSTRS rate from 17.9 to 16.02 percent.

Education Trailer Bill

The budget is typically accompanied by supplemental implementing legislation known as Trailer Bills. This year, the Education Trailer Bill ([Senate Bill 98](#)) provides the detail on a number of proposals included in the budget, such as the apportionment deferrals, deferral exemptions, and allocation of the



new federal relief funds noted above. It also includes new requirements for schools to re-start and accommodate Distance Learning as needed, and other clarifications.

School Restarts, Learning Plans and Attendance Reporting for 2020-21: To help minimize additional learning loss related to COVID-19, and accommodate dynamic circumstances in school operations, the budget contains flexibility to provide distance learning as may be necessary and suspends traditional attendance accounting. The Education Trailer Bill contains requirements for distance learning to ensure that, when in-person instruction is not possible, students continue to receive access to a quality education. The details of [these new requirements and flexibilities can be found here](#). Highlights include:

- For the 2020-21 fiscal year, average daily attendance (ADA) shall be based on the 2019-20 year at P-2, except for new charter schools commencing instruction in 2020-21, which will receive a proxy for ADA based on their October enrollment report.
- No Growth funding is provided to growing districts and charter schools. However, the Governor provided a special signing message to SB 98 that noted:
“While maintaining school funding at current levels allows for stability in the public education system, it does not take into account schools that had planned expansions. By not funding those expansions, families enrolled in those schools may be displaced, with impacts exacerbated by the uncertainties caused by COVID-19. I urge members of the Legislature to pursue targeted solutions to these potential disruptions, and will work with you in the coming weeks to enact them.”

Accommodating funding for charter growth is CCSA’s top priority and we will work with the Governor’s team and the Legislature to address the cap on growth funding in the coming weeks.

- LEAs are exempt from the annual minimum instructional minute requirement. However, minimum instructional day requirements and reduced minimum daily instructional minutes apply (3 hours per day for kindergartners, 3 hours, 50 minutes for grades 1-3 and 4 hours for grades 4-12).
- The time requirements may be met through a combination of in-person and distance learning instruction, using a “time value of work” assessment similar to independent study programs.
- Distance learning attendance requirements include documentation of daily student participation, weekly engagement records, and attendance reporting for purposes of chronic absenteeism tracking and intervention.
- Access to devices and connectivity, daily interaction with students and access to nutrition programs are required for students in distance learning.
- Fiscal penalties may apply to local educational agencies offering distance learning that do not meet requirements.
- A material revision exemption for site-based charter schools offering distance learning, and an exemption for schools that may trigger the threshold of being identified as “nonclassroom-based” for purpose of requiring a funding determination, are provided.

In order to ensure transparency around the expenditures of new federal funds, and in alignment with new flexibilities related to distance learning, the budget replaces the December local control and accountability plan (LCAP) with a Learning Continuity and Attendance Plan, to be completed by September 30, 2020 based on stakeholder input in accordance with a template developed by the State Superintendent of Public Instruction (SPI) by August 1, 2020. The plan will require LEAs to address issues such as distance learning, learning loss, mental health, professional development, student engagement and nutrition.

Other Trailer Bill Issues: The Trailer Bill also includes several policies and clarifications that offer some flexibility for LEAs to help mitigate the impact of funding cuts or impose new requirements or restrictions. Some of these provisions include:

- Clarity on the allocation of funding for charter schools that restructure due to AB 1505 or 1507.
- Amendments to charter renewal criteria to address missing data due to testing and Dashboard suspension in 2019-20.
- Allowance for charter schools to delay opening or adding grades in 2020-21 without a material revision by notifying their authorizer, CDE and affected families by July 17.
- Extension of timelines for various teacher credentialing requirements for new teachers in the pipeline affected by school closures.
 - Extends validity of credentialing examination scores for one year.
 - Extends credentialing application fee timelines for 120 days.
 - Reduces field practice requirements for pupil personnel services credential for one year.
 - Extends transitional kindergarten teacher early childhood education credit requirement by one year.
- Extension of the 2019-20 audit submittal to March 31, 2021.
- Flexibilities for districts on allowable cross-fund transfers and interfund loans.
- Allowance for districts to use proceeds of surplus property sales for one-time needs.
- Specified prohibitions on school district layoffs of teachers and some classified employees. (These prohibitions do not apply to charter schools.)

Budget Facts and Figures

Cost of Living Adjustment (COLA): The education COLA for 2020-21 was estimated at 2.31 percent. However, the budget suspends the application of the COLA for virtually all programs including LCFF, special education, nutrition, mandate block grant and the Charter School Facility Grant Program. The Department of Finance has projected the following COLA estimates for future years, which may assist in long term budget planning:

Year	Estimated COLA
2018-19	3.70%
2019-20	3.26%
2020-21	0.00%*
2021-22	2.48%
2022-23	3.26%

* The statutory COLA for 2020-21 was estimated to be 2.31 percent, but it was not funded.

K-12 Average Daily Attendance (ADA): Department of Finance’s statewide K-12 ADA projections are provided in the following table:

Year	Estimated K-12 ADA	Change from Previous Year
2018-19	5,922,164	-0.64%
2019-20	5,895,591	-0.45%
2020-21	5,858,752	-0.62%



Minimum Wage Increase: Another issue that schools should consider in longer range budget planning is the increase in the minimum wage over the next few years to reach \$15.00 per hour. Despite the fiscal crisis, the budget did not offer any delay of the scheduled minimum wage increases. The state minimum wage increase also may affect the minimum salary for non-hourly, exempt staff. Schools will need to plan for both the wage and salary increases, and related benefits for minimum wage employees and other impacts of these increases. Some local jurisdictions may have increases not reflected here, so schools should also monitor any local action on minimum wage. The following table shows the increase in the minimum wage under state law.

Year	Minimum Wage for Employers with less than 26 Employees	Minimum Wage for Employers with 26 or more Employees
January 1, 2020	\$12.00	\$13.00
January 1, 2021	\$13.00	\$14.00
January 1, 2022	\$14.00	\$15.00
January 1, 2023	\$15.00	\$15.00

Additional Considerations

The considerable uncertainty caused by the COVID pandemic and the associated fiscal crisis will require close attention to several issues that may affect the budget during the year.

- Delayed tax receipts will be reported later in July. If tax payments are even lower than anticipated, further reductions could be required.
- Further support from the federal government is uncertain. The budget contains some restorations, particularly with school deferrals, if the Congress provides significant new funds for California.
- Finally, we all know that school operations, services and finances will be volatile as we accommodate the health circumstances in each of our communities and throughout the state.

CCSA will do everything we can to support you through this time, and keep you updated as circumstances change. We thank you all for the work you do every day!

California charter schools sue state for not funding additional students this year

Gov. Newsom promises there will be a fix for growing charters and districts

JULY 29, 2020 | JOHN FENSTERWALD

Four growing charter school organizations are suing Gov. Gavin Newsom, State Superintendent of Public Instruction Tony Thurmond and the California Department of Education, charging that the state's formula for funding K-12 schools during the pandemic will illegally deny payments for additional students in their schools.

Their schools are being underfunded by millions of dollars and their students' constitutional rights are being violated, the lawsuit claims.

The schools and parents of their prospective parents called for the courts to immediately force the state to reimburse the schools for newly enrolled students. If successful, [the lawsuit, filed Monday in Superior Court in Sacramento](#), would benefit traditional school districts that also are not being reimbursed in the coming school year for growth in enrollment.

"The Legislature should immediately fix this, by funding public school students," Jerry Simmons, attorney for the plaintiffs, said at a press conference Tuesday. "If it does not, we are confident that the courts will."

That should not be necessary, H.D. Palmer, a spokesman for the California Department of Finance, wrote in an email Tuesday. It has been the "intent of the Administration" that the Legislature will address the issue in August, he wrote.

Until the coronavirus pandemic suddenly forced schools to close in March, the state had been funding schools based on students' average daily attendance. Recognizing that many schools wouldn't be able to keep in regular touch with students in the rough transition to remote

learning, Newsom by executive order guaranteed that charter schools and school districts would be reimbursed for the remaining months of school based on their pre-pandemic attendance rates.

Looking ahead to fall with predictions that surges in the pandemic could cause disruptive switches between distance learning and in-person instruction, the Legislature and Newsom agreed to protect schools from gyrations in attendance. In the new state budget, they extended the 2019-20 attendance rates another year, to 2020-21.

The new funding system will shield districts with declining enrollment from financial loss but will hurt growing districts and charter schools — especially those bringing the lawsuit. Several had approval to open new schools and enroll large numbers of students in the fall, with the expectation of full funding.

Charters caught by surprise

The Legislature's decision to base K-12 funding on pre-pandemic enrollment, announced days before passage of the budget in mid-June, blindsided them, Simmons said, and put them in an untenable position. Those with waiting lists conducted lotteries and registrations last spring and are now legally bound to serve students that the state will not pay for.

“Not funding public school students because their families have made an educational decision in their children's best interest is inequitable and unconscionable,” said Juan Carlos Villasenor, founding principal of one of four Voices College-Bound Language Academies, a plaintiff in the lawsuit. Voices plans to open a new school in Stockton this fall and expand the number of grades in its Bay Area schools. Accommodating uncompensated new students will force cuts on the remaining schools, with layoffs of student service managers, special education paraprofessionals and an instructional coach at each school.

“The schools will have to spread money for existing kids. Hundreds of thousand of kids will be impacted by absorbing cuts and reductions,” Simmons said.

The other plaintiffs are the [Fortune School](#), a TK-12 network of nine schools in Sacramento and San Bernardino, serving primarily Black students; [John Adams Academy](#), “a TK-12 Classical leadership” network with campuses in Roseville, El Dorado Hills and Lincoln; and

[Sycamore Creek Community Charter School](#), a TK-8 charter school in Huntington Beach guided by the principles of Waldorf education.

Leaders from those schools made similar arguments. Sycamore Creek's executive director, Sarah Bach, said that without tuition revenue for its planned expansion, it would have to fund twice as many students at 50% funding.

Fortune School is opening a new school in south Sacramento targeting Black students who have not been well served, said Fortune's President and CEO Margaret Fortune. "I opened a network of schools to close the African American achievement gap by preparing kids for college in a different way. We enter into this lawsuit, not lightly. It's the last thing that you want to do. But we will use every resource within our grasp to protect our children and our students." The lawsuit, *Samaiya Atkinds v. State of California*, bears the name of a kindergartner who is enrolled in the new Sacramento school.

Although enrollment statewide has been gradually declining, some districts like Elk Grove, near Sacramento, have been growing and would also be adversely affected. Newsom acknowledged the unsolved problem but said maintaining school funding at current levels would allow for "stability" [in a June 29 budget message](#).

"I urge members of the Legislature to pursue targeted solutions to these potential disruptions and will work with you in coming weeks to enact them," he wrote.

The Legislature's challenge is that any solution will likely require some double funding: paying tuition to charter schools for their new students and paying the districts where some of the students came from. Districts already facing added costs of the pandemic based their budgets on the assumption they'd get what they received last year.

Simmons and legislative staff haven't estimated the cost of a fix, but it would be at least several hundred million dollars. Palmer indicated that the compromise would involve paying districts and charter schools for "planned growth." That implies documentable pre-pandemic approvals for expansion and actions like hiring staff, enrolling students and finishing buildings — but not parents' decisions to switch schools since the start of the pandemic.

Accurately documenting attendance might be hard to do anyway. Although school districts will be required to take daily attendance, including check-ins during distance learning, they will not be required this year to report the data to the state.

Simmons said the lawsuit should serve as a reminder not to delay. “The facts of this case are incredibly compelling. The state has an obligation to fund what it is obligated to fund, and students have a constitutional right” to an equal opportunity for an education, he said.

To get more reports like this one, [click here](#) to sign up for EdSource’s no-cost daily email on latest developments in education.

Comments

Comments Policy

We welcome your comments. All comments are moderated for civility, relevance and other considerations. [Click here for EdSource's Comments Policy.](#)

Waltdietsch

4 days ago

Great info!

Frank Valencia

1 week ago

The issue here became that all districts and charter schools had begun their new enrollments. Many schools had to go back to those parents whose children had already been accepted and told never mind. Most schools begin accepting new enrollments Jan thru April. The state cannot come out in May or June and break this news.

▶ Todd Maddison

1 week ago

"Accurately documenting attendance might be hard to do anyway. Although school districts will be required to take daily attendance, including check-ins during distance learning, they will not be required this year to report the data to the state." Don't get that. They have all the systems they need, right now, to report ADA to the state. They've been doing it for years. Nothing has changed in that. Why would they not simply use that ... [Read More](#)

► **tomm**

1 week ago



Kudos to the Charter Schools to force the issue. I know of Voices from one of their San Jose schools they serve underprivileged, low income kids of color. I'll be sending them some money to help. There is wide agreement now that the public school response to on-line learning was underwhelming last Sprig. Where we live, East Bay of SF, we saw the private schools work much harder to keep the kids in ... [Read More](#)

Giselle S Galper

1 week ago



Thank you. Charter schools are public schools and deserve funding.

J M

1 week ago



At least three of the charter organizations mentioned in the article received ppp loans in the amount of \$2-\$5 Million. Not sure why the article fails to mention this.

Chris Bertelli

1 week ago



Charter schools are frequently forced to secure loans for costs that district-run public schools don't have to deal with, such as rent/purchase of facilities or to bridge gaps in funding due to substantial growth. Being able to get a loan doesn't relieve the state of its constitutional obligation to provide public school students with an adequate education. Refusing to fund a student's public education because of the public school they choose is blatantly unconstitutional.

R

1 week ago



That is charter school for you. They get to pick and choose.

Todd Maddison

1 week ago



Perhaps we should look at the "deferrals" the public system is set to receive under the latest funding bill, which is just a loan guarantee under a different name?

Frank Valencia

1 week ago



Yes those schools got loans but those loans are to survive year one. State funding is needed for year two and on. With the new law, they would have to get another loan.

🕒 August 6, 2020

[Home](#) > [Articles](#) >[Public Charter Schools File Lawsuit Against State Over Defunding Of Public School Students](#)

Fortune Schools. (Photo: Fortune School of Education)

Public Charter Schools File Lawsuit Against State Over Defunding of Public School Students

Disparate Impact: The state is turning its back on low-income students of color

By [Katy Grimes](#), July 29, 2020 2:14 am

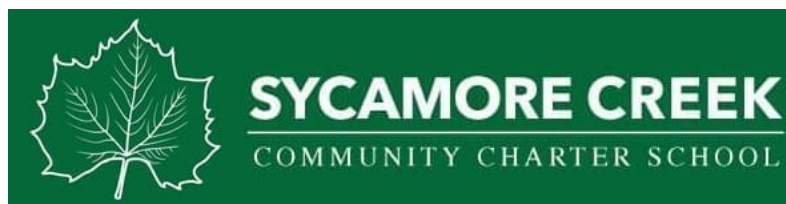
A lawsuit was filed Monday in State Superior Court against the State of California; Gov. Gavin Newsom; State Superintendent of Public Education Tony Thurmond; State Controller Betty Yee; and the California Department of Public Education; by a coalition of students, parents, and school leaders to stop the defunding of public school students in California. The defunding is in California budget **Senate Bill 98**, which deals with spending on K-12 education, and denies funding for students newly enrolling in a public school.

"SB 98 violates the constitutional promise of a free and equitable public education for all students," the coalition of students, parents, and public charter school organizations said during a ZOOM press conference Tuesday. Local civil rights leaders joined the coalition to address the severe negative impacts on students brought on by SB 98.

Backed by the California Teachers Association labor union (CTA), the Legislature and Gov. Gavin Newsom in 2019, **passed and signed into law bills** which put a moratorium on charter school expansion to stop the creation of charter schools needed to meet the demand of parents and their children. **AB 1506** states that the maximum total number of charter schools authorized to operate in California will be the total number of charter schools operating as of January 1, 2020.

Also in 2019, Gov. Newsom, who was strongly supported by the CTA during his campaign, **called for more regulation** of charter schools. Newsom spoke specifically about charter schools in his budget presentation address, issuing a veiled threat of additional transparency requirements – requirements not required of California public schools.

However, as the lawsuit notes, Charter Schools relied on ADA-based funding in opening and operating public schools for the State.



Sycamore Creek Community Charter. (Photo: Sycamore Creek Community Charter logo)

Through SB 98, if a public school has enrolled more students for the upcoming 2020-21 school year than they had enrolled the previous year, then according to the defunding provision of the budget bill, the state will not provide any additional funding for those newly enrolling students.

Attorney Jeremy Simmons, representing the public schools coalition, explained that California's Constitution guarantees a free and equitable public education for all students. But SB 98 is actually a defunding of schools and students, and "violates this constitutional promise because it eliminates the traditional and historical method of providing state funding to schools based on per pupil attendance of the actual students enrolled in the school, and instead reduces school funding to prior year amounts regardless of how many children are enrolled. This provision defunds growth at any public school. This defunding of students breaks the long standing link between funding following the child and fails to provide schools the necessary resources to educate each child."

"This is the most important civil rights education case since *Brown vs. Board of Education*," in 1954 Simmons said, noting that low-income students of color will be disparately impacted.

The lawsuit explains:

“In 2020-21, because of budget-related legislation passed by the Legislature and signed into law by the Governor, tens of thousands of California students’ educations will be defunded, while most students’ educations in the State will remain fully funded, or more than fully funded. Among the defunded are students in district schools, students in charter schools, black students and brown students, students living in poverty, special education students, English learners, foster youth, homeless students, kindergarteners entering school for the first time, 12th graders trying to earn their diploma and advance to college. What these students all have in common is that they all attend public schools with growing enrollment – a subset of public schools in California. This disparate funding is not merely unfair and unconstitutional – it is harmful to students. It means that the best performing public schools – the public schools that parents are choosing to send their children to because they serve their students well – will be penalized for their success, for growing to serve more students.”

“This convention, even if temporary for just this year (and it may not be), will create severe disparities in education funding and the quality and extent of availability of educational opportunities throughout California, in violation of the California Constitution and California Supreme Court precedent. The Student Defunding Law will irreparably harm tens of thousands of students from kindergarten to 12th grade alike. In effect, the Student Defunding Law (i) completely defunds students’ public educations in the 2020-21 school year by reason that they have enrolled in a new public school with growing enrollment, denying the public school in which they enrolled the financial resources necessary to serve them, and (ii) forces schools with growing enrollment to stretch per-pupil funding allocated on account of attendance last year to serve many more students in the current school year – new and continuing students combined.”

SB 98 bill analysis clarifies how the defunding will take place, and just how significant the defunding is: “Defers a total of \$11 billion in principal apportionment payments to local educational agencies (LEAs) from the 2020-21 fiscal year to the 2021-22 fiscal year in the amounts of \$1.5 billion from February to November of 2021, \$2.4 billion from March to October of 2021, \$2.4 billion from April to September of 2021, \$2.4 billion from May to August of 2021, and \$2.4 billion from June to July of 2021.”

“There is a severe and persistent African American achievement gap that is well-documented based on student achievement data from the California Department of Education,” said Margaret Fortune, President and CEO of Fortune School which operates nine highly successful charter schools in California serving predominantly low-income, Black students. “Governor Gavin Newsom and the Legislature struck a budget deal that strips school funding away from tens of thousands of children who attend public schools that are growing. This is completely unfair. I created Fortune School to close the Black achievement gap in my hometown of Sacramento by preparing



Voices College-Bound Language Academies.
(Photo: Voices logo)

kids for college starting in kindergarten. Fortune School has responded very skillfully and quickly to the coronavirus pandemic with a rigorous distance learning program for our families. We even made our distance learning program available to the public for free," Margaret Fortune added. "As a result, more and more Black and Latino parents are choosing Fortune School because we are effective and they want a high quality education for their children. Public school funding should follow the child to the school where they are enrolled, like it always has. The state budget changes all that and is a slap in the face to the many hard working Black and Latino parents who want the best opportunity for their children to obtain a good, high quality education."

Fortune reiterated her concerns: "Black kids are going to fall further behind and we will not know how much with no test results," noting that black parents are choosing public charter schools for their children to prepare them for college.

Fortune has located her schools in chronically underserved inner city locations. "But the state changed the rules midstream," Fortune said. She said her schools as well as other charter schools made their decisions to build more schools and invest in infrastructure based on the money following the child — the publicly-funded money.

Sycamore Creek Community Charter school in Orange County was in its first year of operation in 2019 and is still growing. "The defunding provision of SB 98 thwarts our school from following our legally binding charter to serve all of the students seeking a public education with us," said Dr. Sarah Bach, Founder and Executive Director. "We are at a loss as to how to provide our enrolled 126 students a free comprehensive Public Waldorf education with funding for only 65.9 ADA as SB 98 deems."

Sacramento Pastor Stefon DuBose, whose two daughters attend Fortune Early College High School, said his older daughter "will be a senior next fall in Fortune's first 12th grade class. Because the school didn't have 12th grade last year, the state won't pay for my daughter's last year in high school."



John Adams Academy Public Charter School. (Photo: John Adams Academy Facebook)

"Not funding public school students, because their families have made an educational decision in their children's best interest is inequitable and unconscionable," Frances Teso, Chief Executive Officer and

Founder, **Voices College-Bound Language Academies**, said in the press statement. Teso, a Latina, created the Voices model after her experiences growing up and later teaching in underserved communities in San Jose. Juan Carlos Villasenor, Founding Principal of **Voices Morgan Hill**, explained during the press conference that SB 98 denies services which have proved to be beneficial to low-income, underserved

students. He added that Voices will be forced to eliminate its special education programs and an instructional coach at each school.

Joseph Benson, Executive Director of **John Adams Academy**, noted that it is Northern California's only tuition free, TK-12 Classical Leadership Education public charter school network. with three academies in Roseville, El Dorado Hills and Lincoln. Benson said they are expecting 763 new students to their newest academy in the fall, and had planned that the students would have state funding. Benson said they are defunded \$6.3 million, with disparate impacts on the students. He said the newest academy has been six years in development – obtaining the charter, acquiring property, locating a developer, permits, etc... to open in August. They've purchased computers, books and hired staff to accommodate the nearly 800 new students. "We have a moral obligation to serve students. The state withholding funding does a gross injustice to students and families," Benson said.

Notably, SB 98 received no opposition during the Assembly vote.

Author Recent Posts



Katy Grimes

Katy Grimes, the Editor of the California Globe, is a long-time Investigative Journalist covering the California State Capitol, and the co-author of **California's War Against Donald Trump: Who Wins? Who Loses?**

Spread the news:



🔖 Tagged 1506, Assembly Education Committee, California Public schools, California Teachers Association, charter schools, defunding charter schools, Fortune School, John Adams Academy, moratorium on charter school expansion, school district financial woes, Sycamore Creek Community Charter:, unfunded pension liabilities, Voices College-Bound Language Academies

RELATED ARTICLES



CA Public Health Doc Outlines New Guideline Changes, Date-Based Re-openings

CHHS Secretary Ghaly reiterates data-driven COVID-19 health responses

July 22, 2020 4:07 am

Senate Public Safety Comm. Passes Drug, Alcohol Immunity In Sexual



Assault Cases Bill

AB 1927 would only give victims, witnesses immunity in such cases

July 31, 2020 3:38 pm



California's Public Employees System

Legislative employees exempt from civil service

August 1, 2020 8:15 am

4 thoughts on "Public Charter Schools File Lawsuit Against State Over Defunding of Public School Students"



JFB

July 29, 2020 at 9:35 am

Democrats don't care about closing any achievement gaps. They just want to strengthen their partnership with the CTA, and tighten their grip on our kids' education. Democrats and the CTA care about control, money, and power. Nothing else.

Reply



CW

July 29, 2020 at 12:22 pm

Democrat politicians send their kids to elite private schools. They want your kids to be brainwashed Antifa morons so that they keep power in the family.

Reply



Dr.J

July 30, 2020 at 8:44 am

I would just warn Voices Morgan Hill not to indicate that they are going to close special education programs, as you can not do that, as it would be considered discrimination towards student with special needs. Also, that is one of the main fighting points school districts have towards charters, that they are selective as to who they enroll.

Reply

**Shanna Overcast**

July 30, 2020 at 2:49 pm

As we enter into these times of uncertainty, we are faced with starting co-ops in order to help out our children and our community's children. We thought we had a choice to have our children distance learn through the local school which may or may not have it together, or home school through a charter school.... That choice has been made for those of us that don't have a large income coming in as the charter schools are not receiving anymore funds for new students, but the regular public schools will still be receiving their \$7500-\$12000 per student this year even though the financial burden has now been passed off to the parent. There are no tax breaks, no write offs no educational extras given to us. We are on our own. Our children have been being denied their right to an education constantly. From racial, disability, & vaccination discrimination and of course economic discrimination.

Reply

Leave a Reply

Your email address will not be published. Required fields are marked *

Comment

Name *

Email *

Website



I'm not a robot

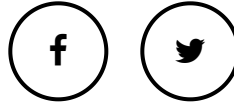
reCAPTCHA
Privacy - Terms

Post Comment

GET A WEEKLY SUMMARY OF CALIFORNIA GLOBE STORIES:

Subscribe

FOLLOW US



Editor: Katy Grimes, katy@californiaglobe.com | Reporter: Evan Symon
General Manager & Advertising: Kevin Sanders, kevin@californiaglobe.com - 201-724-0340



- **California Globe**
- **Book and Film Globe**
- **Fine Art Globe**
- **Modern Consensus**
- **New Jersey Globe**
- **Rock and Roll Globe**
- **Wine and Whiskey Globe**

[About Us](#) | [Terms & Conditions](#) | [Privacy Policy](#) | [Advertise with us](#)

© 2020 California Globe



From Old LCAP Local Control and Accountability Plan... to New LCAP: Learning Continuity and Attendance Plan (LCAP2 or LCP)

Background

Senate Bill 98 (SB 98) established that the Local Control and Accountability Plan (LCAP) and an annual update to the LCAP are not required for the 2020–21 school year and that the California Department of Education (CDE) shall not publish the California School Dashboard in December 2020 based on performance data on the state and local indicators. SB 98 supersedes the requirement to develop and adopt an LCAP by December 15, 2020, which was established by Executive Order N-56-20, which was published in April 2020.

SB 98 also separates the development and adoption of the Budget Overview for Parents from the development and adoption of the LCAP for the 2020–21 school year. The legislation also requires that the **Budget Overview for Parents be developed and adopted by December 15, 2020**. The requirements to hold a separate public hearing and adoption at a public local governing board meeting consistent with California *Education Code (EC)* Section 52064.1 of the Budget Overview for Parents remains.

SB 98 establishes California *EC* Section 43509 and the Learning Continuity and Attendance Plan (Learning Continuity Plan) requirements for the 2020–21 school year.

Purpose

The Learning Continuity and Attendance Plan (Learning Continuity Plan) is a key part of the overall budget package for K-12 that seeks to address funding stability for schools while providing information at the local educational agency (LEA) level for how student learning continuity will be addressed during the COVID-19 crisis in the 2020–21 school year. The provisions for the plan were approved by the Governor and Legislature in June in SB 98 and can be found in *EC* Section 43509.

The Learning Continuity Plan is intended to balance the needs of all stakeholders, including educators, parents, students and community members, while both streamlining engagement and condensing several preexisting plans. In particular, it was important to combine (1) the intent behind Executive Order N-56-20, published in April 2020, which envisioned an off cycle Local Control and Accountability Plan (LCAP) due December 15th, and (2) the ongoing need for LEAs to formally plan to return to school in the midst of the uncertainty and of COVID-19, without requiring two plans. The Learning Continuity Plan replaces the LCAP for the 2020–21 school year.

The Learning Continuity Plan adoption timeline of September 30, 2020 is intended to ensure the Learning Continuity Plan is completed in the beginning of the 2020–21 school year. Additionally, the timeline is intended to allow for communication of decisions that will guide how instruction will occur during the 2020–21 school year. This includes in-person instruction, according to health guidance, and distance learning, while providing critical opportunities for stakeholder engagement.

The Learning Continuity Plan template memorializes the planning process already underway for the 2020–21 school year and includes descriptions of the following: addressing gaps in learning; conducting meaningful stakeholder engagement; maintaining transparency; addressing the needs of unduplicated pupils, students with unique needs, and students experiencing homelessness; providing access to necessary devices and connectivity for distance learning; providing resources and supports to address student and staff mental health and social emotional well-being; and continuing to provide school meals for students.

Important Dates and Requirements

- By September 30, 2020
 - The LEA governing board/body shall adopt the Learning Continuity Plan by September 30, 2020 in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing for receiving public comment described below.
 - Prior to its adoption, the Learning Continuity Plan shall be presented at a public hearing of the governing board/body of the LEA for review and comment by members of the public. The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the Learning Continuity Plan will be available for public inspection.
 - Additionally, the governing board must provide options for remote participation in the public hearings and the public meeting in which the Learning Continuity Plan is adopted.

Learning Continuity Plan Submission

- Not later than five days after the local governing board adopts the Learning Continuity Plan, a school district must file the Plan with its county superintendent of schools, and a County Office of Education (COE) must submit its Plan to the State Superintendent of Public Instruction (SSPI)(reviewing authorities). Consistent with reporting requirements, a charter school shall submit its Learning Continuity Plan to its chartering authority and the COE. If the COE is the chartering authority, the charter school shall submit the Plan only to the COE.