

1 XAVIER BECERRA, State Bar No. 118517  
 Attorney General of California  
 2 KATHLEEN BOERGERS, State Bar No. 213530  
 Supervising Deputy Attorney General  
 3 KARLI EISENBERG, State Bar No. 281923  
 STEPHANIE YU, State Bar No. 294405  
 4 NELI N. PALMA, State Bar No. 203374  
 Deputy Attorney General  
 5 1300 I Street, Suite 125  
 Sacramento, CA 94244-2550  
 6 Telephone: (916) 210-7522  
 Fax: (916) 324-5567  
 7 E-mail: Neli.Palma@doj.ca.gov  
 Attorneys for Plaintiff the State of California, by and  
 8 through Attorney General Xavier Becerra

9  
 10 IN THE UNITED STATES DISTRICT COURT  
 11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 12

13 CITY AND COUNTY OF SAN FRANCISCO,  
 14 Plaintiff,  
 15 vs.  
 16 ALEX M. AZAR II, et al.,  
 Defendants.

No. C 19-02405 WHA  
 No. C 19-02769 WHA  
 No. C 19-02916 WHA

17 STATE OF CALIFORNIA, by and through  
 18 ATTORNEY GENERAL XAVIER  
 BECERRA,  
 19 Plaintiff,  
 20 vs.  
 21 ALEX M. AZAR, et al.,  
 Defendants.

**DECLARATION OF NELI N. PALMA IN  
 SUPPORT OF PLAINTIFFS' MOTION  
 FOR SUMMARY JUDGMENT AND IN  
 SUPPORT OF OPPOSITION TO  
 DEFENDANTS' MOTION TO DISMISS  
 OR, IN THE ALTERNATIVE, FOR  
 SUMMARY JUDGMENT**

Date: October 30, 2019  
 Time: 8:00 AM  
 Courtroom: 12  
 Judge: Hon. William H. Alsup  
 Action Filed: 5/2/2019

22 COUNTY OF SANTA CLARA, et al.  
 23 Plaintiffs,  
 24 vs.  
 25 U.S. DEPARTMENT OF HEALTH AND  
 HUMAN SERVICES, et al.,  
 26 Defendants.

1 I, Neli N. Palma, declare:

2 1. I am a member of the California State Bar, admitted to practice before this Court,  
3 employed by the Office of the California Attorney General as a Deputy Attorney General, and  
4 counsel to Plaintiff State of California in this action. I have personal knowledge of the facts set  
5 forth herein, and if called upon as a witness, I could testify to them competently under oath.

6 2. Attached hereto as Exhibit A is a true and correct copy of the 2019-20 budget for  
7 the California Department of Education, available online via ebudget.ca.gov.

8 3. Attached hereto as Exhibit B is a true and correct copy of the letter from the U.S.  
9 Department of Health & Human Services (HHS) Office for Civil Rights deputy director to  
10 California, dated August 30, 2018, regarding a “notice of investigation” based upon the  
11 allegation that California “violated Federal law when the Department of Managed Health Care  
12 issued letters on August 22, 2014, to health insurance issuers in California directing them to  
13 amend their health plans to remove coverage exclusions and limitations regarding abortions.”

14 4. On September 3, 2019, counsel for HHS confirmed that HHS did not consider its  
15 own August 30, 2018 letter issued to California regarding its investigation of the State part of the  
16 administrative record. Attached hereto as Exhibit C is a true and correct copy of this email  
17 exchange.

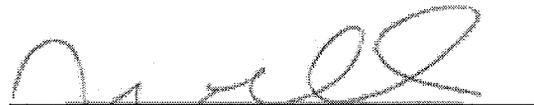
18 I declare under penalty of perjury under the laws of the United States and the State of  
19 California that the foregoing is true and correct.

20

21 Executed on the 9th of September in Sacramento, California.

22

23



24

Neli N. Palma  
Deputy Attorney General

25

26

27

28

# **EXHIBIT A**

### 6100 Department of Education

California's public education system is administered at the state level by the Department of Education, under the direction of the State Board of Education and the Superintendent of Public Instruction, for the education of approximately 6.2 million students. Administrative branches of the Department include the Executive Branch; the Systems Support Branch; the Teaching and Learning Support Branch; the Performance, Planning, and Technology Branch; and the Legal and Audits Branch.

The primary duties of the Superintendent and the Department are to provide technical assistance to local school districts and to work with the educational community to improve academic performance. Major goals of the Department include: (a) holding local agencies accountable for student achievement in all programs and for all groups of students, (b) building local capacity to enable all students to achieve to state standards, (c) expanding and improving a system of recruiting, developing, and supporting teachers that instills excellence in every classroom, preschool through adult, (d) providing statewide leadership that promotes effective use of technology to improve teaching and learning, (e) increasing efficiency and effectiveness in the administration of K-12 education, including student record keeping and good financial management practices, (f) providing broader and more effective communication among the home, school, district, county, and state, (g) establishing and fostering systems of school, home, and community resources that provide the physical, emotional, and intellectual support to help students succeed, (h) advocating for additional resources and additional flexibility, (i) providing statewide leadership that promotes good business practices so that California schools can target their resources to serve students, and (j) improving the effectiveness and efficiency of the Department.

Because the Department of Education's programs drive a need for infrastructure investment, the Department has a capital outlay program to support this need. For the specifics on the Department's capital outlay program see "Infrastructure Overview."

#### 3-YEAR EXPENDITURES AND POSITIONS

		Positions			Expenditures		
		2017-18	2018-19	2019-20	2017-18*	2018-19*	2019-20*
5200	Instruction	850.1	874.6	874.6	\$68,649,092	\$72,499,995	\$75,319,342
5205	Instructional Support	690.1	662.6	680.1	1,058,713	1,073,161	1,118,293
5210	Special Programs	389.0	394.7	407.7	6,478,988	7,129,263	7,973,511
5220	State Board of Education	11.6	9.8	9.8	2,350	2,786	2,787
5240	State-Mandated Local Programs	-	-	-	1,399,573	841,972	243,222
9900100	Administration	275.8	275.5	275.5	30,879	55,757	55,687
9900200	Administration - Distributed	-	-	-	-30,879	-55,757	-55,687
9990	Unscheduled Items of Appropriation	-	-	-	340,718	7,700	4,000
<b>TOTALS, POSITIONS AND EXPENDITURES (All Programs)</b>		<b>2,216.6</b>	<b>2,217.2</b>	<b>2,247.7</b>	<b>\$77,929,434</b>	<b>\$81,554,877</b>	<b>\$84,661,155</b>
<b>FUNDING</b>					<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
0001	General Fund				\$1,443,496	\$1,838,355	\$2,424,442
0001	General Fund, Proposition 98				46,750,576	48,151,958	49,144,872
0044	Motor Vehicle Account, State Transportation Fund				-	896	896
0140	California Environmental License Plate Fund				403	406	406
0231	Health Education Account, Cigarette and Tobacco Products Surtax Fund				15,212	14,584	19,332
0342	State School Fund				21,584	21,219	21,219
0349	Educational Telecommunication Fund				-	716	607
0620	Child Care Facilities Revolving Fund				1,155	-	-
0687	Donated Food Revolving Fund				3,042	6,642	6,643
0814	California State Lottery Education Fund				1,382,361	1,305,351	1,304,257
0890	Federal Trust Fund				7,467,493	8,213,000	8,307,087
0903	State Penalty Fund				780	-	-
0942	Special Deposit Fund				1,686	2,222	2,222
0986	Local Property Tax Revenues				20,438,273	21,494,077	22,819,460
0995	Reimbursements				420,293	461,606	542,754
3085	Mental Health Services Fund				137	163	163
3170	Heritage Enrichment Resource Fund				2	40	40
3286	Safe Neighborhoods and Schools Fund				10,426	16,083	19,515
3309	Tobacco Prevention and Control Programs Account, California Healthcare,				14,660	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

FUNDING		2017-18*	2018-19*	2019-20*
	Research and Prevention Tobacco Tax Act of 2016 Fund			
3321	Department of Education Subaccount, Tobacco Prevention and Control Programs Account, CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund	-	24,347	44,026
6036	2002 State School Facilities Fund	1,512	-	-
6044	2004 State School Facilities Fund	460	2,636	-
6057	2006 State School Facilities Fund	34	464	3,100
6086	2016 State School Facilities Fund	-	112	114
8080	Clean Energy Job Creation Fund	-44,151	-	-
<b>TOTALS, EXPENDITURES, ALL FUNDS</b>		<b>\$77,929,434</b>	<b>\$81,554,877</b>	<b>\$84,661,155</b>

**LEGAL CITATIONS AND AUTHORITY**

DEPARTMENT AUTHORITY

Education Code, Section 33300

PROGRAM AUTHORITY

California Education Code, and select federal laws including, but not limited to, Every Student Succeeds Act, Perkins V Act, Workforce Innovation and Opportunity Act, Individuals with Disabilities Education Act, Child Care and Development Fund and Healthy Hunger Free Kids Act.

**MAJOR PROGRAM CHANGES**

- An increase of \$1.9 billion Proposition 98 General Fund for the Local Control Funding Formula to reflect a 3.26 percent cost-of-living adjustment.
- An increase of \$645.3 million Proposition 98 General Fund for special education, which includes \$152.6 million to increase base special education funding rates and \$492.7 million for a special education early intervention preschool add-on grant for school districts serving children ages 3 to 5 years with exceptional needs.
- An increase of \$295 million for Early Learning and Care quality programs, which includes \$188 million non-Proposition 98 General Fund for infrastructure and workforce development programs, \$102 million one-time federal funds for infrastructure, and \$5 million non-Proposition 98 General Fund for a Master Plan to improve the state's early learning and care system.
- A shift of \$309.3 million Proposition 98 General Fund for nonlocal educational agency part-day State Preschool to non-Proposition 98 General Fund.
- An increase of \$157.5 million non-Proposition 98 General Fund to reflect increased CalWORKs child care cases.
- An increase of \$50 million one-time non-Proposition 98 General Fund for an additional 3,086 General Child Care slots.
- An increase of \$50 million Proposition 98 General Fund for rate increases for the After School Education and Safety Program.
- An increase of \$37.1 million one-time non-Proposition 98 General Fund for the Educator Workforce Investment Grant Program to provide educator professional development.
- An increase of \$36 million one-time Proposition 98 General Fund for the Classified School Employee Summer Assistance Program.
- An increase of \$31.4 million non-Proposition 98 General Fund for an additional 10,000 nonlocal educational agency full-day State Preschool slots.
- An increase of \$26.8 million Proposition 98 General Fund to reflect full-year costs of 2,959 full-day State Preschool slots implemented during the 2018-19 fiscal year.
- An increase of \$21.3 million Proposition 98 General Fund for county offices of education to provide technical assistance to school districts.
- An increase of \$13.8 million federal funds to establish the 21<sup>st</sup> Century California School Leadership Academy for

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

professional learning opportunities for school administrators and other school leaders.

- An increase of \$10 million one-time non-Proposition 98 General Fund to develop and disseminate a child care provider database in support of collective bargaining efforts.
- An increase of \$7.5 million one-time non-Proposition 98 General Fund for fiber broadband connectivity solutions at poorly connected K-12 schools to improve digital learning opportunities for students.
- An increase of \$6.7 million one-time non-Proposition 98 General Fund for the California Subject Matter Projects.
- An increase of \$3.6 million one-time Proposition 98 General Fund for Inglewood Unified School District and \$514,000 one-time Proposition 98 General Fund for Oakland Unified School District for operational support.
- An increase of \$1 million one-time non-Proposition 98 General Fund to establish a Computer Science Coordinator to provide statewide organization in implementing new computer science standards.

**DETAILED BUDGET ADJUSTMENTS**

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
<b>Workload Budget Adjustments</b>						
<b>Workload Budget Change Proposals</b>						
• Shift 2018-19 District LCFF Transition Funding to Base	\$-	\$-	-	\$3,556,177	\$-	-
• Special Education Early Intervention Preschool Grant	-	-	-	492,683	-	-
• Shift Part-Day State Preschool for Non-LEAs to non-Proposition 98 General Fund	-	-	-	309,283	-	-
• Early Learning and Care Infrastructure Grants	-	-	-	161,000	-	-
• Special Education Statewide Base Rate Adjustment	-	-	-	152,563	-	-
• Early Learning and Care Workforce Development Grants	-	-	-	129,000	-	-
• Add General Child Care Slots	-	-	-	50,000	-	-
• Increase ASES Program Funding	-	-	-	50,000	-	-
• Educator Workforce Investment Grant	-	-	-	37,100	-	-
• Add 10,000 Full-Day State Preschool Slots	-	-	-	31,400	-	-
• County Office of Education Adjustment for State System of Support Activities	12,350	-	-	21,341	-	-
• Child Care Rate Adjustment Factor	-	-	-	10,520	-	-
• Childcare Collective Bargaining	-	-	-	10,000	-	-
• K-12 High-Speed Network	-	-	-	8,500	-	-
• Broadband Infrastructure Grant Program	-	-	-	7,500	-	-
• Augment California Subject Matter Projects for K-12 Educators	-	-	-	6,700	-	-
• California School Information Services	-	-	-	6,508	-	-
• Special Olympics Northern and Southern	-	-	-	4,000	-	-
• One-Time Funding for Inglewood Unified School District	-	-	-	3,633	-	-
• Standardized Account Code Structure System Replacement Project	-	-	-	3,009	607	-
• Early Learning and Care Division Support	-	-	-	2,778	-	13.0
• Deferred Maintenance Allocation for State Special Schools	-	-	-	2,500	-	-
• Basic Aid Wildfire Property Tax Loss Backfill Appropriation	-	-	-	2,027	-	-
• SoCal ROC Transition Funding	-	-	-	2,000	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
• Child Development Center	-	-	-	1,500	-	-
• California Computer Science Coordinator	-	-	-	1,000	-	1.0
• Disaster Reimbursement Claims for School Meal Programs	-	-	-	727	-	-
• Reappropriate Funding for Ella T. v California Legal Costs	-537	-	-	537	-	-
• One-Time Funding for Oakland Unified School District	-	-	-	514	-	-
• Breakfast After the Bell Program	-	-	-	500	-	-
• San Diego Unified School District Homeless Youth Education	-	-	-	500	-	-
• Special Education Interagency Workgroup	-	-	-	500	-	-
• Instructional Quality Commission (IQC) Support	-	-	-	492	-	-
• Special Education Division Support	-	-	-	452	-	3.0
• Align K-12 Accountability Platforms	-	-	-	350	-	-
• Add the Cal Grant Reporting Mandate to the K-12 Mandate Block Grant	-	-	-	300	-	-
• Oversight of State Board of Education Authorized Charter Schools	-	-	-	284	-	2.0
• Career Technical Education Support	-	-	-	275	-	2.0
• Ongoing Development and Support of the California School Dashboard	-	-	-	271	-	2.0
• Align Funding for the California Collaborative for Educational Excellence to Estimated Costs	-	-	-	232	-	-
• Reappropriate Funding for Employment Lawsuit Legal Costs	-217	-	-	217	-	-
• Adjustment for Operations Costs Associated with the Dashboard and School Accountability Report Card	-	-	-	178	-	-
• Add Funding for the California Association of Student Councils	-	-	-	150	-	-
• Foster Youth Trauma Support Coordination (AB 2083)	-	-	-	142	-	1.0
• Emergency Average Daily Attendance Waiver Request Workload	-	-	-	105	-	1.0
• School Safety Plan Best Practices (AB 1747)	-	-	-	53	-	-
• Adjust State Assessments Funding to Offset Decrease in Federal Funds	-	-	-	29	-	-
• Add the Cal Grant Reporting Mandate to the Mandate Reimbursement Program	-	-	-	1	-	-
• Federal Student Support and Academic Enrichment Grant	-	-	-	-	143,389	-
• Federal CCDBG Carryover for AP Slots	-	-102,295	-	-	102,295	-
• One-Time Federal CCDF Adjustment	-	-	-	-	102,295	-
• Child Nutrition Program Federal Funds Adjustment	-	-	-	-	90,733	-
• CCDF Funding Adjustment	-	-	-	-	54,217	-
• Align Title I Federal Funds to Federal Grant Award	-	-	-	-	33,624	-
• Add One-Time CCDF Quality Carryover	-	-	-	-	17,983	-
• One-Time Federal Funds Carryover for the Migrant Education Program	-	-	-	-	17,000	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
• Adjust Federal Funds for the Vocational Education Program	-	-	-	-	16,893	-
• One-Time Federal Funds Carryover for the Immediate Aid to Restart School Operations Program	-	-	-	-	13,792	-
• 21st Century California School Leadership Academy	-	-	-	-	13,779	-
• Add 1,298 Alternative Payment Slots	-	-	-	-	12,842	-
• 21st Century Community Learning Federal Grant Adjustment	-	-	-	-	12,697	-
• One-Time CCDF Federal Funds Carryover	-	-	-	-	11,285	-
• Adjust Federal Individuals with Disabilities Education Act Funds	-	-	-	-	8,131	-
• Preschool Development Grant	-	-	-	-	6,600	-
• 21st Century Community Learning Carryover	-	-	-	-	5,000	-
• Adjust Federal Funds for the Migrant Education Program	-	-	-	-	4,278	-
• One-Time Funding for Special Education Dispute Resolution Costs	-	-	-	-	3,184	-
• One-Time Federal Funds Carryover for Migrant Education Program State Level Activities	-	-	-	-	3,000	-
• Early Head Start Grant Extension	-	-	-	-	2,958	-
• CCDF Quality Funding Adjustment	-	-	-	-	2,174	-
• One-Time Federal Funds for the Project School Emergency Response to Violence Program	-	-	-	-	2,000	-
• One-Time Federal Funds Carryover for Individuals with Disabilities Education Act	-	-	-	-	1,815	-
• Adjust Federal Funding for Project AWARE Grant Program	-	-	-	-	1,800	-
• Federal Funds to Support Equitable Services for Eligible Private Schools	-	-	-	-	1,610	-
• One-Time Federal Carryover Funds for Equitable Services for Eligible Private Schools	-	-	-	-	1,453	-
• One-Time Federal Funds Carryover for the Individuals with Disabilities Education Act Preschool Grant Program	-	-	-	-	1,316	-
• One-Time Federal Funds Carryover for the English Language Acquisition Program	-	-	-	-	1,000	-
• Adjust Federal Funds for the Individuals with Disabilities Education Act Preschool Grant Program	-	-	-	-	905	-
• Adjust Funding for State Special Schools Education Technology Voucher Program	-	-	-	-	798	-
• Adjust Federal Funds for Migrant Education Program State Level Activities	-	-	-	-	788	-
• Adjust Federal Funds for the McKinney-Vento Homeless Children Education Program	-	-	-	-	624	-
• Shift Federal Funds Carryover for Project Cal-STOP Grant Program	-	-1,000	-	-	540	-
• Adjust Federal Funds for the Rural and Low Income Schools Program	-	-	-	-	314	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

6100 Department of Education - Continued

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
• Align Student Assessment Federal Funds to Estimated Costs	-	-	-	-	278	-
• Adjust Fees for Nonpublic Schools and Agencies (NPS/A) Certification Program	-	-	-	-	244	2.0
• Increase Reimbursements for the California High School Proficiency Examination	-	-	-	-	207	-
• One-Time Federal Funds Carryover for the State Improvement Grant Program	-	-	-	-	150	-
• Support for the 21st Century California School Leadership Academy	-	-	-	-	150	1.0
• Special Education: Reporting the Use of Seclusion and Restraints (AB 2657)	-	-	-	-	138	1.0
• One-Time Federal Funds Carryover for the McKinney-Vento Homeless Children Education Program	-	-	-	-	88	-
• Add One-Time Federal Funds Carryover for Assessments	-	-	-	-	76	-
• One-Time Federal Funds for the Newborn Hearing Screening Program	-	-	-	-	50	-
• Homeless Student Coordinators	-	-	-	-	30	1.5
• Adjust Federal Preschool Development Grant	-	10,620	-	-	-	-
• CalWORKs Stage 3 Adjustment	80,000	-	-	-	-	-
• Adjust Federal Funds for State Assessments	-	-	-	-	-29	-
• Shift Funding from Local Assistance to Support Homeless Student Coordinators	-	-	-	-	-30	-
• Adjust Federal Funds for the State Improvement Grant Program	-	-	-	-	-100	-
• Shift Federal Funds for Equitable Services for Eligible Private Schools to State Operations	-	-	-	-	-479	-
• Redirect Federal Individuals with Disabilities Education Act Preschool Grant Funding for State Operations	-	-	-	-	-594	-
• Adjust Federal Funds for the English Language Acquisition Program	-	-	-	-	-724	-
• Adjust Federal Funds for the Neglected and Delinquent Children Program	-	-	-	-	-742	-
• Adjust Federal Funds for the Supporting Effective Instruction Local Grants	-	-	-	-	-825	-
• Align Title IV Federal Funds to Federal Grant Award	-	-	-	-	-2,320	-
• Redirect Federal Individuals with Disabilities Education Act Funding for Special Education Dispute Resolution	-	-	-	-	-3,184	-
• Adjust Title IV Federal Funds to Reflect Shift to Title II State Level Activities	-	-	-	-	-5,735	-
• Title II Set Aside for 21st Century California School Leadership Academy	-	-	-	-	-6,542	-
• Reflect the Elimination of the Federal Advanced Placement Fee Reimbursement Program	-	-	-	-	-11,064	-
• Remove 2018-19 One-Time CCDF Quality Federal Funds Carryover	-	-	-	-	-17,162	-
• Align Student Assessment Funding to One-Time Federal Carryover	-	-	-	-76	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
• Shift K-12 High-Speed Network Operational Funding to E-rate Subsidies	-	-	-	-8,500	-	-
• Offset One-Time CCDF Federal Funds Carryover	-	-	-	-11,285	-	-
• Align Student Assessment Funding to Estimated Costs	-	-	-	-13,575	-	-
• Offset CCDF Funding Adjustment	-	-	-	-54,217	-	-
• Shift District LCFF Funding to One-time	-368,355	-	-	-98,454	-	-
• Offset the Early Learning and Care Infrastructure Grant with Federal CCDF	-	-	-	-102,295	-	-
• Remove Part-Day State Preschool for Non-LEAs from Proposition 98 General Fund	-	-	-	-309,283	-	-
• Shift District LCFF Transition Funding from 2018-19 Appropriation to Base	-	-	-	-3,556,177	-	-
<b>Totals, Workload Budget Change Proposals</b>	<b>-\$276,759</b>	<b>-\$92,675</b>	<b>-</b>	<b>\$915,669</b>	<b>\$645,600</b>	<b>30.5</b>
<b>Other Workload Budget Adjustments</b>						
• LCFF Growth Adjustment	-114,548	-	-	1,779,494	-	-
• Education Protection Account Revenue Adjustment	419,097	419,097	-	757,890	757,890	-
• CalWORKs Child Care Caseload Adjustments	-	-	-	157,533	-	-
• Special Education Program for Individuals with Exceptional Needs Cost-of-Living Adjustment	-	-	-	123,478	-	-
• 2018-19 LCFF Transition Funding Adjustment	113,267	-	-	102,844	-	-
• State Preschool Cost-of-Living Adjustment	-	-	-	38,603	-	-
• Child Care Programs Cost-of-Living Adjustments	-	-	-	36,350	-	-
• County Office of Education Minimum State Aid Adjustment	29,053	-	-	35,292	-	-
• District LCFF Minimum State Aid Adjustment	22,863	-	-	22,863	-	-
• Non-LCFF Apportionment Adjustment	2,359	-	-	17,652	-	-
• Mandate Block Grant Cost-of-Living Adjustment	-	-	-	7,668	-	-
• County Office of Education Protection Account Offset Adjustment	8,987	-	-	6,356	-	-
• Child Nutrition Program Cost-of-Living Adjustment	-	-	-	5,462	-	-
• Child Nutrition Program Growth Adjustment	-	-	-	3,311	-	-
• Early Education Program for Individuals with Exceptional Needs Cost-of-Living Adjustment	-	-	-	2,997	-	-
• Other Post-Employment Benefit Adjustments	1,120	958	-	1,120	958	-
• Foster Youth Program Cost-of-Living Adjustment	-	-	-	863	-	-
• Add Full Year Costs of Remaining 2,959 Full Day State Preschool Slots	-	-	-	703	-	-
• Adjust Target County Office of Education Additional Funding Amount	190	-	-	424	-	-
• Adults in Correctional Facilities Cost-of-Living Adjustment	-	-	-	415	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
• County Office of Education LCFF Growth Adjustment	-8,251	-	-	239	-	-
• American Indian Education Centers Cost-of-Living Adjustment	-	-	-	139	-	-
• American Indian Early Childhood Education Program Cost-of-Living Adjustment	-	-	-	19	-	-
• K-12 District Local Property Tax Revenue Offset Adjustment	-	241,803	-	-	1,496,205	-
• K-12 Lottery Adjustment	-	104,484	-	-	103,390	-
• Adult Use of Marijuana Act: Early Learning and Care Services	-	-	-	-	80,463	-
• Adjust Proposition 56 Tobacco Tax Initiative Funding (Local Assistance)	-	1,486	-	-	42,901	-
• County Office of Education Local Property Tax Revenue Offset Adjustment	-	-1,640	-	-	34,987	-
• Adjust School District Funding for Health and Physical Education Drug-Free Schools Program	-	-	-	-	4,036	-
• Adjust Federal Funds for the Adult Education Program	-	-	-	-	3,415	-
• Adjust County Office of Education Funding for Health and Physical Education Drug-Free Schools Program	-	-	-	-	1,257	-
• Adult Education Program Reimbursements	-	-	-	-	1,242	-
• Adjust Proposition 56 Tobacco Tax Initiative Funding (State Operations)	-	-	-	-	1,111	-
• Proposition 47 Truancy and Dropout Prevention Program Adjustment (Local Assistance)	-	-	-	-	920	-
• Proposition 47 Truancy and Dropout Prevention Program Adjustment (State Operations)	-	-	-	-	32	-
• Lottery Adjustment for State Special Schools	-	9	-	-	9	-
• Adjust Federal Funds for the 21st Century Community Learning Centers Program (SB 862)	-	3,347	-	-	-	-
• Adjust Federal Funds for the McKinney-Vento Homeless Children Education Program (SB 862)	-	1,124	-	-	-	-
• Adjust Federal Funds for the Neglected and Delinquent Children Program (SB 862)	-	139	-	-	-	-
• Adjust Federal Funds for the Rural and Low-Income Schools Program (SB 862)	-	335	-	-	-	-
• Adjust Federal Funds for Title I Program (SB 862)	-	41,722	-	-	-	-
• Section 6.10 Deferred Maintenance Project Funding	4,000	-	-	-	-	-
• State School Fund Adjustment	-	-	-	-	-	-
• Support for Homeless Youth Impacted by Wildfires	-	88	-	-	-	-
• Remove One-Time Federal Funds for Alternative Payment Slots	-	-	-	-	-204,590	-
• Education Protection Account Offset Adjustment	-	-419,097	-	-	-757,890	-
• ASES Local Assistance Workload Adjustment	-139	-	-	-140	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2018-19*			2019-20*		
	General Fund	Other Funds	Positions	General Fund	Other Funds	Positions
• Early Education Program for Individuals with Exceptional Needs Growth Adjustment	-	-	-	-164	-	-
• Reflect Base Adjustments for Special Education Programs	-	-	-	-605	-	-
• Adjust Mandate Block Grant to Reflect Revised Average Daily Attendance	-	-	-	-1,057	-	-
• Special Education Program for Individuals with Exceptional Needs Growth Adjustment	-	-	-	-6,596	-	-
• Child Care Programs Growth Adjustment	-	-	-	-7,476	-	-
• State Preschool Growth Adjustment	-	-	-	-8,107	-	-
• County Office of Education Local Revenue Adjustment	1,640	-	-	-34,988	-	-
• Special Education Local Property Tax Revenue Offset Adjustment	-	35,069	-	-69,423	69,423	-
• District LCFF Education Protection Account Offset Adjustment	-423,938	-	-	-760,099	-	-
• District LCFF Property Tax Adjustment	-185,335	-	-	-1,395,875	-	-
• Salary Adjustments	3,667	3,083	-	3,667	3,083	-
• Benefit Adjustments	1,182	1,028	-	1,254	1,088	-
• Retirement Rate Adjustments	827	769	-	827	769	-
• Carryover/Reappropriation	-	1,798	-	-	-	-
• SWCAP	-	-	-	-	-1,788	-
• Lease Revenue Debt Service Adjustment	-8	-	-	-27	-	-
• Miscellaneous Baseline Adjustments	-	6,607	-	-8,508	1,994	-
<b>Totals, Other Workload Budget Adjustments</b>	<b>\$-123,967</b>	<b>\$442,209</b>	<b>-</b>	<b>\$814,398</b>	<b>\$1,640,905</b>	<b>-</b>
<b>Totals, Workload Budget Adjustments</b>	<b>\$-400,726</b>	<b>\$349,534</b>	<b>-</b>	<b>\$1,730,067</b>	<b>\$2,286,505</b>	<b>30.5</b>
<b>Totals, Budget Adjustments</b>	<b>\$-400,726</b>	<b>\$349,534</b>	<b>-</b>	<b>\$1,730,067</b>	<b>\$2,286,505</b>	<b>30.5</b>

**PROGRAM DESCRIPTIONS**

**5200 - INSTRUCTION**

This program provides direct educational services to children and adults in the state's public elementary and secondary school system. The following elements are included in this program:

**School Apportionments:**

Supplements local resources to fund general education programs.

**Other Compensatory Programs:**

Includes Migrant Education, California Indian Education Centers, Education for Homeless Children, and Federal Title I.

**Adult Education Programs:**

Provides citizenship training and education to improve literacy skills, employability, and parenting abilities to adults served by public high school and unified districts. Adult education programs also meet the special needs of the disabled, older persons, and non or limited-English speaking adults.

**Special Education Programs for Exceptional Children:**

Provides special education services. Under state law and the federal Individuals with Disabilities Education Act (20 USC 1400 et seq.), individuals with exceptional needs are entitled to a free, appropriate public education. Students requiring special education are served either by local educational agencies using state, federal, and local property tax funds or by the State Special Schools operated by the Department. The Special Schools (three centers for diagnostic services, two residential schools for the deaf and one residential school for the blind) provide highly specialized services including educational assessments and individual educational recommendations and a comprehensive residential and nonresidential educational program composed of academic, nonacademic and extracurricular activities.

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

## 6100 Department of Education - Continued

### Vocational Education:

Offers a sequence of courses that provide the academic knowledge and skills needed to prepare for further education and careers in current or emerging employment sectors. Programs include Partnership Academies, Agricultural Education, and Regional Occupational Centers and Programs, and the federal Career and Technical Education Program.

### 5205 - INSTRUCTIONAL SUPPORT

Instructional Support provides resources to complement the Instruction Program. The following elements are included in this program:

#### Curriculum Services:

Provides materials and resources for curriculum planning and development in language arts, mathematics, science, history-social science, foreign language, visual and performing arts, health, nutrition, safety, physical education, and environmental/energy education. Provides funding for the K-12 High Speed Network and Rural and Low Income Schools Grants.

#### "Now is the Time" Advancing Wellness and Resilience in Education:

Provides federal funding to develop a comprehensive, coordinated, and integrated partnership with multiple service systems to help address critical mental health needs of California's kindergarten through grade twelve students.

#### Administrative Services to Local Educational Agencies:

Provides leadership, guidance, and technical expertise to schools to manage and improve operations, more efficiently use scarce resources, and publish specified documents.

#### Supplementary Program Services:

Identifies, develops, and disseminates innovative and exemplary programs and practices to schools and aids in the development of alternative educational options. Examples include Foster Youth Services, Career Technical Education Incentive Programs, English Language Acquisition, and Specialized Secondary Programs.

#### Public Charter Schools:

Public charter schools are created or organized by a group of teachers, parents, community leaders or a community-based organization, and provide instruction in any combination of grades, kindergarten through grade twelve.

#### Assessments:

Includes the California Assessment of Student Performance and Progress Program, which provides funding to districts for assessments, the English Language Proficiency Assessments for California, and California High School Proficiency Exams.

### 5210 - SPECIAL PROGRAMS

#### Child Development:

Provides a full range of child care and development services, including part- and full-time child care and development and supportive services to children from low-income families and families with special needs. Several different programs exist to target resources to specific populations or to address specific needs. The California State Preschool Program provides a wide range of educational services in part-day settings for pre-kindergarten (three and four year old) children from low-income families and parent education for the parents of eligible children. The After School Education and Safety program provides students in grades K-9 with academic support, homework assistance, and enrichment programs, in a safe after-school environment. Child care services for families participating in the California Work Opportunity and Responsibility to Kids (CalWORKs) program help public assistance recipients achieve and maintain self-sufficiency. The Department administers child care for CalWORKs Stages 2 and 3.

#### Early Head Start-Child Care Partnership:

Provides federal funding for high quality infant and toddler child care to low income families enrolled in subsidized programs administered by county offices, family child care home education networks, center-based homes, and tribal governments receiving federal Child Care and Development funds in selected northern California counties.

#### Child Nutrition:

Assists participating public and private schools, county offices of education, public and private residential child care institutions, camps, family day care homes, and non-residential adult day care centers in serving nutritious meals by providing educational and technical assistance, and federal and state subsidies. Subsidies are received from the United States Department of Agriculture (USDA) to fund the National School Lunch Program (NSLP), School Breakfast Program, Special Milk Program, Child and Adult Care Food Program, Summer Food Service Program, After School Meals Supplements Program under the

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

NSLP, and Seamless Summer Feeding Option, Fresh Fruits and Vegetable Program, and nutrition education and training. Subsidies also are provided by the state through the state-mandated Child Nutrition Programs and the School Breakfast and Summer Food Start-Up and Expansion Grants Program.

Food Distribution:

Makes USDA Foods available to certain California public, private, and nonprofit agencies. The Department is designated as the California state agency for USDA Foods surplus distribution.

**5220 - STATE BOARD OF EDUCATION**

The State Board of Education sets K-12 education policy in the areas of standards, instructional materials, assessment, and accountability.

**5240 - STATE-MANDATED LOCAL PROGRAMS**

This program provides funding, pursuant to Section 6 of Article XIIB of the California Constitution, to reimburse local entities for costs they incur in complying with certain state-mandated education programs.

**DETAILED EXPENDITURES BY PROGRAM**

		<u>2017-18*</u>	<u>2018-19*</u>	<u>2019-20*</u>
	<b>PROGRAM REQUIREMENTS</b>			
<b>5200</b>	<b>INSTRUCTION</b>			
	<b>State Operations:</b>			
0001	General Fund	\$108,905	\$117,720	\$116,251
0814	California State Lottery Education Fund	54	171	171
0942	Special Deposit Fund	711	1,078	1,078
0995	Reimbursements	12,743	12,403	10,506
	<b>Totals, State Operations</b>	<u>\$122,413</u>	<u>\$131,372</u>	<u>\$128,006</u>
	<b>Local Assistance:</b>			
0001	General Fund	\$42,867,203	\$45,222,953	\$46,869,122
0342	State School Fund	21,584	21,219	21,219
0814	California State Lottery Education Fund	1,382,307	1,305,180	1,304,086
0890	Federal Trust Fund	3,417,799	3,890,942	3,741,955
0986	Local Property Tax Revenues	20,438,273	21,494,077	22,819,460
0995	Reimbursements	399,513	434,252	435,494
	<b>Totals, Local Assistance</b>	<u>\$68,526,679</u>	<u>\$72,368,623</u>	<u>\$75,191,336</u>
	<b>PROGRAM REQUIREMENTS</b>			
<b>5205</b>	<b>INSTRUCTIONAL SUPPORT</b>			
	<b>State Operations:</b>			
0001	General Fund	\$44,860	\$50,454	\$95,715
0044	Motor Vehicle Account, State Transportation Fund	-	896	896
0140	California Environmental License Plate Fund	43	46	46
0231	Health Education Account, Cigarette and Tobacco Products Surtax Fund	907	1,077	1,078
0890	Federal Trust Fund	106,486	115,042	117,655
0903	State Penalty Fund	780	-	-
0942	Special Deposit Fund	975	1,144	1,144
0995	Reimbursements	6,663	10,148	10,690
3170	Heritage Enrichment Resource Fund	2	40	40
3286	Safe Neighborhoods and Schools Fund	416	820	976
3309	Tobacco Prevention and Control Programs Account, California Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund	76	-	-
3321	Department of Education Subaccount, Tobacco Prevention and Control Programs Account, CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund	-	1,125	1,125

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

		<u>2017-18*</u>	<u>2018-19*</u>	<u>2019-20*</u>
6036	2002 State School Facilities Fund	1,512	-	-
6044	2004 State School Facilities Fund	460	2,636	-
6057	2006 State School Facilities Fund	34	464	3,100
6086	2016 State School Facilities Fund	-	112	114
	<b>Totals, State Operations</b>	<u>\$163,214</u>	<u>\$184,004</u>	<u>\$232,579</u>
	<b>Local Assistance:</b>			
0001	General Fund	\$433,898	\$356,565	\$348,265
0140	California Environmental License Plate Fund	360	360	360
0231	Health Education Account, Cigarette and Tobacco Products Surtax Fund	14,305	13,507	18,254
0349	Educational Telecommunication Fund	-	716	607
0890	Federal Trust Fund	421,082	477,592	454,856
0995	Reimbursements	1,260	1,932	1,932
3286	Safe Neighborhoods and Schools Fund	10,010	15,263	18,539
3309	Tobacco Prevention and Control Programs Account, California Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund	14,584	-	-
3321	Department of Education Subaccount, Tobacco Prevention and Control Programs Account, CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund	-	23,222	42,901
	<b>Totals, Local Assistance</b>	<u>\$895,499</u>	<u>\$889,157</u>	<u>\$885,714</u>
	<b>PROGRAM REQUIREMENTS</b>			
5210	<b>SPECIAL PROGRAMS</b>			
	<b>State Operations:</b>			
0001	General Fund	\$8,096	\$8,249	\$11,015
0687	Donated Food Revolving Fund	3,042	6,642	6,643
0890	Federal Trust Fund	60,206	76,178	63,630
0995	Reimbursements	114	2,815	3,613
3085	Mental Health Services Fund	137	163	163
	<b>Totals, State Operations</b>	<u>\$71,595</u>	<u>\$94,047</u>	<u>\$85,064</u>
	<b>Local Assistance:</b>			
0001	General Fund	\$2,944,318	\$3,381,970	\$3,878,993
0620	Child Care Facilities Revolving Fund	1,155	-	-
0890	Federal Trust Fund	3,461,920	3,653,246	3,928,991
0995	Reimbursements	-	-	80,463
	<b>Totals, Local Assistance</b>	<u>\$6,407,393</u>	<u>\$7,035,216</u>	<u>\$7,888,447</u>
	<b>PROGRAM REQUIREMENTS</b>			
5220	<b>STATE BOARD OF EDUCATION</b>			
	<b>State Operations:</b>			
0001	General Fund	\$2,350	\$2,730	\$2,731
0995	Reimbursements	-	56	56
	<b>Totals, State Operations</b>	<u>\$2,350</u>	<u>\$2,786</u>	<u>\$2,787</u>
	<b>PROGRAM REQUIREMENTS</b>			
5240	<b>STATE-MANDATED LOCAL PROGRAMS</b>			
	<b>Local Assistance:</b>			
0001	General Fund	\$1,399,573	\$841,972	\$243,222
	<b>Totals, Local Assistance</b>	<u>\$1,399,573</u>	<u>\$841,972</u>	<u>\$243,222</u>
	<b>PROGRAM REQUIREMENTS</b>			
9990	<b>UNSCHEDULED ITEMS OF APPROPRIATION</b>			
	<b>Local Assistance:</b>			
0001	General Fund	\$384,869	\$7,700	\$4,000
8080	Clean Energy Job Creation Fund	-44,151	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

		2017-18*	2018-19*	2019-20*
<b>Totals, Local Assistance</b>		<u>\$340,718</u>	<u>\$7,700</u>	<u>\$4,000</u>
<b>SUBPROGRAM REQUIREMENTS</b>				
<b>9900100 Administration</b>	<b>State Operations:</b>			
0001 General Fund		\$30,879	\$55,757	\$55,687
<b>Totals, State Operations</b>		<u>\$30,879</u>	<u>\$55,757</u>	<u>\$55,687</u>
<b>SUBPROGRAM REQUIREMENTS</b>				
<b>9900200 Administration - Distributed</b>	<b>State Operations:</b>			
0001 General Fund		-\$30,879	-\$55,757	-\$55,687
<b>Totals, State Operations</b>		<u>-\$30,879</u>	<u>-\$55,757</u>	<u>-\$55,687</u>
<b>TOTALS, EXPENDITURES</b>				
State Operations		359,572	412,209	448,436
Local Assistance		77,569,862	81,142,668	84,212,719
<b>Totals, Expenditures</b>		<u>\$77,929,434</u>	<u>\$81,554,877</u>	<u>\$84,661,155</u>

**EXPENDITURES BY CATEGORY**

1 State Operations	Positions			Expenditures		
	2017-18	2018-19	2019-20	2017-18*	2018-19*	2019-20*
<b>PERSONAL SERVICES</b>						
Baseline Positions	2,217.2	2,217.2	2,217.2	\$157,164	\$165,701	\$164,314
Other Adjustments	-0.6	-	30.5	4,865	6,750	9,810
<b>Net Totals, Salaries and Wages</b>	<u>2,216.6</u>	<u>2,217.2</u>	<u>2,247.7</u>	<u>\$162,029</u>	<u>\$172,451</u>	<u>\$174,124</u>
Staff Benefits	-	-	-	82,066	96,613	97,863
<b>Totals, Personal Services</b>	<u>2,216.6</u>	<u>2,217.2</u>	<u>2,247.7</u>	<u>\$244,095</u>	<u>\$269,064</u>	<u>\$271,987</u>
<b>OPERATING EXPENSES AND EQUIPMENT</b>				\$58,978	\$110,432	\$117,775
<b>SPECIAL ITEMS OF EXPENSES</b>				56,499	32,713	58,674
<b>TOTALS, POSITIONS AND EXPENDITURES, ALL FUNDS (State Operations)</b>				<u>\$359,572</u>	<u>\$412,209</u>	<u>\$448,436</u>

2 Local Assistance	Expenditures		
	2017-18*	2018-19*	2019-20*
Grants and Subventions - Governmental	77,569,862	81,142,668	84,212,719
<b>TOTALS, EXPENDITURES, ALL FUNDS (Local Assistance)</b>	<u>\$77,569,862</u>	<u>\$81,142,668</u>	<u>\$84,212,719</u>

**DETAIL OF APPROPRIATIONS AND ADJUSTMENTS**

1 STATE OPERATIONS	2017-18*	2018-19*	2019-20*
<b>0001 General Fund, Proposition 98</b>			
<b>APPROPRIATIONS</b>			
006 Budget Act appropriation (State Special Schools)	\$57,410	\$57,906	\$60,611
Allocation for Employee Compensation	-	1,430	-
Allocation for Other Post-Employment Benefits	-	445	-
Allocation for Staff Benefits	-	465	-
Section 3.60 Pension Contribution Adjustment	-	330	-
<b>Totals Available</b>	<u>\$57,410</u>	<u>\$60,576</u>	<u>\$60,611</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$57,410</u>	<u>\$60,576</u>	<u>\$60,611</u>

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

1 STATE OPERATIONS	2017-18*	2018-19*	2019-20*
0001 General Fund			
APPROPRIATIONS			
001 Budget Act appropriation (Department State Operations)	\$49,063	\$49,125	\$54,940
Allocation for Employee Compensation	-	1,184	-
Allocation for Other Post-Employment Benefits	-	354	-
Allocation for Staff Benefits	-	371	-
Reappropriate Funding for Ella T. v California Legal Costs	-	-537	-
Section 3.60 Pension Contribution Adjustment	-	245	-
002 Budget Act appropriation (State Special Schools Lease Revenue Debt Service)	12,105	11,604	11,577
Lease Revenue Debt Service Adjustment	-	-3	-
Lease Revenue Debt Service CY Adjustment	-	-5	-
003 Budget Act appropriation (Standardized Account Code Structure)	1,073	1,293	1,351
Allocation for Employee Compensation	-	30	-
Allocation for Other Post-Employment Benefits	-	10	-
Allocation for Staff Benefits	-	11	-
Section 3.60 Pension Contribution Adjustment	-	7	-
004 Budget Act appropriation	-	938	492
005 Budget Act appropriation (State Special Schools)	39,578	39,878	44,063
Allocation for Employee Compensation	-	889	-
Allocation for Other Post-Employment Benefits	-	274	-
Allocation for Staff Benefits	-	293	-
Section 3.60 Pension Contribution Adjustment	-	214	-
Section 6.10 Deferred Maintenance Project Funding	-	4,000	-
009 Budget Act appropriation (State Board of Education)	2,350	2,625	2,731
Allocation for Employee Compensation	-	61	-
Allocation for Other Post-Employment Benefits	-	14	-
Allocation for Staff Benefits	-	16	-
Section 3.60 Pension Contribution Adjustment	-	14	-
Chapter 32, Statutes of 2018 (Special Olympics)	-	2,000	-
Pending Legislation (California Computer Science Coordinator)	-	-	1,000
Pending Legislation (Educator Workforce Investment Grant)	-	-	37,100
Pending Legislation (Broadband Infrastructure Grant Program)	-	-	7,500
Education Code sections 8483.5 and 8483.51 (After School Education and Safety Program)	2,820	3,453	3,593
Allocation for Employee Compensation	-	73	-
Allocation for Other Post-Employment Benefits	-	23	-
Allocation for Staff Benefits	-	26	-
Section 3.60 Pension Contribution Adjustment	-	17	-
Prior Year Balances Available:			
Item 6100-001-0001, Budget Act of 2015 as reappropriated by Item 6100-491, Budget Act of 2016, 2018 and 2019	-	297	-
Item 6100-001-0001, Budget Act of 2018 (Department State Operations) as reappropriated by Item 6100-491, Budget Act of 2019	-	-	537
Item 6100-001-0001, Budget act of 2015 as reappropriated by Item 6100-491, Budget Act of 2016, 2018 and 2019	-	-	217
Item 6100-005-0001, Budget Act of 2016	-188	-	-
<b>Totals Available</b>	<u>\$106,801</u>	<u>\$118,794</u>	<u>\$165,101</u>
Balance available in subsequent years	-	-217	-
<b>TOTALS, EXPENDITURES</b>	<u>\$106,801</u>	<u>\$118,577</u>	<u>\$165,101</u>
0044 Motor Vehicle Account, State Transportation Fund			
APPROPRIATIONS			
001 Budget Act appropriation	-	\$896	\$896
<b>TOTALS, EXPENDITURES</b>	-	<u>\$896</u>	<u>\$896</u>

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

<b>1 STATE OPERATIONS</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
<b>0140 California Environmental License Plate Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$43	\$45	\$46
Allocation for Employee Compensation	-	1	-
<b>Totals Available</b>	<u>\$43</u>	<u>\$46</u>	<u>\$46</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$43</u>	<u>\$46</u>	<u>\$46</u>
<b>0231 Health Education Account, Cigarette and Tobacco Products Surtax Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation (Drug Free Schools)	\$907	\$1,037	\$1,078
Allocation for Employee Compensation	-	22	-
Allocation for Other Post-Employment Benefits	-	7	-
Allocation for Staff Benefits	-	6	-
Section 3.60 Pension Contribution Adjustment	-	5	-
<b>Totals Available</b>	<u>\$907</u>	<u>\$1,077</u>	<u>\$1,078</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$907</u>	<u>\$1,077</u>	<u>\$1,078</u>
<b>0687 Donated Food Revolving Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation (Donated Food Revolving Fund)	\$3,042	\$6,591	\$6,643
Allocation for Employee Compensation	-	27	-
Allocation for Other Post-Employment Benefits	-	8	-
Allocation for Staff Benefits	-	10	-
Section 3.60 Pension Contribution Adjustment	-	6	-
<b>Totals Available</b>	<u>\$3,042</u>	<u>\$6,642</u>	<u>\$6,643</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$3,042</u>	<u>\$6,642</u>	<u>\$6,643</u>
<b>0814 California State Lottery Education Fund</b>			
APPROPRIATIONS			
Government Code section 8880.5 (State Special Schools)	\$54	\$162	\$171
Lottery Adjustment for State Special Schools	-	9	-
<b>TOTALS, EXPENDITURES</b>	<u>\$54</u>	<u>\$171</u>	<u>\$171</u>
<b>0890 Federal Trust Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation (Department State Operations)	-	\$175,118	\$181,285
001 Budget Act appropriation (Department State Operations) as amended by Chapter 181, Statutes of 2017	166,692	-	-
Adjust Federal Preschool Development Grant	-	10,620	-
Allocation for Employee Compensation	-	2,910	-
Allocation for Other Post-Employment Benefits	-	908	-
Allocation for Staff Benefits	-	974	-
Section 3.60 Pension Contribution Adjustment	-	690	-
<b>Totals Available</b>	<u>\$166,692</u>	<u>\$191,220</u>	<u>\$181,285</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$166,692</u>	<u>\$191,220</u>	<u>\$181,285</u>
<b>0903 State Penalty Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$780	-	-
<b>Totals Available</b>	<u>\$780</u>	<u>-</u>	<u>-</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$780</u>	<u>-</u>	<u>-</u>
<b>0942 Special Deposit Fund</b>			
APPROPRIATIONS			
Government Code section 16370 (California Career Resource Network)	\$2	\$19	\$19
Government Code section 16370 (Endowment Fund)	-	224	224
Government Code section 16370 (Miscellaneous Education Donations and Registration)	973	901	901

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

<b>1 STATE OPERATIONS</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
Government Code section 16370 (General Education Diplomas)	711	1,038	1,067
Allocation for Employee Compensation	-	15	-
Allocation for Other Post-Employment Benefits	-	5	-
Allocation for Staff Benefits	-	5	-
Section 3.60 Pension Contribution Adjustment	-	4	-
Education Code section 1330 (UI Administration)	-	11	11
<b>TOTALS, EXPENDITURES</b>	<u>\$1,686</u>	<u>\$2,222</u>	<u>\$2,222</u>
<b>0995 Reimbursements</b>			
APPROPRIATIONS			
Reimbursements	\$19,520	\$25,422	\$24,865
<b>TOTALS, EXPENDITURES</b>	<u>\$19,520</u>	<u>\$25,422</u>	<u>\$24,865</u>
<b>3085 Mental Health Services Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$137	\$156	\$163
Allocation for Employee Compensation	-	4	-
Allocation for Other Post-Employment Benefits	-	1	-
Allocation for Staff Benefits	-	1	-
Section 3.60 Pension Contribution Adjustment	-	1	-
<b>Totals Available</b>	<u>\$137</u>	<u>\$163</u>	<u>\$163</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$137</u>	<u>\$163</u>	<u>\$163</u>
<b>3170 Heritage Enrichment Resource Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$2	\$40	\$40
<b>Totals Available</b>	<u>\$2</u>	<u>\$40</u>	<u>\$40</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$2</u>	<u>\$40</u>	<u>\$40</u>
<b>3286 Safe Neighborhoods and Schools Fund</b>			
APPROPRIATIONS			
Government Code section 7599.2(b)	\$416	\$803	\$976
Allocation for Employee Compensation	-	9	-
Allocation for Other Post-Employment Benefits	-	2	-
Allocation for Staff Benefits	-	4	-
Section 3.60 Pension Contribution Adjustment	-	2	-
<b>Totals Available</b>	<u>\$416</u>	<u>\$820</u>	<u>\$976</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$416</u>	<u>\$820</u>	<u>\$976</u>
<b>3309 Tobacco Prevention and Control Programs Account, California Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$76	-	-
<b>Totals Available</b>	<u>\$76</u>	<u>-</u>	<u>-</u>
<b>TOTALS, EXPENDITURES</b>	<u>\$76</u>	<u>-</u>	<u>-</u>
<b>3321 Department of Education Subaccount, Tobacco Prevention and Control Programs Account, CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund</b>			
APPROPRIATIONS			
Revenue and Taxation Code section 30130.57(b)(1) and (f)	-	\$1,111	\$1,125
Allocation for Employee Compensation	-	9	-
Allocation for Other Post-Employment Benefits	-	2	-
Allocation for Staff Benefits	-	1	-
Section 3.60 Pension Contribution Adjustment	-	2	-
<b>TOTALS, EXPENDITURES</b>	<u>-</u>	<u>\$1,125</u>	<u>\$1,125</u>
<b>6036 2002 State School Facilities Fund</b>			
APPROPRIATIONS			

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

<b>1 STATE OPERATIONS</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
001 Budget Act appropriation	\$1,512	-	-
<b>Totals Available</b>	<b>\$1,512</b>	<b>-</b>	<b>-</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$1,512</b>	<b>-</b>	<b>-</b>
<b>6044 2004 State School Facilities Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$460	\$2,636	-
<b>Totals Available</b>	<b>\$460</b>	<b>\$2,636</b>	<b>-</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$460</b>	<b>\$2,636</b>	<b>-</b>
<b>6057 2006 State School Facilities Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	\$34	\$464	\$3,100
<b>Totals Available</b>	<b>\$34</b>	<b>\$464</b>	<b>\$3,100</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$34</b>	<b>\$464</b>	<b>\$3,100</b>
<b>6086 2016 State School Facilities Fund</b>			
APPROPRIATIONS			
001 Budget Act appropriation	-	-	\$114
Allocation for Employee Compensation	-	62	-
Allocation for Other Post-Employment Benefits	-	18	-
Allocation for Staff Benefits	-	18	-
Section 3.60 Pension Contribution Adjustment	-	14	-
<b>TOTALS, EXPENDITURES</b>	<b>-</b>	<b>\$112</b>	<b>\$114</b>
<b>Total Expenditures, All Funds, (State Operations)</b>	<b>\$359,572</b>	<b>\$412,209</b>	<b>\$448,436</b>

<b>2 LOCAL ASSISTANCE</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
<b>0001 General Fund, Proposition 98</b>			
APPROPRIATIONS			
106 Budget Act appropriation	-	\$11,534	\$11,766
107 Budget Act appropriation (County Offices of Education Fiscal Oversight)	5,299	6,271	6,271
113 Budget Act appropriation (Student Assessment Program)	-	128,517	116,043
113 Budget Act appropriation (Student Assessment Program) as amended by Chapter 181, Statutes of 2017	108,416	-	-
119 Budget Act appropriation (Foster Youth Programs)	25,775	26,474	27,337
122 Budget Act appropriation (Specialized Secondary Program Grants)	4,892	4,892	4,892
140 Budget Act appropriation	-	-	6,508
149 Budget Act appropriation (Proposition 98 - After School Education and Safety Program Supplement)	-	50,000	100,000
149 Budget Act appropriation (Proposition 98 - After School Education and Safety Program Supplement) as amended by Chapter 181, Statutes of 2017	50,000	-	-
150 Budget Act appropriation (American Indian Early Childhood Education Program)	559	574	593
151 Budget Act appropriation (American Indian Education Centers)	4,142	4,254	4,393
158 Budget Act appropriation (Adults in Correctional Facilities)	15,096	15,331	15,746
161 Budget Act appropriation (Special Education)	3,124,258	3,299,416	3,994,349
166 Budget Act appropriation (Partnership Academies)	21,428	21,428	21,428
167 Budget Act appropriation (Agricultural Vocational Education)	4,134	4,134	4,134
168 Budget Act appropriation (Proposition 98) Career Technical Education Incentive Grant	-	150,000	150,000
170 Budget Act appropriation (Proposition 98 - Career Technical Education Initiative Program)	15,324	15,360	15,360
172 Budget Act appropriation (College and Career Planning Website and Online Educational Resources)	5,500	6,500	6,500
196 Budget Act appropriation (State Preschool)	-	1,215,467	963,466
196 Budget Act appropriation (State Preschool) as amended by Chapter 249, Statutes of 2017	1,010,166	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

<b>2 LOCAL ASSISTANCE</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
201 Budget Act appropriation (Child Nutrition Start-up Grants)	1,017	1,017	1,017
203 Budget Act appropriation (Child Nutrition)	162,502	164,228	173,001
209 Budget Act appropriation (Teacher Dismissal Apportionments)	40	100	100
295 Budget Act appropriation (State Mandates Reimbursements)	49	48	49
296 Budget Act appropriation (State Mandates Block Grant)	228,187	236,262	243,173
Education Code sections 42238.02 and 42238.03 (School District Apportionments)	30,669,243	31,079,421	34,152,947
2018-19 LCFF Transition Funding Adjustment	-	113,267	-
District LCFF Education Protection Account Offset Adjustment	-	-423,938	-
District LCFF Minimum State Aid Adjustment	-	22,863	-
District LCFF Property Tax Adjustment	-	-185,335	-
LCFF Growth Adjustment	-	-114,548	-
Non-LCFF Apportionment Adjustment	-	2,359	-
Shift District LCFF Funding to One-time	-	-368,355	-
Chapter 32, Statutes of 2018 (State System of Support Regional Lead)	-	4,000	-
Education Code sections 2574 and 2575 (County Office of Education Apportionments)	440,175	441,938	470,602
Adjust Target County Office of Education Additional Funding Amount	-	190	-
County Office of Education Adjustment for State System of Support Activities	-	12,350	-
County Office of Education LCFF Growth Adjustment	-	-8,251	-
County Office of Education Local Revenue Adjustment	-	1,640	-
County Office of Education Minimum State Aid Adjustment	-	29,053	-
County Office of Education Protection Account Offset Adjustment	-	8,987	-
Pending Legislation (Standardized Account Code Structure System Replacement Project)	-	-	3,009
Article XIII, Section 36 of the California Constitution (Proposition 30) (transfer to Education Protection Account)	6,809,114	7,278,288	8,036,178
Education Protection Account Revenue Adjustment	-	419,097	-
Chapter 32, Statutes of 2018 (San Francisco USD Facility Improvements)	-	6,000	-
One-Time Funds for San Francisco Unified School District	-	4,000	-
Shift One-Time Funds for San Francisco Unified School District and Sweetwater Union High School District	-	-6,000	-
Chapter 15, Statutes of 2017 (Proposition 98—Equity Performance and Improvement Team)	2,500	-	-
One-Time Funds for Sweetwater Union High School District	-	2,000	-
Chapter 15, Statutes of 2017 (Proposition 98—California-Grown Fresh School Meals Grant Program)	1,500	-	-
Chapter 15, Statutes of 2017 (Bilingual Teacher Professional Development Program)	5,000	-	-
Chapter 32, Statutes of 2018 (Suicide Prevention Training)	-	1,700	-
Education Code section 41329.57(a)(1) (Oakland Unified School District)	1,781	1,707	1,705
Education Code section 41329.57(a)(1) (Vallejo City Unified School District)	513	492	491
Education Code section 41329.575 (South Monterey County Joint Union High School District)	301	265	268
Public Resources Code section 26233 (Transfer to Clean Energy Job Creation Fund)	376,200	-	-
Chapter 32, Statutes of 2018 (Classified School Employees Professional Development Block Grant)	50,000	-	-
Chapter 32, Statutes of 2018 (Lowest Performing Student Block Grant)	300,000	-	-
Chapter 32, Statutes of 2018 (Inclusive Early Education Expansion Program)	167,242	-	-
Education Code sections 8483.5 and 8483.51 (After School Education and Safety Program)	544,193	546,547	546,407
ASES Local Assistance Workload Adjustment	-	-139	-
Chapter 15, Statutes of 2017 (LCAP E-template and Dashboard)	400	-	-
Pending Legislation (LCAP E-template, Dashboard, and SARC)	-	-	528
Chapter 15, Statutes of 2017 (SoCal ROC Transition Funding)	4,000	-	-
Chapter 15, Statutes of 2017 (District LCFF Transition Funding)	1,362,383	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

<b>2 LOCAL ASSISTANCE</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
Chapter 32, Statutes of 2018 (District LCFF Transition Funding)	-	3,556,177	-
Chapter 15, Statutes of 2017 (Discretionary Grants - Mandate Funding)	876,581	-	-
Chapter 32, Statutes of 2018 (Discretionary Grants and Mandate Reimbursements)	294,756	-	-
Chapter 32, Statutes of 2018 (Discretionary Grants and Mandate Reimbursements)	-	300,000	-
Prior Year Balances Available:			
Chapter 15, Statutes of 2017 (LCAP E-template and Dashboard)	-	300	-
Chapter 15, Statutes of 2017 (SoCal ROC Transition Funding)	-	3,000	2,000
Chapter 29, Statutes of 2016 (Proposition 98-Evaluation Rubrics Support and Development)	500	500	-
Chapter 32, Statutes of 2018 (State System of Support Regional Lead)	-	-	4,000
<b>Totals Available</b>	<b>\$46,693,166</b>	<b>\$48,091,382</b>	<b>\$49,084,261</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$46,693,166</b>	<b>\$48,091,382</b>	<b>\$49,084,261</b>
<b>0001 General Fund</b>			
APPROPRIATIONS			
194 Budget Act appropriation (Child Development)	-	\$1,324,850	\$1,896,170
194 Budget Act appropriation (Child Development) as amended by Chapter 249, Statutes of 2017	1,007,698	-	-
CalWORKs Stage 3 Adjustment	-	80,000	-
202 Budget Act appropriation (Preparing, Recruiting, and Training Effective Educators)	-	-	6,700
242 Budget Act appropriation	-	-	150
Pending Legislation (Childcare Collective Bargaining)	-	-	10,000
Pending Legislation (Early Learning and Care Infrastructure Grant)	-	-	58,705
Pending Legislation (Early Learning and Care Workforce Development Grant)	-	-	129,000
Pending Legislation (Special Olympic Northern and Southern)	-	-	4,000
Public Resources Code section 26233 (Transfer to Clean Energy Job Creation Fund)	8,669	-	-
Prior Year Balances Available:			
Reappropriation, Proposition 98 per Item 6100-488	219,809	238,958	152,357
Reappropriation, Proposition 98 reversion account per Item 6100-485	104,880	80,331	6,620
<b>TOTALS, EXPENDITURES</b>	<b>\$1,341,056</b>	<b>\$1,724,139</b>	<b>\$2,263,702</b>
Loan repayment per Chapter 14, Statutes of 2003 (Oakland Unified School District)	-2,095	-2,095	-2,095
Loan repayment per Chapter 53, Statutes of 2004 (Vallejo Unified School District)	-2,266	-2,266	-2,266
<b>NET TOTALS, EXPENDITURES</b>	<b>\$1,336,695</b>	<b>\$1,719,778</b>	<b>\$2,259,341</b>
<b>0140 California Environmental License Plate Fund</b>			
APPROPRIATIONS			
181 Budget Act appropriation (Environmental Education)	\$360	\$360	\$360
<b>TOTALS, EXPENDITURES</b>	<b>\$360</b>	<b>\$360</b>	<b>\$360</b>
<b>0231 Health Education Account, Cigarette and Tobacco Products Surtax Fund</b>			
APPROPRIATIONS			
101 Budget Act appropriation (Drug Free Schools-County Offices)	\$3,687	\$3,086	\$4,343
102 Budget Act appropriation (Drug Free Schools-District Grants)	10,458	9,875	13,911
Prior Year Balances Available:			
Item 6100-102-0231, Budget Act of 2017 (Drug Free Schools-District Grants)	-	480	-
Item 6100-102-0321, Budget Act of 2016	160	66	-
<b>Totals Available</b>	<b>\$14,305</b>	<b>\$13,507</b>	<b>\$18,254</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$14,305</b>	<b>\$13,507</b>	<b>\$18,254</b>
<b>0342 State School Fund</b>			
APPROPRIATIONS			
Education Code section 14002	\$38,711,061	\$40,790,019	\$40,271,345
State School Fund Adjustment	-	-6,256,381	-
<b>TOTALS, EXPENDITURES</b>	<b>\$38,711,061</b>	<b>\$34,533,638</b>	<b>\$40,271,345</b>

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

2 LOCAL ASSISTANCE	2017-18*	2018-19*	2019-20*
Less funding provided by General Fund	-38,689,477	-34,512,419	-40,250,126
<b>NET TOTALS, EXPENDITURES</b>	<b>\$21,584</b>	<b>\$21,219</b>	<b>\$21,219</b>
<b>0349 Educational Telecommunication Fund</b>			
APPROPRIATIONS			
Chapter 32, Statutes of 2018 (Standardized Account Code Structure System Replacement Project)	-	\$716	-
Pending Legislation (Standardized Account Code Structure System Replacement Project)	-	-	607
<b>TOTALS, EXPENDITURES</b>	<b>-</b>	<b>\$716</b>	<b>\$607</b>
<b>0620 Child Care Facilities Revolving Fund</b>			
APPROPRIATIONS			
Education Code section 8278.3(a)(1)	\$1,155	-	-
<b>TOTALS, EXPENDITURES</b>	<b>\$1,155</b>	<b>-</b>	<b>-</b>
<b>0814 California State Lottery Education Fund</b>			
APPROPRIATIONS			
Government Code section 8880.5	\$1,382,307	\$1,200,696	\$1,304,086
K-12 Lottery Adjustment	-	104,484	-
<b>TOTALS, EXPENDITURES</b>	<b>\$1,382,307</b>	<b>\$1,305,180</b>	<b>\$1,304,086</b>
<b>0890 Federal Trust Fund</b>			
APPROPRIATIONS			
101 Budget Act appropriation (Project School Emergency Response to Violence)	-	\$2,000	\$2,000
102 Budget Act appropriation (Immediate Aid To Restart School Operations)	-	13,864	13,792
Adjust Federal Emergency Impact Aid Funds	-	3,556	-
104 Budget Act appropriation (Project Advancing Wellness and Resilience in Education Grant)	1,383	1,469	2,526
Adjust Federal Funds for Project Cal-STOP Grant Program	-	1,000	-
112 Budget Act appropriation (Public Charter Schools)	19,000	26,873	25,950
113 Budget Act appropriation (Student Assessment Program)	-	21,129	20,306
113 Budget Act appropriation (Student Assessment Program) as amended by Chapter 181, Statutes of 2017	22,995	-	-
119 Budget Act appropriation (Title I, Neglected and Delinquent)	-	3,112	1,405
119 Budget Act appropriation (Title I, Neglected and Delinquent) as amended by Chapter 181, Statutes of 2017	1,662	-	-
Adjust Federal Funds for the Neglected and Delinquent Children Program (SB 862)	-	139	-
125 Budget Act appropriation (Migrant Education and English Language Acquisition Program)	273,705	273,597	282,939
134 Budget Act appropriation (Title I School Improvement)	-	2,218,510	2,098,707
134 Budget Act appropriation (Title I School Improvement) as amended by Chapter 181, Statutes of 2017	1,843,422	-	-
Adjust Federal Funds for Title I Program (SB 862)	-	41,722	-
136 Budget Act appropriation (McKinney-Vento Homeless Children Education)	9,013	9,262	9,646
Adjust Federal Funds for the McKinney-Vento Homeless Children Education Program (SB 862)	-	1,124	-
Support for Homeless Youth Impacted by Wildfires	-	88	-
137 Budget Act appropriation (Rural and Low Income Schools Grant)	3,512	3,680	3,763
Adjust Federal Funds for the Rural and Low-Income Schools Program (SB 862)	-	335	-
156 Budget Act appropriation (Adult Education)	-	102,515	98,430
156 Budget Act appropriation (Adult Education) as amended by Chapter 181, Statutes of 2017	92,212	-	-
161 Budget Act appropriation (Special Education)	1,243,086	1,279,921	1,287,761
166 Budget Act appropriation (Vocational Education)	112,842	117,683	120,862
193 Budget Act appropriation (Title II, Mathematics and Science Partnership Grants)	-	323	-
One-Time Carryover for the Mathematics and Science Partnerships Program-Budget Revision	-	1,252	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

<b>2 LOCAL ASSISTANCE</b>	<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>
194 Budget Act appropriation (Child Development)	-	938,039	1,012,008
194 Budget Act appropriation (Child Development) as amended by Chapter 181, Statutes of 2017	764,500	-	-
195 Budget Act appropriation (Title II, Part A-Improving Teacher Quality Grant)	216,049	235,316	228,724
197 Budget Act appropriation (21st Century Community Learning Centers)	-	138,153	150,850
197 Budget Act appropriation (21st Century Community Learning Centers) as amended by Chapter 181, Statutes of 2017	134,758	-	-
Adjust Federal Funds for the 21st Century Community Learning Centers Program (SB 862)	-	3,347	-
201 Budget Act appropriation (Child Nutrition)	2,559,855	2,672,340	2,763,073
240 Budget Act appropriation (Advanced Placement Exam Fees)	-	11,064	-
294 Budget Act appropriation (Early Head Start - Child Care Partnership Grant)	2,807	3,662	3,060
<b>Totals Available</b>	<b>\$7,300,801</b>	<b>\$8,125,075</b>	<b>\$8,125,802</b>
Unexpended balance, estimated savings	-	-103,295	-
<b>TOTALS, EXPENDITURES</b>	<b>\$7,300,801</b>	<b>\$8,021,780</b>	<b>\$8,125,802</b>
<b>0986 Local Property Tax Revenues</b>			
Prior Year Balances Available:			
County Offices Local Revenue	566,128	590,284	626,911
District Local Revenue	19,230,022	20,234,585	21,488,987
Special Education Local Revenue	642,123	669,208	703,562
<b>TOTALS, EXPENDITURES</b>	<b>\$20,438,273</b>	<b>\$21,494,077</b>	<b>\$22,819,460</b>
<b>0995 Reimbursements</b>			
APPROPRIATIONS			
Reimbursements	\$400,773	\$436,184	\$517,889
<b>TOTALS, EXPENDITURES</b>	<b>\$400,773</b>	<b>\$436,184</b>	<b>\$517,889</b>
<b>3207 Education Protection Account</b>			
APPROPRIATIONS			
Article XIII, Section 36 of the California Constitution (Proposition 30)	\$6,809,114	\$7,278,288	\$8,036,178
Education Protection Account Revenue Adjustment	-	419,097	-
<b>TOTALS, EXPENDITURES</b>	<b>\$6,809,114</b>	<b>\$7,697,385</b>	<b>\$8,036,178</b>
Less funding provided by General Fund	-6,809,114	-7,697,385	-8,036,178
<b>NET TOTALS, EXPENDITURES</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>3286 Safe Neighborhoods and Schools Fund</b>			
APPROPRIATIONS			
Government Code section 7599.1 (c)	\$10,010	\$15,263	\$18,539
<b>Totals Available</b>	<b>\$10,010</b>	<b>\$15,263</b>	<b>\$18,539</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$10,010</b>	<b>\$15,263</b>	<b>\$18,539</b>
<b>3309 Tobacco Prevention and Control Programs Account, California Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund</b>			
APPROPRIATIONS			
101 Budget Act appropriation as amended by Chapter 249, Statutes of 2017	\$14,584	-	-
<b>Totals Available</b>	<b>\$14,584</b>	<b>-</b>	<b>-</b>
<b>TOTALS, EXPENDITURES</b>	<b>\$14,584</b>	<b>-</b>	<b>-</b>
<b>3321 Department of Education Subaccount, Tobacco Prevention and Control Programs Account, CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund</b>			
APPROPRIATIONS			
Revenue and Taxation Code section 30130.57(b)(1)	-	\$21,736	\$42,901
Adjust Proposition 56 Tobacco Tax Initiative Funding (Local Assistance)	-	1,486	-
<b>TOTALS, EXPENDITURES</b>	<b>-</b>	<b>\$23,222</b>	<b>\$42,901</b>
<b>8080 Clean Energy Job Creation Fund</b>			
APPROPRIATIONS			
139 Budget Act appropriation	\$340,718	-	-

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2017-18*	2018-19*	2019-20*
<b>2 LOCAL ASSISTANCE</b>			
Totals Available	\$340,718	-	-
<b>TOTALS, EXPENDITURES</b>	\$340,718	-	-
Less funding provided by General Fund	-384,869	-	-
<b>NET TOTALS, EXPENDITURES</b>	-\$44,151	-	-
Total Expenditures, All Funds, (Local Assistance)	\$77,569,862	\$81,142,668	\$84,212,719
<b>TOTALS, EXPENDITURES, ALL FUNDS (State Operations and Local Assistance)</b>	\$77,929,434	\$81,554,877	\$84,661,155

**FUND CONDITION STATEMENTS**

	2017-18*	2018-19*	2019-20*
<b>0178 Driver Training Penalty Assessment Fund<sup>s</sup></b>			
BEGINNING BALANCE	\$741	\$1,399	\$1,399
Prior Year Adjustments	658	-	-
Adjusted Beginning Balance	\$1,399	\$1,399	\$1,399
Total Resources	\$1,399	\$1,399	\$1,399
<b>EXPENDITURE AND EXPENDITURE ADJUSTMENTS</b>			
Expenditures:			
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	-	-	158
Total Expenditures and Expenditure Adjustments	-	-	\$158
FUND BALANCE	\$1,399	\$1,399	\$1,241
Reserve for economic uncertainties	1,399	1,399	1,241
<b>0342 State School Fund<sup>s</sup></b>			
BEGINNING BALANCE	\$2,029	\$2,547	\$2,547
Adjusted Beginning Balance	\$2,029	\$2,547	\$2,547
<b>REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS</b>			
Revenues:			
4154000 Royalties - Federal Land	25,472	25,472	25,472
4171300 Donations	12	12	12
Total Revenues, Transfers, and Other Adjustments	\$25,484	\$25,484	\$25,484
Total Resources	\$27,513	\$28,031	\$28,031
<b>EXPENDITURE AND EXPENDITURE ADJUSTMENTS</b>			
Expenditures:			
6100 Department of Education (Local Assistance)	38,711,061	34,533,638	40,271,345
6870 Board of Governors of the California Community Colleges (Local Assistance)	4,457,234	5,014,873	5,179,186
Expenditure Adjustments:			
Less funding provided by General Fund (Local Assistance)	-38,689,477	-34,512,419	-40,250,126
Less funding provided by General Fund (Local Assistance)	-4,453,852	-5,010,608	-5,174,921
Total Expenditures and Expenditure Adjustments	\$24,966	\$25,484	\$25,484
FUND BALANCE	\$2,547	\$2,547	\$2,547
Reserve for economic uncertainties	2,547	2,547	2,547
<b>0349 Educational Telecommunication Fund<sup>s</sup></b>			
BEGINNING BALANCE	\$1,323	\$1,323	\$607
Adjusted Beginning Balance	\$1,323	\$1,323	\$607
Total Resources	\$1,323	\$1,323	\$607
<b>EXPENDITURE AND EXPENDITURE ADJUSTMENTS</b>			
Expenditures:			
6100 Department of Education (Local Assistance)	-	716	607

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2017-18*	2018-19*	2019-20*
Total Expenditures and Expenditure Adjustments	-	\$716	\$607
FUND BALANCE	\$1,323	\$607	-
Reserve for economic uncertainties	1,323	607	-
<b>3170 Heritage Enrichment Resource Fund<sup>S</sup></b>			
BEGINNING BALANCE	\$351	\$456	\$525
Adjusted Beginning Balance	\$351	\$456	\$525
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Revenues:			
4172500 Miscellaneous Revenue	112	112	112
Total Revenues, Transfers, and Other Adjustments	\$112	\$112	\$112
Total Resources	\$463	\$568	\$637
EXPENDITURE AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
6100 Department of Education (State Operations)	2	40	40
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	5	3	2
Total Expenditures and Expenditure Adjustments	\$7	\$43	\$42
FUND BALANCE	\$456	\$525	\$595
Reserve for economic uncertainties	456	525	595
<b>3207 Education Protection Account<sup>S</sup></b>			
BEGINNING BALANCE	-	-	-
EXPENDITURE AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
6100 Department of Education (Local Assistance)	\$6,809,114	\$7,697,385	\$8,036,178
6870 Board of Governors of the California Community Colleges (Local Assistance)	841,576	951,362	993,235
Expenditure Adjustments:			
Less funding provided by General Fund (Local Assistance)	-6,809,114	-7,697,385	-8,036,178
Less funding provided by General Fund (Local Assistance)	-841,576	-951,362	-993,235
FUND BALANCE	-	-	-
<b>3321 Department of Education Subaccount, Tobacco Prevention and Control Programs Account, CA Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund<sup>S</sup></b>			
BEGINNING BALANCE	-	-	-199
Adjusted Beginning Balance	-	-	-\$199
REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS			
Transfers and Other Adjustments			
Revenue Transfer From Tobacco Prevention and Control Programs Account Fund (3309) to the Tobacco Prevention and Control Programs Account (3321) per Revenue and Taxation Code 30130.55(b)(2)	-	-	20,611
Revenue Transfer From the California Healthcare, Research and Prevention Tobacco Tax Act of 2016 Fund (3304) to the Tobacco Prevention and Control Programs Account Fund (3321) per Revenue and Tax Code Section 30130.55(b)(2)	-	24,148	23,893
Total Revenues, Transfers, and Other Adjustments	-	\$24,148	\$44,504
Total Resources	-	\$24,148	\$44,305
EXPENDITURE AND EXPENDITURE ADJUSTMENTS			
Expenditures:			
6100 Department of Education (State Operations)	-	1,125	1,125
6100 Department of Education (Local Assistance)	-	23,222	42,901
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	-	-	278
Total Expenditures and Expenditure Adjustments	-	\$24,347	\$44,304

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	2017-18*	2018-19*	2019-20*
FUND BALANCE	-	-\$199	\$1
Reserve for economic uncertainties	-	-199	1
<b>8080 Clean Energy Job Creation Fund<sup>S</sup></b>			
BEGINNING BALANCE	\$409,894	\$119,599	\$6,075
Prior Year Adjustments	-325,466	-	-
Adjusted Beginning Balance	\$84,428	\$119,599	\$6,075
<b>REVENUES, TRANSFERS, AND OTHER ADJUSTMENTS</b>			
Transfers and Other Adjustments			
Revenue Transfer from the Clean Energy Job Creation Fund (8080) to the Alternative and Renewable Fuel and Vehicle Technology Fund (3117) per Public Resources Code 26205.5	-	-75,000	-
Revenue Transfer from the Clean Energy Job Creation Fund (8080) to the State Energy Conservation Assistance Account (0033) per Public Resources Code 26205.5	-	-38,524	-
Total Revenues, Transfers, and Other Adjustments	-	-\$113,524	-
Total Resources	\$84,428	\$6,075	\$6,075
<b>EXPENDITURE AND EXPENDITURE ADJUSTMENTS</b>			
Expenditures:			
3340 California Conservation Corps (State Operations)	5,816	-	-
6100 Department of Education (Local Assistance)	340,718	-	-
6870 Board of Governors of the California Community Colleges (Local Assistance)	46,664	-	-
7120 California Workforce Development Board (State Operations)	3,000	-	-
Expenditure Adjustments:			
Less funding provided by General Fund (Local Assistance)	-384,869	-	-
Less funding provided by General Fund (Local Assistance)	-46,500	-	-
Total Expenditures and Expenditure Adjustments	-\$35,171	-	-
FUND BALANCE	\$119,599	\$6,075	\$6,075
Reserve for economic uncertainties	119,599	6,075	6,075

**CHANGES IN AUTHORIZED POSITIONS**

	Positions			Expenditures		
	2017-18	2018-19	2019-20	2017-18*	2018-19*	2019-20*
<b>Baseline Positions</b>	2,217.2	2,217.2	2,217.2	\$157,164	\$165,701	\$164,314
<b>Salary and Other Adjustments</b>	-0.6	-	-	4,865	6,750	6,750
<b>Workload and Administrative Adjustments</b>						
<b>Adjust Federal Funding for Project AWARE Grant Program</b>						
Various	-	-	-	-	-	117
<b>Adjust Fees for Nonpublic Schools and Agencies (NPS/A) Certification Program</b>						
Assoc Govtl Program Analyst	-	-	2.0	-	-	134
<b>California Computer Science Coordinator</b>						
Educ Programs Consultant	-	-	1.0	-	-	348
<b>Career Technical Education Support</b>						
Educ Programs Consultant	-	-	2.0	-	-	175
<b>Early Learning and Care Division Support</b>						
Assoc Govtl Program Analyst	-	-	4.0	-	-	277
Child Develmt Consultant	-	-	2.0	-	-	175
Educ Administrator I	-	-	1.0	-	-	100
Educ Programs Consultant	-	-	5.0	-	-	437

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

	Positions			Expenditures		
	2017-18	2018-19	2019-20	2017-18*	2018-19*	2019-20*
Staff Svcs Mgr I	-	-	1.0	-	-	80
<b>Emergency Average Daily Attendance Waiver Request Workload</b>						
Assoc Govtl Program Analyst	-	-	1.0	-	-	67
<b>Foster Youth Trauma Support Coordination (AB 2083)</b>						
Educ Programs Consultant	-	-	1.0	-	-	90
<b>Homeless Student Coordinators</b>						
Educ Programs Consultant	-	-	1.5	-	-	-
<b>Increase Reimbursements for the California High School Proficiency Examination</b>						
Educ Programs Consultant	-	-	-	-	-	70
<b>Ongoing Development and Support of the California School Dashboard</b>						
Educ Research & Eval Consultant	-	-	2.0	-	-	175
<b>Oversight of State Board of Education Authorized Charter Schools</b>						
Educ Programs Consultant	-	-	2.0	-	-	180
<b>Preschool Development Grant</b>						
Various	-	-	-	-	-	122
<b>School Safety Plan Best Practices (AB 1747)</b>						
Temporary Help (Limited Term 06-30-2020)	-	-	-	-	-	33
<b>Shift Federal Funds Carryover for Project Cal-STOP Grant Program</b>						
Various	-	-	-	-	-	44
<b>Special Education Division Support</b>						
Educ Programs Consultant	-	-	3.0	-	-	262
<b>Special Education: Reporting the Use of Seclusion and Restraints (AB 2657)</b>						
Educ Programs Consultant	-	-	1.0	-	-	87
<b>Support for the 21st Century California School Leadership Academy</b>						
Educ Programs Consultant	-	-	1.0	-	-	87
<b>TOTALS, WORKLOAD AND ADMINISTRATIVE ADJUSTMENTS</b>	-	-	<b>30.5</b>	<b>\$-</b>	<b>\$-</b>	<b>\$3,060</b>
<b>Totals, Adjustments</b>	<b>-0.6</b>	<b>-</b>	<b>30.5</b>	<b>\$4,865</b>	<b>\$6,750</b>	<b>\$9,810</b>
<b>TOTALS, SALARIES AND WAGES</b>	<b>2,216.6</b>	<b>2,217.2</b>	<b>2,247.7</b>	<b>\$162,029</b>	<b>\$172,451</b>	<b>\$174,124</b>

**INFRASTRUCTURE OVERVIEW**

The State Special Schools Division has six facilities under its jurisdiction: three residential schools and three diagnostic centers. These facilities comprise a total of approximately 1,042,000 gross square feet on 167.29 acres.

The residential schools serve students ranging in age from 3 to 22. They include Schools for the Deaf in Riverside and Fremont and a School for the Blind in Fremont. The California Schools for the Deaf provide comprehensive educational programs composed of academic, extracurricular, and residential activities for students. The California School for the Blind is a statewide residential campus that provides intensive, disability-specific educational services for pupils who are blind, visually impaired, or deaf-blind. The diagnostic centers are regionally located in Fresno, Fremont, and Los Angeles; the centers address the unique educational needs of California's most difficult to serve special education students.

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

**6100 Department of Education - Continued**

**SUMMARY OF PROJECTS**

		State Building Program Expenditures		2017-18*	2018-19*	2019-20*
<b>5230</b>	<b>CAPITAL OUTLAY Projects</b>					
0000409	New Gym and Pool Center			2,156	-	-
	Construction			2,156	-	-
0000720	Fremont School for the Deaf: Middle School Activity Center			-	-	2,177
	Construction			-	-	2,177
<b>TOTALS, EXPENDITURES, ALL PROJECTS</b>				<b>\$2,156</b>	<b>\$-</b>	<b>\$2,177</b>
<b>FUNDING</b>		<b>2017-18*</b>	<b>2018-19*</b>	<b>2019-20*</b>		
0001	General Fund	\$-	\$-	\$2,177		
0660	Public Buildings Construction Fund	2,156	-	-		
<b>TOTALS, EXPENDITURES, ALL FUNDS</b>		<b>\$2,156</b>	<b>\$-</b>	<b>\$2,177</b>		

**DETAIL OF APPROPRIATIONS AND ADJUSTMENTS**

<b>3 CAPITAL OUTLAY</b>		2017-18*	2018-19*	2019-20*
<b>0001 General Fund</b>				
APPROPRIATIONS				
301	Budget Act appropriation	-	-	\$2,177
Prior Year Balances Available:				
	Item 6100-301-0001, Budget Act of 2016 as reappropriated by Item 6100-492, Budget Act 2017	-	1,483	-
<b>Totals Available</b>		<b>-</b>	<b>\$1,483</b>	<b>\$2,177</b>
Unexpended balance, estimated savings		-	-1,483	-
<b>TOTALS, EXPENDITURES</b>		<b>-</b>	<b>-</b>	<b>\$2,177</b>
<b>0660 Public Buildings Construction Fund</b>				
APPROPRIATIONS				
301	Budget Act appropriation as added by Chapter 249, Statutes of 2017	\$2,156	-	-
<b>TOTALS, EXPENDITURES</b>		<b>\$2,156</b>	<b>-</b>	<b>-</b>
<b>Total Expenditures, All Funds, (Capital Outlay)</b>		<b>\$2,156</b>	<b>\$0</b>	<b>\$2,177</b>

\* Dollars in thousands, except in Salary Range. Numbers may not add or match to other statements due to rounding of budget details.

# **EXHIBIT B**



DEPARTMENT OF HEALTH & HUMAN SERVICES

Voice - (800) 368-1019 TDD - (800) 537-7697 Fax - (202) 619-3818  
<http://www.hhs.gov/ocr/>

OFFICE OF THE SECRETARY

Office for Civil Rights  
200 Independence Ave., SW  
Washington, DC 20201

VIA U.S. MAIL

August 30, 2018

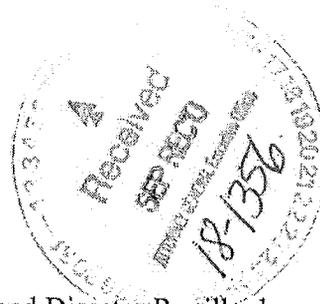
Edmund G. Brown, Jr., Esq.  
Governor  
State of California  
c/o State Capitol, Suite 1173  
Sacramento, CA 95814

Xavier Becerra, Esq.  
Attorney General  
State of California  
Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244

Diana S. Dooley, Esq.  
Secretary  
California Health & Human Services Agency  
1600 Ninth Street, Room 460  
Sacramento, CA 95814

Michelle (Shelley) Rouillard  
Director  
California Department of Managed Health Care  
980 9<sup>th</sup> Street, Suite 500  
Sacramento, CA 95814

**Re: OCR Transaction Number: 17-283890**



Dear Governor Brown, Attorney General Becerra, Secretary Dooley, and Director Rouillard:

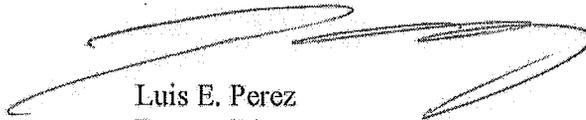
The U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) received the attached complaint on September 22, 2017, from Alliance Defending Freedom, filed on behalf of Skyline Church ("Complainant"). The Complainant alleges that the State of California violated Federal law when the Department of Managed Health Care issued letters on August 22, 2014, to health insurance issuers in California directing them to amend their health plans to remove coverage exclusions and limitations regarding abortions.

Under Federal regulations, OCR is designated to receive complaints based on the Federal laws that protect conscience and prevent coercion,<sup>1</sup> including the Weldon Amendment,<sup>2</sup> the Coats-Snowe Amendment,<sup>3</sup> and the Church Amendments.<sup>4</sup> OCR has reviewed the complaint and has determined that it has sufficient authority and cause to investigate the allegations under one or more of these laws.

This letter is a notice of investigation and does not constitute a finding of violation. OCR requests that you take all necessary steps to ensure that individuals who file complaints or participate in the investigation of complaints are free from harassment, intimidation, and retaliation.

If you have any questions, please contact Sarah Bayko Albrecht, Supervisory Civil Rights Analyst, at [Sarah.Albrecht@hhs.gov](mailto:Sarah.Albrecht@hhs.gov) or (202) 774-2432.

Sincerely,



Luis E. Perez  
Deputy Director  
Conscience and Religious Freedom Division

ENC

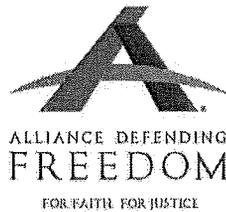
---

<sup>1</sup> Part 88 of 45 C.F.R. sets forth the applicable complaint handling procedures.

<sup>2</sup> Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, Div. H, § 507(d), 132 Stat. 348, 764 (Mar. 23, 2018).

<sup>3</sup> 42 U.S.C. § 238n.

<sup>4</sup> *Id.*, § 300a-7.



September 22, 2017

**Via E-Mail and U.S. Mail: [OCRCComplaint@hhs.gov](mailto:OCRCComplaint@hhs.gov)**

Centralized Case Management Operations  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Room 509F HHH Bldg.  
Washington, DC 20201

**Re: Complaint of Discrimination in Violation of Federal Statutes**

Dear Sir or Madam:

Alliance Defending Freedom represents Skyline Church which has been subjected to unlawful discrimination by the state of California. California is subject to the Weldon Amendment (Continuing Appropriations Resolution, Pub. L. No. 113-164, Sec. 101(a) (Sept. 19, 2015)), the Church Amendments (42 U.S.C. § 300a-7), and/or the Public Health Service (PHS) Act (§ 245 (42 U.S.C. § 238n)), by virtue of its status as a recipient of federal funding.

Skyline Church believes that abortion is a grave moral evil. These convictions prohibit Skyline Church from providing insurance coverage for abortion procedures and abortion-inducing drugs in any manner. The rights of Skyline Church to operate as a religious institution without compromising their religious convictions relating to abortion or abortion-causing drugs are protected by the First Amendment to the United States Constitution and the Constitution of the State of California, in addition to the federal conscience laws named above.

On August 22, 2014, the California Department of Managed Health Care (DMHC) notified all private health care insurers in the state that all health care plans issued in California must immediately cover elective abortions. See attached letter to insurers. The insurers were instructed to amend their policies to remove any limitations on health coverage for abortions, such as excluding coverage for "voluntary" or "elective" abortions. DMHC justified this change in policy by interpreting the applicable California law mandating coverage of "basic health care services" to require coverage for all abortions. Because DMHC simply read this abortion coverage requirement into the pre-existing 1975 law, Health & Safety Code section 1340 *et seq.*, there is no exemption

Centralized Case Management Operations  
U.S. Department of Health and Human Services  
Complaint of Discrimination  
September 20, 2017  
Page 2

for any religious employer, including churches. Therefore, DMHC has ordered elective abortion coverage into the Skyline Church's insurance plan, despite their sincerely held religious beliefs against abortion.

This directive of the DMHC constitutes unlawful discrimination against a health care entity under section 507 of the Consolidated Appropriations Act, Pub L. No 113-76, 128 Stat. 5 (Jan. 17, 2014) (the Hyde-Weldon Conscience Protection Amendment). DMHC is "subject[ing]" Complainants' "health insurance plan" "to discrimination," by denying its approval of the plan that omitted elective abortions, solely "on the basis that the [plan] does not ... provide coverage of ... abortions." DMHC is an arm of the State of California and purports to be interpreting and applying the law of California, a state that receives billions of taxpayer dollars through "funds made available in this Act" in this and recent appropriations. California accepted those funds with full knowledge of the requirements of the Hyde-Weldon Amendment, but it has chosen to ignore this law. The need to remedy this discrimination is urgent because it is immediately forcing Complainants to offer their employees a health plan that includes elective abortions

Please promptly inform us of the actions your office plans to take regarding this violation. Thank you for your attention to this matter.

Sincerely yours,

/s/ Elissa Graves  
Elissa Graves, Esq.

cc: Kevin Theriot, Esq., Senior Counsel, Alliance Defending Freedom Clients

DEPARTMENT OF  
HEALTH & HUMAN SERVICES

Washington, DC 20201  
Official Business  
Penalty for Private Use, \$300

DEPT DISTRICT  
NO 207  
31 AUG 2018  
PM 2 L



10 5 3 3 1

0000  
0001  
0002  
0003  
0004  
0005  
0006  
0007  
0008  
0009  
0010  
0011  
0012  
0013  
0014  
0015  
0016  
0017  
0018  
0019  
0020  
0021  
0022  
0023  
0024  
0025  
0026  
0027  
0028  
0029  
0030  
0031  
0032  
0033  
0034  
0035  
0036  
0037  
0038  
0039  
0040  
0041  
0042  
0043  
0044  
0045  
0046  
0047  
0048  
0049  
0050  
0051  
0052  
0053  
0054  
0055  
0056  
0057  
0058  
0059  
0060  
0061  
0062  
0063  
0064  
0065  
0066  
0067  
0068  
0069  
0070  
0071  
0072  
0073  
0074  
0075  
0076  
0077  
0078  
0079  
0080  
0081  
0082  
0083  
0084  
0085  
0086  
0087  
0088  
0089  
0090  
0091  
0092  
0093  
0094  
0095  
0096  
0097  
0098  
0099

Office of the Attorney General  
Public Inquiry Unit

SEP 06 2018

# **EXHIBIT C**

**Neli Palma**

---

**From:** Takemoto, Benjamin (CIV) <Benjamin.Takemoto@usdoj.gov>  
**Sent:** Tuesday, September 3, 2019 4:15 PM  
**To:** Karli Eisenberg  
**Cc:** Kathleen Boergers; Neli Palma; Stephanie Yu; Kopplin, Rebecca M. (CIV)  
**Subject:** RE: California v. Azar et al, No. 3:19-cv-02769-WHA - Missing Document

Hi Karli,

This is confirmation that HHS intended not to include the attached August 30, 2018 letter in the administrative record. However, the underlying complaint is located at page 545,936 of the administrative record.

Best,  
Ben

---  
Benjamin T. Takemoto  
Trial Attorney  
U.S. Department of Justice, Civil Division, Federal Programs Branch  
P.O. Box 883, Ben Franklin Station, Washington, DC 20044  
Tel: (202) 532-4252 / Fax: (202) 616-8460

The information in this e-mail, including any attachments, is intended only for any recipients listed above. It may contain information that is privileged or confidential. Any review, use, distribution, or copying of this e-mail is prohibited except by or on behalf of the intended recipient. If you have received this e-mail in error, please notify me immediately and destroy all copies of it. I appreciate your cooperation.

---

**From:** Karli Eisenberg <Karli.Eisenberg@doj.ca.gov>  
**Sent:** Friday, August 30, 2019 7:43 PM  
**To:** Takemoto, Benjamin (CIV) <btakemot@CIV.USDOJ.GOV>  
**Cc:** Kathleen Boergers <Kathleen.Boergers@doj.ca.gov>; Neli Palma <Neli.Palma@doj.ca.gov>; Stephanie Yu <Stephanie.Yu@doj.ca.gov>; Kopplin, Rebecca M. (CIV) <rkopplin@CIV.USDOJ.GOV>  
**Subject:** California v. Azar et al, No. 3:19-cv-02769-WHA - Missing Document

Dear Ben,

We plan on relying on the attached August 30, 2018 letter from HHS to Governor Brown, Attorney General Becerra, Secretary Dooley, and Director Rouillard. We cannot locate it in the administrative record. Will you please confirm that it was not intended to be included? Or supplement?

Thank you.

Karli

*Karli Eisenberg*  
Deputy Attorney General  
California Department of Justice

Office of the Attorney General  
1300 I Street, Sacramento, CA 95814  
Office: (916) 210-7913  
Fax: (916) 324-5567  
**\*\*Please note the new phone number.**

CONFIDENTIALITY NOTICE: This communication with its contents may contain confidential and/or legally privileged information. It is solely for the use of the intended recipient(s). Unauthorized interception, review, use or disclosure is prohibited and may violate applicable laws including the Electronic Communications Privacy Act. If you are not the intended recipient, please contact the sender and destroy all copies of the communication.



DEPARTMENT OF HEALTH & HUMAN SERVICES

OFFICE OF THE SECRETARY

Voice - (800) 368-1019 TDD - (800) 537-7697 Fax - (202) 619-3818  
http://www.hhs.gov/ocr/

Office for Civil Rights  
200 Independence Ave., SW  
Washington, DC 20201

VIA U.S. MAIL

August 30, 2018

Edmund G. Brown, Jr., Esq.  
Governor  
State of California  
c/o State Capitol, Suite 1173  
Sacramento, CA 95814

Xavier Becerra, Esq.  
Attorney General  
State of California  
Department of Justice  
P.O. Box 944255  
Sacramento, CA 94244

Diana S. Dooley, Esq.  
Secretary  
California Health & Human Services Agency  
1600 Ninth Street, Room 460  
Sacramento, CA 95814

Michelle (Shelley) Rouillard  
Director  
California Department of Managed Health Care  
980 9<sup>th</sup> Street, Suite 500  
Sacramento, CA 95814

Re: **OCR Transaction Number: 17-283890**



Dear Governor Brown, Attorney General Becerra, Secretary Dooley, and Director Rouillard:

The U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) received the attached complaint on September 22, 2017, from Alliance Defending Freedom, filed on behalf of Skyline Church ("Complainant"). The Complainant alleges that the State of California violated Federal law when the Department of Managed Health Care issued letters on August 22, 2014, to health insurance issuers in California directing them to amend their health plans to remove coverage exclusions and limitations regarding abortions.

Under Federal regulations, OCR is designated to receive complaints based on the Federal laws that protect conscience and prevent coercion,<sup>1</sup> including the Weldon Amendment,<sup>2</sup> the Coats-Snowe Amendment,<sup>3</sup> and the Church Amendments.<sup>4</sup> OCR has reviewed the complaint and has determined that it has sufficient authority and cause to investigate the allegations under one or more of these laws.

This letter is a notice of investigation and does not constitute a finding of violation. OCR requests that you take all necessary steps to ensure that individuals who file complaints or participate in the investigation of complaints are free from harassment, intimidation, and retaliation.

If you have any questions, please contact Sarah Bayko-Albrecht, Supervisory Civil Rights Analyst, at [Sarah.Albrecht@hhs.gov](mailto:Sarah.Albrecht@hhs.gov) or (202) 774-2432.

Sincerely,



Luis E. Perez  
Deputy Director  
Conscience and Religious Freedom Division

ENC

---

<sup>1</sup> Part 88 of 45 C.F.R. sets forth the applicable complaint handling procedures.

<sup>2</sup> Consolidated Appropriations Act, 2018, Pub. L. No. 115-141, Div. H, § 507(d), 132 Stat. 348, 764 (Mar. 23, 2018).

<sup>3</sup> 42 U.S.C. § 238n.

<sup>4</sup> *Id.* § 300n-7.



September 22, 2017

Via E-Mail and U.S. Mail: [OCRComplaint@hhs.gov](mailto:OCRComplaint@hhs.gov)

Centralized Case Management Operations  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Room 509F HHH Bldg.  
Washington, DC 20201

**Re: Complaint of Discrimination in Violation of Federal Statutes**

Dear Sir or Madam:

Alliance Defending Freedom represents Skyline Church which has been subjected to unlawful discrimination by the state of California. California is subject to the Weldon Amendment (Continuing Appropriations Resolution, Pub. L. No. 113-164, Sec. 101(a) (Sept. 19, 2015)), the Church Amendments (42 U.S.C. § 300a-7), and/or the Public Health Service (PHS) Act (§ 245 (42 U.S.C. § 238n)), by virtue of its status as a recipient of federal funding.

Skyline Church believes that abortion is a grave moral evil. These convictions prohibit Skyline Church from providing insurance coverage for abortion procedures and abortion-inducing drugs in any manner. The rights of Skyline Church to operate as a religious institution without compromising their religious convictions relating to abortion or abortion-causing drugs are protected by the First Amendment to the United States Constitution and the Constitution of the State of California, in addition to the federal conscience laws named above.

On August 22, 2014, the California Department of Managed Health Care (DMHC) notified all private health care insurers in the state that all health care plans issued in California must immediately cover elective abortions. See attached letter to insurers. The insurers were instructed to amend their policies to remove any limitations on health coverage for abortions, such as excluding coverage for "voluntary" or "elective" abortions. DMHC justified this change in policy by interpreting the applicable California law mandating coverage of "basic health care services" to require coverage for all abortions. Because DMHC simply read this abortion coverage requirement into the pre-existing 1975 law, Health & Safety Code section 1340 *et seq.*, there is no exemption

Centralized Case Management Operations  
U.S. Department of Health and Human Services  
Complaint of Discrimination  
September 20, 2017  
Page 2

for any religious employer, including churches. Therefore, DMHC has ordered elective abortion coverage into the Skyline Church's insurance plan, despite their sincerely held religious beliefs against abortion.

This directive of the DMHC constitutes unlawful discrimination against a health care entity under section 507 of the Consolidated Appropriations Act, Pub L. No 113-76, 128 Stat. 5 (Jan. 17, 2014) (the Hyde-Weldon Conscience Protection Amendment). DMHC is "subject[ing]" Complainants' "health insurance plan" "to discrimination," by denying its approval of the plan that omitted elective abortions, solely "on the basis that the [plan] does not ... provide coverage of ... abortions." DMHC is an arm of the State of California and purports to be interpreting and applying the law of California, a state that receives billions of taxpayer dollars through "funds made available in this Act" in this and recent appropriations. California accepted those funds with full knowledge of the requirements of the Hyde-Weldon Amendment, but it has chosen to ignore this law. The need to remedy this discrimination is urgent because it is immediately forcing Complainants to offer their employees a health plan that includes elective abortions

Please promptly inform us of the actions your office plans to take regarding this violation. Thank you for your attention to this matter.

Sincerely yours,

/s/ Elissa Graves  
Elissa Graves, Esq.

cc: Kevin Theriot, Esq., Senior Counsel, Alliance Defending Freedom Clients

DEPARTMENT OF  
HEALTH & HUMAN SERVICES

Washington, DC 20201

Official Business  
Penalty for Private Use, \$300

DEPT DISTRICT  
NO 207  
31 AUG 2018  
PM 2 L



00012789  
AUG 31 2018  
MAILED FROM ZIP CODE 20201

00012789

Office of the Attorney General  
Public Inquiry Unit

SEP 06 2018