

California schoolnews

Weekly Update

June 29, 2022

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Legislative update: Budget trailer bills respond to CSBA advocacy

Follow-up budget legislation released on June 26 revealed the details of the final deal reached by Gov. Gavin Newsom and the Legislature. The bulk



of the TK-12 budget is covered in the omnibus education bill, [Assembly Bill/Senate Bill 181](#), with [AB/SB 182](#) laying out the details for a **\$7.9 billion one-time Learning Recovery Emergency Fund**, which allocates **\$7.9 billion in one-time Prop 98 funds** for use over a period of six years through the 2027–28 school year for learning recovery initiatives.

The final budget deal includes **\$2.8 billion to support protections for declining enrollment and adopts CSBA and the Association of California School Administrators' proposal for COVID attendance relief**, although with some limits. AB/SB 181 also provides a desperately needed boost in funding for home-to-school transportation, reflecting CSBA's dedicated advocacy for addressing California's decades-long disinvestment in the program. Even more impressive is that the final deal provides a double-digit increase to the **Local Control Funding Formula base**, another key priority for CSBA's budget advocacy.

The bills also include funding for expanded learning, school nutrition, workforce development, facilities, transitional kindergarten, community schools and more. [Read CSBA's detailed breakdown of the budget trailer bills »](#)

Legal update: Supreme Court rules when public school not offered, public money can be used for religious school tuition



On June 21, the Supreme Court ruled that limiting Maine's tuition assistance program to "nonsectarian" only schools violated the Free Exercise Clause of the United States Constitution. In the case of *Carson v. Makin*, the Court ruled that **parents could not be prohibited from choosing to enroll their child in a private religious school under the state's tuition assistance program**. Because less than half of

the school districts offer secondary education, Maine created a funding program to ensure students continue to receive a free public education after elementary school by providing tuition assistance to parents who choose to send their children to private schools. To receive tuition assistance directly from the state, whether the selected school is located in Maine or not, the school must meet established criteria, including that the school be "nonsectarian" or not religious. The Court found that Maine cannot provide funds for "tuition for certain students at private schools — so long as the schools are not religious. *That is discrimination against religion.*" (Emphasis added.) According to the Court, **a state may choose not to subsidize private education but once it does, it may not disqualify some private schools because they are religious**. [Read more on the CSBA blog »](#)

On June 27, the Court issued its opinion in another free speech and free exercise of religion case, *Kennedy v. Bremerton School District*, a case for which CSBA's Education Legal Alliance submitted an amicus brief. The Court

overruled *Lemon v. Kurtzman* (1971) and overturned the Ninth Circuit holding in favor of a coach who engaged in prayer after games on the football field. **The Court's ruling in *Bremerton* will be discussed in more detail by CSBA later this week.**

CSBA report and webinar documenting school use of federal COVID relief funding coming soon



CSBA will release a report detailing federal COVID relief fund spending among local educational agencies on July 6 followed by a supplemental webinar on July 12. The report — based on federal expenditure reports and responses from a CSBA survey of superintendents — will reveal answers to hotly debated questions, specifically: 1) Is COVID relief funding being spent at an acceptable pace? 2)

How are the relief funds being spent? 3) What are the challenges to allocation and implementation of COVID relief funds? 4) What advocacy can CSBA undertake to facilitate implementation?

The upcoming report is the first part of the association's intensive research project on how LEAs are spending COVID relief funds. It will be followed in August by a state COVID relief spending report, and finally, a comprehensive report by late summer. [View a preview of the report »](#)

Federal updates: Department of Education seeking public comment for proposed Title IX changes; fact sheet on investing in teachers beyond ARP funding



The U.S. Department of Education released for public comment proposed changes to Title IX regulations on June 23. According to the accompanying [fact sheet](#), the proposed amendments “will restore crucial protections for students who are victims of sexual harassment, assault and sex-based discrimination — a critical safety net for survivors that was weakened under previous regulations.” The

proposed regulations will require that all students receive appropriate supports in accessing all aspects of education; strengthen protections for LGBTQ students who face discrimination based on sexual orientation or gender identity; and require that school procedures for complaints of sex discrimination, including sexual violence and other sex-based harassment, are fair to all involved.

The Department will engage in a separate rulemaking to address Title IX's application to athletics. The proposed Title IX regulations will be open for public comment for 60 days from the date of publication in the Federal Register. [Learn](#)

[more »](#)

In other federal education news:

- The Education Department released a **fact sheet on June 9, “[Sustaining Investments in Teachers Beyond the American Rescue Plan](#),”** outlining **U.S. Secretary of Education Miguel Cardona’s vision on supporting educators across the country and elevating the profession amid a teacher shortage. Cardona is asking states and local educational agencies to take part in the effort by considering five strategies laid out in the sheet.** The document also includes information on how ARP funds can be spent to support teachers and sustained in the long term, as well as additional federal resources. [View the fact sheet »](#)

Are you ready for 2022 Leadership Institute?



The state of public education has never been more critical — and your leadership has never been more essential. **Harness your talent, reignite your sense of purpose and hone your governance skills at CSBA’s 2022 Leadership Institute in Los Angeles, July 22–23.** “Leadership in a time of chaos, change and opportunity” **offers an intimate setting to engage with keynote speakers, collaborate**

with counterparts across the state and enhance leadership skills in sessions dedicated to community engagement, board meeting management, district governance, budgeting and crisis communications — crucial skills for the current environment.

This year’s **workshops will provide attendees a chance to focus on the mindsets, strategies and tools to budget, govern, communicate and engage effectively with their communities during these turbulent times.** And because we know we can’t take care of our staff, students and communities if we aren’t taking care of ourselves, **experts from FranklinCovey will host a workshop on how the wellness and well-being of trustees lends itself to productivity, effective governance and a growth mindset.** [Learn more and register »](#)

Policymakers begin to address longstanding challenges during Pride Month

With local educational agencies working to address youth mental health challenges exacerbated by the pandemic, **it is important that officials understand the role students’ identities play in their school experiences and mental well-being.** During a June 9 panel



discussion hosted by the California Department of Education's LGBTQ Pride and API Heritage Month committees, Dr. Jei Africa, the first openly transgender county behavioral health director in California, shared his story along with sobering statistics, and **two student activists shared their experiences and what they and their peers need from schools to be successful.** [Read more on the CSBA blog »](#)

At the federal level, **President Joe Biden — acting in recognition of Pride month — announced an executive order creating a committee to oversee the expansion of LGBTQ data collection throughout the federal government and directing the department to form a working group to advance policies to protect LGBTQ students and families.** The order follows years of conversations among civil rights and education advocates attempting to balance the need for data and methods of collecting it in ways that are backed by scientific and medical best practices, invite LGBTQ participation, will generate information researchers need and do not expose young people to the safety risks that coming out sometimes poses. [Learn more »](#)

Coverage you need to ensure student and district safety



Accidents happen. Are your students covered? To help members best address insurance-related issues, **CSBA has joined forces with California's leading provider of student accident and sickness insurance.** Myers-Stevens & Toohy is a full-service administrator based in Southern California that has worked closely with public K-12 schools for over 35 years. CSBA's **sponsored catastrophic injury**

coverage is affordable and can be extended to cover all school activities, including travel to and from home and school. [Learn more »](#)

COVID-19 resources

Stay up to date with the latest news and resources related to COVID-19 on [CSBA's dedicated webpage](#) and with articles frequently posted on the [CSBA blog](#).

Virtual events

The Brown Act
Aug. 26 | [Register](#)

Sponsors



Governance with an Equity Lens

Aug. 27-Oct. 22 | [Register](#)

In-person events

2022 Leadership Institute

July 22-23 | Los Angeles | [Register](#)

MIG 1: Foundations of Effective Governance/Setting Direction

Aug. 19 | Rancho Cucamonga | [Register](#)

MIG 2: Student Learning & Achievement/Policy & Judicial Review

Aug. 20 | Rancho Cucamonga | [Register](#)

California County Boards of Education (CCBE) Annual Conference

Sept. 9-11 | Monterey | [Register](#)

[View complete calendar](#)



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