



MEMORANDUM

TO: Interested Parties

FM: Dale F. Shimasaki, Ph.D

RE: June 2020 Monthly Report

CONTENTS OF MEMO:

- I. POLITICAL LANDSCAPE**
 - GOVERNOR'S STATE OF THE STATE ADDRESS
 - BUDGET
 - NOVEMBER 2020 BALLOT INITIATIVE STATUS
 - OTHER NEWS AND UPDATES
 - APPOINTMENTS / STAFF CHANGES

- II. K-12**
 - LEGISLATION UPDATES
 - STATE BOARD, CDE, AND BUDGET UPDATE
 - OTHER NEWS AND UPDATES

- III. HIGHER EDUCATION**
 - LEGISLATION UPDATES
 - COMMUNITY COLLEGES

- IV. CRADLE-TO-CAREER DATA SYSTEM**

- V. UPCOMING EVENTS**

I. POLITICAL LANDSCAPE

GOVERNOR'S STATE OF THE STATE ADDRESS

EXECUTIVE ORDERS SIGNED May 29 - July 2

The following are Executive Orders (EOs) signed by the Governor during the month of May 29 to July 2.

N-66-20. Teacher Credential Performance Assessment. Signed on May 29, this EO allows those enrolled in teacher preparation programs during the 2019-20 school year to obtain their preliminary credential without a teaching performance assessment. This applies to candidates who were unable to complete the requirements due to COVID-19 school closures.

This EO will provide the necessary relief to teacher credential candidates who were just a few steps away from completing their programs. Schools statewide still suffer from teacher shortages, especially in low-income and rural areas. Assemblymember Jordan Cunningham's AB 1982 would also provide some relief to potential credential candidates by eliminating the requirement of the California Basic Education Skills Test (CBEST), should it pass through the Legislature and be approved by Governor Newsom.

The Executive Order can be found [here](#).

N-67-20. Election Security. Signed on June 3, this EO builds upon a previously signed EO from May that established an entirely mail-in-only ballot system for the upcoming November general election. This EO ensures that those who are unable to participate in the mail-in voting system are provided with at least three days of early voting at in-person voting sites. It also provides additional social distancing protections at those in-person sites.

The Executive Order can be found [here](#).

N-68-20. Medical Manufacturers, Foster Youth. Signed on June 5, this EO covers two important issues - medical manufacturers and foster youth emergency placement. The EO authorizes companies and firms to manufacture medical equipment, such as ventilators, masks, and respirators, and over-the-counter drugs, such as hand sanitizer, if they are not currently licensed to do so by the California Department of Public Health. The EO also waives certain regulations related to the emergency placement of foster youth and verification of foster care status.

This EO will enable California companies to meet the pending demand for face masks if, and when, schools begin to re-open. A recent draft guideline from the Department of Education will require students to wear face coverings if they physically attend classrooms.

The Executive Order can be found [here](#).

N-69-20. CalWORKS Eligibility. Signed on June 15, this EO extends the waivers of a prior EO signed in April that temporarily broadens the capability of counties to enroll individuals into the CalWORKS childcare program, among other provisions.

The EO signed in April had initially authorized CalWORKS participants to self-attest to pregnancy and conditions of eligibility for the program. It further waived the in-person identification requirements and allowed for virtual identification.

The Executive Order can be found [here](#).

Budget Emergency Proclamation. Issued on June 25, Governor Newsom's Budget Emergency Proclamation provides the authority to the Legislature to draw down funds from the Proposition 2 Budget Stabilization Account, also known as the Rainy Day Reserve. The Budget Emergency Proclamation further suspends the requirement of an annual deposit into the reserve account for the 2020-21 fiscal year.

According to the statutes of Proposition 2 (passed by voters in 2014), funds can only be withdrawn from the reserve account when a budget emergency is declared, and a maximum of one-half of the statutory minimum can be withdrawn in any single year. The reserve account currently has a balance of just over \$16 billion, however the statutory minimum is closer to \$13 billion. The Legislature has the ability to withdraw up to \$9.5 billion when considering the additional \$3 billion in reserve deposits above the statutory minimum requirement that have been made over the past several fiscal years.

The Emergency Budget Proclamation can be found [here](#).

N-71-20. CalWORKS Eligibility Waivers. Issued on June 30, this EO extends the waivers to temporarily broaden the capability of counties to enroll individuals into the California Work Opportunity and Responsibility to Kids (CalWORKS) program. The waivers allow for self-attestation of pregnancy and conditions of eligibility, and waive in-person identification requirements.

One of the most pressing issues at the outset of the pandemic was how to handle childcare for parents who relied on schools to supervise their children while they continued to work at essential jobs. EO N-71-20 will provide some assurance that those who are working the essential jobs will not have to commit precious time to certain requirements of the CalWORKS program.

The Executive Order can be found [here](#).

GUIDANCE FOR THE USE OF FACE COVERINGS

On June 18, the Governor announced the requirement for everyone in California to wear masks when individuals are in high risk situations unless exempt. The California Department of Public Health released guidance, clarifying the Governor's announcement. It is unclear how the guidance will be enforced.

The three page document, outlining what constitutes a high risk situation and who is exempt from the guidance, can be found [here](#).

BUDGET

LEGISLATURE SENDS SIMPLE BUDGET TO GOVERNOR

As noted in the memorandum sent to you on June 15, the Legislature met its constitutional deadline to pass a balanced budget by midnight of June 15. Accompanying the first iteration of the 2020 Budget Act were three necessary trailer bills - AB 75 (2019 Budget Act Augmentation), AB 76 (Education Finance: Apportionment), AB 85 (Tax Law Adjustments).

The Legislature and Governor had been at a standstill over the actual details of the appropriations in the 2020 Budget Act, which resulted in the seven-day delay of additional trailer bills for each of the state government departments and agencies. Some of the education issues at the center of the debate included the distribution methodology for \$2.9 billion of LCFF funds, the survival of Calbright College, and a 10 percent cut to all levels of education versus increased apportionment deferrals. Additional details on trailer bills will be provided as soon as they are published. The full budget agreement and additional trailer bill analyses are referenced below.

LEGISLATURE AND GOVERNOR REACH BUDGET AGREEMENT

As noted in the memorandum sent to you on June 23, the Legislature came to an agreement with Governor Newsom regarding a detailed 2020 Budget Act and the accompanying trailer bill legislation. Below are a few of the highlighted agreements.

The budget agreements for K-12 and post secondary education include no cuts to ongoing programmatic spending but include deferrals of more than \$11 billion for K-12 schools and nearly \$1.5 billion for community colleges over a two-year period. October 15, 2020 is the deadline for the state to receive at least \$14 billion in additional federal relief aid, which would trigger off more than half of the deferrals for each. With regard to the Local Control Funding Formula (LCFF), the Education Omnibus Trailer Bill uses a middle-ground approach between the Governor's proposal to distribute federal funds to just heavily impacted low-income and English Learner school districts and the Legislature's proposal to distribute the federal funds equitably to all school districts. Finally, the budget negotiations included a commitment to maintaining the fully online Calbright College that the Legislature has sought to de-fund since its implementation in 2018.

One specific issue was brought up in the Senate Budget Committee hearing on the trailer bills, specifically regarding the AB 77/SB 98 Education Omnibus. While not the normal, some school districts have increasing enrollment going in to the 2020-21 academic year, however the attendance hold harmless mechanism does not provide them with any additional funding in 2020-21 to reflect that growth. Staff from the Department of Finance noted that the Legislature has the authority to retroactively appropriate funds in future budget years to cover the additional costs incurred from this issue.

The full text of the Education Omnibus Trailer Bill can be found [here](#).
The full text of the Higher Education Trailer Bill can be found [here](#).
The full text of the Budget Bill Junior can be found [here](#).

GOVERNOR NEWSOM APPROVES JOINT BUDGET AGREEMENT

On June 29, Governor Newsom signed the 2020 Budget Act, which represents the budget agreement between his Administration and the Legislature that attempts to close a \$54.3 billion budget gap over the next two years. Governor Newsom also signed the Higher Education trailer bill and the Education Omnibus trailer bill at the same time.

The agreement uses a mixture of state, federal, and reserve funds to mitigate the \$10 billion revenue hit to Proposition 98 over the 2019-20 and 2020-21 fiscal years. However, school districts and community colleges will experience the full gravity of a \$12.9 billion apportionment deferral absent the receipt of additional federal funds by October 15, 2020. Approximately half of those apportionment deferrals will be erased if California is granted at least \$14 billion in federal funds.

Budget trailer bill language in Senate Bill 98 (Education Omnibus) outlines the state's regulations for K-12 distance learning as an option during the 2020-21 academic year. Numerous education advocacy and equity groups have raised some concerns over some of the stipulations to continuing distance learning, including minimum attendance, reporting, and academic achievement requirements. SB 98 also provides employment protection for one year for all classified employees in transportation, food service, and custodial services at K-12 schools and community colleges outside of employee misconduct or just cause termination. This has become a point of concern for K-12 school districts and community college districts who often use layoffs to balance their district budgets.

The full text of the Education Omnibus Trailer Bill can be found [here](#).
The full text of the Higher Education Trailer Bill can be found [here](#).
The full text of the Budget Bill Junior can be found [here](#).

INCOME TAX TRACKER - LAO

The Legislative Analyst's Office reports that income tax withholding for the week ending July 2 showed a significant decline over the prior three weeks of tracking. Total income tax withholding during the pandemic period during March 23 to June 26 was down 3.2 percent (\$559 million) as compared to the same period in 2019. When factoring in the week ending July 2, that figure balloons up to 4.8 percent (\$935 million). Although this is down from the month of June as a whole, this is still an improvement from the pandemic period up through May 23, which showed a peak-period decrease of 5.5 percent (\$656 million) below the same period in 2019.

The LAO tracking report can be found [here](#).

OTHER NEWS AND UPDATES

LPI: CALIFORNIANS AND THEIR GOVERNMENT

The Learning Policy Institute has published its recent poll of Californians and Their Government, which gauges the general sentiment of California residents on certain issue areas. Below are several key highlights from the poll report:

Governor's handling of outbreak and economy. Many Californians approve of Governor's Newsom's overall job performance on the handling of the coronavirus outbreak (69 percent) and the economy leading up to the impending recession (59 percent). However, nearly six in ten Californians are still concerned about contracting the coronavirus or needing hospitalization due to the illness. And more than half of Californians are concerned with the recession, with one-third considering it a moderate recession and one-quarter considering it a severe recession.

Legislature. Similar to the approval ratings of Governor Newsom, the Legislature has an approval rating of nearly six in ten Californians and a party-line split of Democrats and Republicans as it relates to the handling of the pandemic and the economy. However, the poll does not reflect the recently published Legislative Budget Plan, which reduces the cuts to overall spending proposed in the Governor's May Revision.

Overall Issues. According to the poll results, Californians show the most concern over the coronavirus pandemic (36 percent) and the economy (23 percent). Homelessness, which just several months ago was the top concern of the state and its residents, is now the lowest of the major concerns, with just four percent of likely voters considering it the greatest concern facing the state.

The full report and poll analysis can be found [here](#).

SUPREME COURT UPHOLDS DACA, PROTECTING HUNDREDS OF THOUSANDS FROM DEPORTATION

The Supreme Court voted 5-4 the decision to end Deferred Action for Childhood Arrivals, or DACA, was "arbitrary and capricious." The court's decision leaves the door open for the administration to try again to end the program if they give a more detailed justification. It is unclear whether the White House would want to try again to end the program before the presidential election.

DACA currently provides temporary protection from deportation and permission to work for close to 700,000 people who came to the U.S. as children, according to the most recent data from U.S. Citizenship and Immigration Services. About 200,000 DACA recipients live in California, by far the largest number of any state, according to the Migration Policy Institute. And, there are an estimated 4,000 teachers in California with DACA status. For DACA recipients who have been on edge for months, the decision is huge.

Read more on the Supreme court's decision [here](#).

COURT DECLINES TO HEAR TRUMP ADMIN CHALLENGE TO CA VALUES ACT

The Supreme Court declined to hear U.S. v California, the Trump administration's challenge to SB 54, the California Values Act, a bill passed to end resource sharing between local police and sheriff departments and federal immigration enforcement.

With this decision, the California Values Act, often referred to as the state's "sanctuary bill," upholds the Ninth Circuit's decision to maintain the bill as was affirmed in previous decisions.

In 2018, US Attorney General Jeff Sessions filed a lawsuit against California's sanctuary policies which was dismissed by U.S. District Judge John A. Mendez. In 2019, U.S. Court of Appeals for the Ninth Circuit upheld the ruling by the district court. In 2020, U.S. Supreme Court denied the federal government's petition for review. Bottom line is that schools are not required to share student data with federal immigration enforcement.

Read more about the court decision [here](#).

APPOINTMENTS / STAFF CHANGES

NEWSOM APPOINTS STEVE NGO TO CALIFORNIA STUDENT AID COMMISSION

Steve Ngo from San Francisco has been appointed to the California Student Aid Commission. Ngo is a partner at Lozano Smith, where he has practiced law since 2012. He was an attorney in private practice, a member of the Asian American Bar Association of the Greater Bay Area and the Board of Governors of the Alumni Association of the University of California, Hastings College of the Law. Ngo founded the Pham Fund at the Asian Women's Shelter in 2010. He previously served as a member of the Board of Trustees for City College of San Francisco from 2009 to 2016.

The full list of appointments can be found [here](#).

CASBO BOARD SELECTS TATIA DAVENPORT AS NEXT CEO, EXECUTIVE DIRECTOR

The Board of Directors of the California Association of School Business Officials (CASBO) has named Tatia Davenport the next chief executive officer and executive director of the association. Davenport, currently CASBO's chief operations officer and deputy executive director, will take the helm at CASBO on Aug. 1, 2020. She succeeds Molly McGee Hewitt who has led the organization for the past 12 years and will retire effective Aug. 1. Davenport, a nine-year veteran at CASBO, was selected for her extensive business background, diverse skill set and innovative nature. Her knowledge of the association and relationships with members, partners, other education organizations and staff gave the board confidence to make the appointment.

NOVEMBER 2020 BALLOT INITIATIVE STATUS

UPCOMING BALLOT MEASURES - NOVEMBER 3 ELECTION TRACKER

The following is a list of measures that have qualified for appearance on the November 3, General Election ballot:

Proposition 14 - Enough signatures were gathered to include this bond measure on the ballot. This would create \$5.5 billion in borrowed funds to provide Stem Cell Research.

Proposition 15 - This is also known as the Split Roll Tax and would require additional tax payments from landowners whose property values exceed \$3 million in holdings. It is

estimated to generate between \$6.5 and \$11.5 billion annually for local governments, counties, community colleges, and school districts.

Proposition 16 - This is the result of Assembly Constitutional Amendment 5 (Weber) which ends the prohibition on affirmative action in governmental entities, including admissions and enrollment in higher education institutions and employment practices for government agencies.

Proposition 17 - This is the result of Assembly Constitutional Amendment 6 (McCarty) which would allow prior felons who are on parole to vote in elections.

Proposition 18 - This is the result of Assembly Constitutional Amendment 4 (Mullin) which would allow 17-year-old U.S. citizens to vote in primary and special elections as long as they will be 18 years of age by the subsequent general election.

Proposition 19 - This is the result of Assembly Constitutional Amendment 11 (Mullin) which would make several adjustments to property tax loopholes by limiting the ability of those who inherit parents' properties to maintain low property tax payments. Additional funds raised by the measure would provide state fire response activities.

Proposition 20 - Enough signatures were gathered to include this measure on the ballot, which would allow prosecutors to seek harsher penalties for repeat or organized petty theft offenders, and exclude those who have been convicted of domestic violence or certain nonviolent crimes from early parole consideration.

Proposition 21 - Enough signatures were gathered to include a Rent Control Measure on the ballot. This measure would allow cities to introduce new rent control laws and expand existing ones. The same measure was defeated in 56 of 58 counties statewide during the 2018 election.

Proposition 22 - Enough signatures were gathered in a campaign organized by Lyft, Uber, and Doordash to include this measure on the ballot. This would convert "app-based" drivers into independent contractors rather than employees, essentially nullifying parts of the AB 5 (Gonzalez) legislation that polarized the Legislature in 2019.

Proposition 23 - Enough signatures were gathered in a SEIU-sponsored campaign to include this measure on the ballot. This would require dialysis clinics to have at least one physician on site and report infection data to health officials.

Proposition 24 - Enough signatures were gathered to include this measure, which would strengthen California's consumer privacy law and establish a California Privacy Protection Agency.

Proposition 25 - This is a referendum that would ask voters to approve or strike down a state law that prohibited money bail from the state criminal justice system.

II. K-12

LEGISLATION UPDATES

ACA 5 (WEBER) - REPEAL OF PROPOSITION 209

Assembly Constitutional Amendment 5 (Weber) was passed on the Senate floor by a 30-10 party-line vote, with Senator Scott Wilk the lone Republican voting in favor of the measure. The floor discussion had Senators sharing stories where they experienced discrimination or where affirmative action helped them achieve their goals and that racism exist in the state. Senator Melendez shared that she, "patently reject the notion that the state is racist or that the country is racist..." where in turn, Senator Leyva, spoke (again), in response, and shared that she found it unconscionable and incredibly disingenuous.."

ACA 5 is essentially a repeal of Proposition 209, which was approved by voters in 1996 and prohibited government entity preference based on race, gender, sexuality, etc... Should the measure be approved by voters in November 2020, government entities will be authorized to use those identity categories to give preference, though no entity may use quotas in hiring or admitting, according to a recent US Supreme Court ruling.

The bill's author, Assemblymember Shirley Weber, and others have made previous attempts to put the Prop 209 repeal up to the voters but none prior to ACA 5 had succeeded in getting the two-thirds vote.

The full text of ACA 5 can be found [here](#).

AB 1384 (O'DONNELL) - SCHOOL LIABILITY LIMITATION FOR COVID-19

Assemblymember Patrick O'Donnell has introduced AB 1384, which would limit the liability of schools, school administrators, and school faculty and staff for injuries related to the COVID-19 pandemic provided that all state, local, and federal regulations have been followed.

As school districts consider reopening their campuses for the 2020-21 academic year, they must consider the liabilities associated with students and school personnel contracting COVID-19 and experiencing injuries related to the illness. AB 1384 would provide some protections for school districts and potentially improve their consideration for reopening their campuses sooner to classroom instruction. Additional state and local regulations and guidance will have to be developed for the bill to provide full monetary protections for school districts.

The full text of the bill can be found [here](#).

STATE BOARD, CDE, AND BUDGET UPDATE

ASSEMBLYMEMBER MURATSUCHI ANNOUNCES CA BROADBAND INFRASTRUCTURE AND DISTANCE LEARNING BOND ACT OF 2020

Assemblymember Al Muratsuchi (D-Torrance) has announced he will introduce the California Broadband Infrastructure and Distance Learning Bond Act of 2020. While

exact details have not yet been published, the bond will likely be in the range of \$3 to \$4 billion, with funds prioritized towards physical internet infrastructure and technology-related instructional materials.

Since the beginning of the COVID-19 pandemic, hundreds of school districts statewide have reported issues with distance learning, including the lack of internet access and technology for students. The California Department of Education estimates that at least 400,000 additional devices are needed and another 250,000 internet hotspots are needed for students to properly access distance learning. While the bond is a step in the right direction towards closing a digital access divide, the last education-related bond in March 2020, Prop 13, was defeated by voters.

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

JOINT EDUCATION COMMITTEE HEARING ON RE-OPENING SCHOOLS

The Assembly and Senate Education Committees held a joint informational hearing on the subject of safely re-opening schools. Testimony was provided by State Superintendent of Public Instruction Tony Thurmond, as well as student equity groups, teacher and staff advocacy groups, the State PTA, and several school district leaders.

State Superintendent Thurmond had just released a full set of documents in the prior week that provided guidance on how schools should safely and successfully re-open to their students and staff. While the guidance documents provide extensive details, Assembly Education Committee Chair Patrick O'Donnell asserted that the decision to re-open schools should be done at the local level by the districts based on their individual abilities to ensure safety and proper education. Senate Education Committee Chair Connie Leyva also noted that technology deficiencies for students in low-income and rural areas needs to be addressed for schools that decide to continue with distance education rather than physically re-opening classrooms.

The full agenda and list of testimony can be found [here](#).
The full hearing archive can be found [here](#).

STATE SUPERINTENDENT'S SCHOOL GUIDANCE DOCUMENT

State Superintendent of Public Instruction Tony Thurmond has published the first set of comprehensive guidance to support public school leaders as they work with local health officers to plan for the safe reopening of campuses this fall. The guidance document provides information for schools on health and safety, instructional programs and models, professional relationships and learning, mental health and well-being for students and staff, community engagement and parental support, early learning and care, and school services such as transportation and meals.

The draft guidance recommends the use of face coverings for all students, staff, and administrators at all times while on campus or in classrooms. Other procedures would include temperature checks and mandatory sanitizing areas on the school campuses. Unfortunately, many urban and rural school districts do not have the spending ability to provide these essentials to their students and staff, especially if K-12 budgets are cut during the recession. State Superintendent Thurmond has pledged to aggressively

advocate for additional revenue streams that would allow for necessary resources to reopen schools safely.

The full guidance document can be found [here](#).
The Press Release from the CDE can be found [here](#).

SPI, SBE PRESIDENT, FIRST PARTNER LAUNCH SEL CAMPAIGN

State Superintendent of Public Instruction Tony Thurmond and State Board President Linda Darling-Hammond have joined First Partner Jennifer Siebel Newsom to launch a new campaign focused on addressing Social and Emotional Learning in California. The initiative will compile information and data on an interactive forum called WikiWisdom. The forum is intended to be a resource for educators, school leaders, and families to interact with peers and share best practices.

The Department of Education has held several forums for educators, school faculty, staff and administrators, and education advocates to discuss ways to address mental health during the COVID-19 pandemic. The WikiWisdom forum is a culmination of those forums as well as other efforts within the education community to address Social and Emotional Learning in California schools.

More information on the campaign can be found [here](#).

CDE LAUNCHES SEVERAL WEBINAR SERIES ON DISTANCE LEARNING

The California Department of Education has launched several webinar series on various distance learning topics to provide information and available resources to educators, administrators, and parents. Topics include English Language Development, Dual Language Instructions, Deaf Education, History-Social Science and ELA/ELD Frameworks, English Learner Lesson Planning, Blind and Visually Impaired, and others.

The media archives of each webinar can be found [here](#).

TASK FORCE ON SAFE SCHOOLS - HEARING

State Superintendent of Public Instruction Tony Thurmond convened the first informational hearing for the newly created Task Force on Safe Schools. SPI Thurmond was joined by State Board President Linda Darling Hammond and a panel of experts from WestEd, UCLA, the National Association of School Resource Officers, and representatives from several local city and school police departments.

According to data provided by WestEd and UCLA researchers during the informational hearing, students are no more likely to be safe on a campus that has police presences than those without police presences. Other research analyses indicate that schools with their own police units had significantly disproportionate numbers of students of color arrested and removed from campuses. SPI Thurmond noted that far more research is necessary to determine a police framework for campuses to use if they choose to maintain their law enforcement presences.

More information on the public hearing can be found [here](#).

CDE GUIDANCE ON STUDENT MENTAL HEALTH

The California Department of Education (CDE) provided a set of guidance for addressing student mental health issues during the COVID-19 crisis that has forced school closures. The guidance accompanies the routine Wellness Wednesday Webinars put on by the CDE in conjunction with Pacific Southwest Mental Health Technology and Transfer Center.

Additional information and useful materials can be found [here](#).

CDE LAUNCHES SEVERAL WEBINAR SERIES ON DISTANCE LEARNING

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OTHER NEWS AND UPDATES

LAUSD JOINS OTHER LARGE DISTRICTS REDUCING LAW ENFORCEMENT BUDGETS

The Los Angeles Unified School District (LAUSD) Board of Trustees voted to cut the district's police force by more than one-third of its total operating budget, resulting in the layoffs of more than 60 officers and the elimination of more than 40 vacant positions. The move by the LAUSD Board will save the district more than \$25 million annually, which can be redirected to other student services and educational enrichment activities.

Since the beginning of protests resulting from the George Floyd killing in May, many of the large communities statewide have called for their schools to eliminate the use of police forces on their K-12 school campuses. Oakland Unified School District has already voted to eliminate its school police department, while San Francisco, Sacramento City, and West Contra Costa Unified School Districts have all voted to terminate contracts with local law enforcement agencies.

Budget Trailer Bill Language in SB 98 (Education Omnibus) states legislative intent to review the affects and impacts of law enforcement presence on K-12 school campuses, specifically in low-income communities and at schools with higher proportions of students of color. Any additional fiscal savings from the elimination of law enforcement contracts would provide additional budget flexibility for schools hit the hardest by the current recession.

More information on the LAUSD Board vote can be found [here](#).

III. HIGHER EDUCATION

LEGISLATION UPDATES

AB 1759 (SALAS D) - INSTITUTIONS OF HIGHER EDUCATION

Assemblymember Salas gutted and amended his bill June 29th, after it made its way past the Assembly floor. Earlier this session, his bill would have increased the healthcare workforce in underserved communities by increasing primary care physician residencies, expanding loan repayment programs, and improving outreach to low-income and underrepresented communities for students to enter health careers. AB 1759 included a broad coalition of support from senior advocates, health providers, and hospitals.

However, as it was amended, now the bill would exempt the public and independent institutions of higher education, and their officers, employees, and governing bodies from monetary liability and damages for injury relating to COVID-19 infection, any condition in existence because of the COVID-19 pandemic, or any act or omission by those institutions, their officers, their employees, or their governing bodies in response to the COVID-19 pandemic, as provided.

The full text of the bill can be found [here](#).

AB 1460 (WEBER) - CSU GRADUATION REQUIREMENT: ETHNIC STUDIES

Assembly Bill 1460 (Weber) has passed the Senate floor on a 30 - 5 vote and now heads back to the Assembly for concurrence in the Senate's amendments. The bill would establish a requirement at the California State University (CSU) campuses to offer at least one ethnic studies course beginning in the 2021-22 academic year, and require all students, beginning with the 2024-25 graduating class, to take at least one ethnic studies course prior to graduation.

AB 1460 has had several delays along its way through the Legislature. It was initially held up in the Senate Education Committee, where it failed by one vote before being granted reconsideration and passing on a second vote. During the Senate floor vote, Senator Steven Glazer (D-Orinda) was the lone Democrat to not vote in favor of the bill, noting that the decision should be left up to the CSU Board of Trustees to set the graduation requirements for their own campuses. Republican Senator Ling Ling Chang joined the rest of the Democrats in voting in favor of the bill.

The full text of AB 1460 can be found [here](#).

COMMUNITY COLLEGES

CCC WINS COURT BATTLE OVER USE OF CARES ACT FUNDS

The California Community Colleges (CCC) Chancellor's Office filed a legal challenge in early May to the US Department of Education's interpretation of the CARES Act funds for higher education. USDE had specifically prohibited the use of CARES Act funds for aid to undocumented students, students under the Deferred Action for Childhood Arrival (DACA) program, and several other categories of students who do not qualify for

federal financial aid. On June 17, a federal judge ruled in favor of the CCC and struck down the USDE's interpretation on the prohibition.

Nearly 70,000 undocumented and more than 700,000 other students in the CCC system's 114 campuses will now be allowed to benefit from the CARES Act emergency aid. The win for the CCC system will likely be challenged in a court of appeals, but more legal challenges may follow from the University of California (UC), California State University (CSU), and other large college systems. The June 17 ruling was only applicable to the CCC campuses and students, which leaves nearly 14,000 undocumented students and nearly 100,000 other categorized students at the UC and CSU still unable to receive the emergency aid.

A statement from CCC Chancellor Eloy Oakley can be found [here](#).

IV. CRADLE-TO-CAREER DATA SYSTEM

CCDS WORKGROUP UPDATES

CRADLE-TO-CAREER DATA SYSTEM (CTCDS): DEFINITIONS SUBCOMMITTEE MEETING

During the Definitions Subcommittee Meeting, the board discussed following federal or state guidelines. Ultimately the committee decided to follow California guidelines over federal ones. The committee also opted to represent the LGBTQ+ community in a binary style (are or are not LGBTQ+). There are many more nuanced issues to discuss like name, gender, and sexual orientation changes, as well as if and how to represent other underrepresented groups. Person matching will be a big focus of the next meeting. The last Common Identifier Sub Committee suggested nine identifiers including name, date of birth, contact information, and social security numbers. Documentation for person matching elements will be submitted on July 7th. Subcommittee meetings in June will focus on security frameworks, crafting system disclaimers and exemption policies, as well as development of research agenda items related to financial aid. The California Department of Technology will also answer questions regarding the request for information for the Data Management System.

Read more about the subcommittee [here](#).

CTCDS: RESEARCH COMMITTEE

The research subcommittee discussed the proposed technical framework for analytical tools. An entity has yet to be determined. The managing entity will create the partner research data set. Each agency will determine the frequency and amount of data to be uploaded in their respective cloud repositories. Also, the managing entity will create de-identified data files from data requests using information loaded into the agency cloud. Information from CCGI and eTranscripts will be segregated because it is identifiable data. However, the information will be shared to provide comprehensive aid packages, measure college preparedness. It is highly sensitive and will not be combined in the data set.

There were key changes made to the research agenda based on the input received from May. The group will focus on providing actionable data for people to be able to use data proactively. A visualization tool will be added to show progress tracked from early care to K-12 to the employment pipeline. In addition to this, the dashboards and query tools will identify institutional factors (barriers/opportunities Black and other students of color encounter) that may impact student outcomes. Also, query tools will be refined since some data elements can be combined. Some brief examples were used to illustrate the long-term effects of financial aid and the successful completion of those who received financial aid. It is important to note that the research subcommittee initially felt limited by the options given to them based on the recommendation of the legal group after consulting experts on FERPA and HIPAA. They would like documentation stating what the group can/cannot do based on FERPA, HIPAA, and California state law regulations.

Read more about the committee [here](#).

CRADLE-TO-CAREER DATA SYSTEM: WORKGROUP

The most salient issues that were to be discussed were finalization of mission statements, clarity on composition of legal structure, and to resolve which entity will manage the Cradle to Career data system. The group discussed synthetic data sets, incorporation of participation that corresponds to law, and the benefits of different types of groups being the managing entity of the project. Some advantages of a non-profit auxiliary organization that were expressed were flexible salaries and easier navigation of civil services processes, but Amy Supinger had concerns that a non-profit auxiliary organization might be inclined to be biased. Public-private partnerships were also explored, but there were concerns about the frequency of contract negotiations between the groups from Sara Pietrowsk from the State Board of Education. Ultimately it was decided to defer the decision to a homework team.

A representative from the AICCU explained that there are legal roadblocks to sharing their data that must be solved through an MOU or new legislation. Elaine Scordakis expressed that it might be easier to do so through legislation. The group also expressed that it will not be buying data so that institutions cannot take advantage of the incentives. There were additional concerns regarding the program being completely voluntary because it may cause institutions to not opt into the program. Members also expressed interest in adding the CA DMV and DOJ data into the system to allow for analysis of how employment, incarceration, and other factors could affect student success. It was determined that the legal subcommittee must evaluate if IDEA and BUCP could be expanded to do include these agencies. The workgroup decided to postpone talks on why a partner might become a part of the governance structure because there was not a clear enough use case.

The data requests homework team will refine a draft description of the data request process for third parties. The communications homework team will meet with Collaborative Communications to get input for an engagement toolkit that includes a PowerPoint, outreach language, recommendations on topics to focus on in communications, and materials for a webinar series. Responses to RFI questions have been posted and will be reviewed by two subcommittees. The deadline to respond has been extended to the end of July, but if a partner entity responds they cannot develop the rubric or be a part of the 9/1 discussion.

Find more information on the group's agenda resources [here](#).

V. UPCOMING EVENTS

July 2: Senate Summer Recess begins upon adjournment provided Budget Bill has been passed.

July 3: Independence Day observed.

July 8-9: State Board of Education Meeting

July 9: Cradle-to-career Data System – Workgroup Homework Committee Team 1

July 10: California Workforce Pathways Joint Advisory Committee Meeting

July 13: Legislature reconvenes from Summer Recess.

July 14: Cradle-to-Career Data System - Technology & Security Sub-Committee Meeting

July 15: Cradle-to-Career Data System - Legal Sub-Committee

July 16: Cradle-to-career Data System – Workgroup Homework Committee Team 2

July 20: CCC Board of Governors

July 21: Cradle to Career Data System - Definitions Sub-Committee

July 21-22: CSU Board of Trustees Meeting

July 23: Cradle-to-Career Data System - Research Agenda Sub-Committee Meeting

July 28-30: UC Board of Regents Meeting

July 30: Cradle-to-Career Data System Workgroup

July 31: Last day for policy committees to hear and report fiscal bills to fiscal Committees.