

File No. 220047

Committee Item No. \_\_\_\_\_

Board Item No. 29

# COMMITTEE/BOARD OF SUPERVISORS

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Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: January 25, 2022

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- Senate Bill 830 - 1/3/22
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- \_\_\_\_\_
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- \_\_\_\_\_

Prepared by: Lisa Lew

Date: January 21, 2022

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Supporting California Senate Bill No. 830 (Portantino) - Education Finance: Supplemental  
2 Education Funding]

3 **Resolution supporting California Senate Bill No. 830, authored by Senator Anthony**  
4 **Portantino on Education Finance: Supplemental Education Funding, to transition**  
5 **California’s K-12 school funding calculation from average daily attendance-based**  
6 **funding to enrollment-based funding to provide additional funding to school districts.**

7  
8 WHEREAS, On January 3, 2022, Senator Anthony Portantino (D-La Cañada Flintridge)  
9 introduced Senate Bill (SB) 830, a measure to move California K-12 school district funding  
10 away from average daily attendance funding to enrollment-based funding from the start of the  
11 2023-2024 school year; and

12 WHEREAS, The current average daily attendance funding means districts’ baseline  
13 funding depends on the number of students enrolled, minus the daily average number of  
14 absent students; and

15 WHEREAS, SB 830 would redefine districts’ baseline funding as the amount of the  
16 aggregate enrollment days for all pupils in a school district, divided by the total number of  
17 instructional days; and

18 WHEREAS, California is currently using an outdated system that only considers  
19 student attendance, and is one of only six states, including Idaho, Kentucky, Mississippi,  
20 Missouri and Texas, that does not consider student enrollment figures for determining state  
21 aid to school districts; and

22 WHEREAS, School districts plan their budgets and expend funds based on the number  
23 of students enrolled, yet only receive funds based on their average daily attendance; and

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25

1           WHEREAS, If a school district enrolls one hundred students but their attendance rate is  
2 95%, the school district must still prepare as if one hundred students will attend class every  
3 day but only receive funding for ninety-five students; and

4           WHEREAS, The current average daily attendance formula worsens inequality since  
5 educational consequences from school understaffing and underfunding are exponentially  
6 worse across school districts that traditionally serve large populations of lower-income  
7 students, and other vulnerable student populations and their families; and

8           WHEREAS, The current attendance-based funding further disenfranchises students in  
9 schools that face higher rates of absenteeism who were already facing stark opportunity  
10 differences and are most in need of the state’s financial support; and

11           WHEREAS, The opportunity gaps that existed prior to the COVID crisis have only been  
12 exacerbated during this crisis; and

13           WHEREAS, San Francisco Unified School District is facing a \$125 million budget  
14 shortfall, and school districts all over the state are facing similar issues; and

15           WHEREAS, While the state has maintained district funding to help schools weather the  
16 pandemic, without a change in funding formula, school budgets will revert to allocating money  
17 based on average daily attendance; and

18           WHEREAS, The COVID pandemic has had long-lasting impacts on student  
19 achievement and mental health; and

20           WHEREAS, Average daily attendance has dropped significantly since the pandemic,  
21 and school districts will lose out on millions of dollars in funding when attendance drops; and

22           WHEREAS, State law that allowed for remote learning expired in 2021, and under the  
23 current average daily attendance formula, school districts may lose funding from the state if  
24 they respond to the spread of new or current variants of COVID by reverting to remote  
25 learning; and

1           WHEREAS, When physical classrooms reopened in the fall of 2021, districts failing to  
2 offer independent study to students in quarantine were required to count those pupils as  
3 absent, resulting in districts losing their attendance-based funding; and

4           WHEREAS, More state funding will help alleviate the budget crises that our public  
5 school systems are facing; and

6           WHEREAS, SB 830 could yield \$3 billion more in annual state funding for California  
7 schools, and California is expecting a \$31 million surplus; and

8           WHEREAS, SB 830's new funding formula ensures that no school districts will lose  
9 money from the new formula by including a "hold harmless" provision that would keep current  
10 funding levels but allow districts to apply for supplemental funding if enrollment totals are  
11 greater than the average daily attendance formula; and

12           WHEREAS, SB 830 would still disincentivize truancy by requiring districts to spend half  
13 of any new funds they receive on combating chronic absenteeism; and

14           WHEREAS, SB 830's enrollment-based funding would provide California schools with  
15 more equitable, stable, and predictable funding; and

16           WHEREAS, If we do not act with greater urgency to properly fund and invest in our  
17 public education system, there will be lasting impacts on our students, public schools, and our  
18 community; and

19           WHEREAS, There is general agreement among parents, educators, school  
20 administrators, that our schools are in dire need of more economic resources to better serve  
21 our students; and

22           WHEREAS, The SB 830 has already been endorsed by the California School  
23 Employees Association and Los Angeles Unified School District; and

24           WHEREAS, We have a moral obligation to protect the integrity of our educational  
25 institutions by ensuring that they are properly funded to overcome the current and future

1 challenges presented by the COVID-19 health crisis and rectify past failures to adequately  
2 resource our institutions; now, therefore, be it

3 RESOLVED, That the San Francisco Board of Supervisors supports SB 830; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors of the City and County of San  
5 Francisco urges its local state elected officials, including the Assembly Member Phil Ting, and  
6 Senator Scott Wiener, to champion the proper investment in education and recovery of our  
7 public education system by adding their names as co-sponsors of SB 830; and, be it

8 FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs  
9 the Clerk of the Board to transmit copies to SB 830 bill sponsor Senator Anthony J. Portantino  
10 and members of the California Assembly and Senate from San Francisco with a request to  
11 take all action necessary to achieve the objectives of this Resolution.

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**Introduced by Senator Portantino**

January 3, 2022

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An act to add Section 41338 to the Education Code, relating to education finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 830, as introduced, Portantino. Education finance: supplemental education funding.

Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified, that includes average daily attendance as a component of that calculation for these local educational agencies. Existing law requires the Superintendent of Public Instruction, on or before February 20 of each year, to make a first principal apportionment of funds and, on or before July 2 of each year, to make a 2nd principal apportionment of funds to each local educational agency.

This bill would define “average daily membership” as the quotient of the aggregate enrollment days for all pupils in a school district or county office of education, from transitional kindergarten to grade 12, inclusive, as applicable, divided by the total number of instructional days for the local educational agency in an academic year. The bill, commencing with the 2023–24 fiscal year, would authorize a county office of education or school district to apply each fiscal year to the Superintendent for supplemental education funding. The bill would require a local educational agency to receive as supplemental education funding the difference between what the local educational agency would have received under the local control funding formula based on average daily membership and what the local educational agency received under

the local control funding formula based on average daily attendance for that fiscal year, as provided. In order for a local educational agency to be eligible for supplemental educational funding, the bill would require the local educational agency to report to the Superintendent on July 1 the average daily membership for the prior academic year and to demonstrate a maintenance of effort to address chronic absenteeism and habitual truancy, as provided. The bill would require local educational agencies to use at least 50% of their supplemental education funding to supplement existing local educational agency expenditures to address chronic absenteeism and habitual truancy, as provided. The bill would condition implementation of these provisions upon the appropriation of funds for these purposes in the annual Budget Act or other statute.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 41338 is added to the Education Code,  
2 to read:  
3 41338. (a) For purposes of this section, the following terms  
4 have the following meanings:  
5 (1) “Average daily membership” means the quotient of the  
6 aggregate enrollment days for all pupils in a local educational  
7 agency, from transitional kindergarten to grade 12, inclusive, as  
8 applicable, divided by the total number of instructional days for  
9 the local educational agency in an academic year.  
10 (2) “Local educational agency” means a school district or county  
11 office of education.  
12 (b) Commencing with the 2023–24 fiscal year, and each fiscal  
13 year thereafter, a local educational agency may apply to the  
14 Superintendent for supplemental education funding. A local  
15 educational agency shall receive as supplemental education funding  
16 an amount equal to the difference between what the local  
17 educational agency would have received under the local control  
18 funding formula if the local funding formula were based on average  
19 daily membership instead of average daily attendance, and what  
20 the local educational agency received under the local control  
21 funding formula based on average daily attendance for that fiscal

1 year. In no case shall a local educational agency’s supplemental  
2 education funding be less than zero dollars (\$0).

3 (c) In order to be eligible for supplemental education funding  
4 under this section, a local educational agency shall comply with  
5 both of the following requirements:

6 (1) Report to the Superintendent by July 1 the average daily  
7 membership of the local educational agency for the prior academic  
8 year. Local educational agencies shall have the opportunity to  
9 clarify or confirm their average daily membership, as necessary,  
10 until August 31.

11 (2) Demonstrate a maintenance of effort to address chronic  
12 absenteeism and habitual truancy. To fulfill this requirement, a  
13 local educational agency shall maintain at least the same per-pupil  
14 spending level on staff who address chronic absenteeism and  
15 habitual truancy as the local educational agency did in the 2019–20  
16 school year.

17 (d) At least 50 percent of the funds allocated pursuant to this  
18 section shall supplement existing local educational agency  
19 expenditures to address chronic absenteeism and habitual truancy  
20 by providing services and supports that have been determined to  
21 improve school attendance, or addressing the root causes that  
22 contribute to pupils being chronically absent or habitually truant.

23 (e) Consistent with the requirements of Section 48240, local  
24 educational agencies shall continue to implement a system to  
25 accurately track pupil attendance in order to raise the awareness  
26 of the effects of truancy and chronic absenteeism, identify and  
27 address factors contributing to habitual truancy and chronic  
28 absenteeism, and ensure that pupils with attendance problems are  
29 identified as early as possible to provide applicable support services  
30 and interventions.

31 (f) Nothing in this section shall supersede or otherwise modify  
32 Section 48240, 48260, 52060, or 60901.

33 (g) The implementation of this section is contingent upon an  
34 appropriation of funds for its purpose in the annual Budget Act or  
35 other statute.

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## Lew, Lisa (BOS)

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**From:** BOS Legislation, (BOS)  
**To:** Li-D9, Jennifer (BOS); BOS Legislation, (BOS)  
**Cc:** Ronen, Hillary  
**Subject:** RE: Introduction Ronen: [Supporting SB 830 Education Finance: Supplemental Education Funding]

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**From:** Li-D9, Jennifer (BOS) <jennifer.li-d9@sfgov.org>  
**Sent:** Tuesday, January 11, 2022 5:17 PM  
**To:** BOS Legislation, (BOS) <bos.legislation@sfgov.org>  
**Cc:** Ronen, Hillary <hillary.ronen@sfgov.org>  
**Subject:** RE: Introduction Ronen: [Supporting SB 830 Education Finance: Supplemental Education Funding]

Hi Clerk Wong,

Please find attached the PDF version of SB 830.

CSAC has not taken a position on this bill; their position on this bill is "Watch"  
<https://ctweb.capitoltrack.com/public/publish.aspx?session=21&id=782a2a60-db72-4653-a38c-c286cfcf1f8a>

Similarly, League of California Cities notes SB 830 but has not taken a position on it; it is listed in the Revenue and Taxation Bills here: <https://ctweb.capitoltrack.com/public/search.aspx?id=ad485199-37cd-42cd-8217-d19b4d257119&session=21&s=SB%20830&t=bill>, and does not appear in their Revenue and Taxation Bills with Positions page: <https://ctweb.capitoltrack.com/public/publish.aspx?session=21&id=cf258c6c-d000-4739-8a0d-f1633dcc10a5>

Confirming that this matter is routine, not contentious in nature, and of no special interest.

Jennifer Li 李嘉欣  
Legislative Aide 市參事助理  
San Francisco District 9 Supervisor Hillary Ronen 市參事盧凱莉  
[Jennifer.Li-D9@sfgov.org](mailto:Jennifer.Li-D9@sfgov.org)  
(415) 554-5147

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# Introduction Form

By a Member of the Board of Supervisors or Mayor

Time stamp  
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor  inquiries"
- 5. City Attorney Request.
- 6. Call File No.  from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No.
- 9. Reactivate File No.
- 10. Topic submitted for Mayoral Appearance before the BOS on

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

**Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.**

Sponsor(s):

Subject:

The text is listed:

Signature of Sponsoring Supervisor:

For Clerk's Use Only