

**ANNUAL REPORT TO THE LEGISLATURE
ON THE SCHOOL EMPLOYEES FUND
FOR STATE FISCAL YEAR 2015-16**

**Prepared by
California Employment Development Department
School Employees Fund Unit
March 2017**

**ANNUAL REPORT TO THE LEGISLATURE ON THE
SCHOOL EMPLOYEES FUND**

(State Fiscal Year Ending June 30, 2016)

TABLE OF CONTENTS

	Page
Executive Summary.....	<i>i</i>
Introduction	1
Participating School Employers.....	2
School Employer Advisory Committee.....	2
• Unemployment Insurance Seminars For School Employers.....	2
Financial Condition of the School Employees Fund.....	3
• School Employees Fund Balance.....	3
• Total Fund Revenue.....	3
• Unemployment Insurance Contribution Rates.....	4
• Total Fund Disbursements.....	5
• Total Benefits Paid.....	6
Legislation.....	7
Recommendation.....	8
Questions and Comments.....	8
 Appendices	
Financial Statements.....	A
School Employer Advisory Committee.....	B
Glossary.....	C

EXECUTIVE SUMMARY

In accordance with Section 832 of the California Unemployment Insurance Code, the Employment Development Department (EDD) is pleased to provide the Annual Report to the Legislature regarding the School Employees Fund (SEF) for the State Fiscal Year (SFY) that ended June 30, 2016. This report provides a financial summary for SFY July 1, 2015, through June 30, 2016, of economic activities that affected the SEF during the SFY and recommendations to ensure the adequacy of funds.

The SEF is a special reimbursable financing method available to school employers to pay their Unemployment Insurance (UI) costs. It is a joint, pooled-risk fund administered by the EDD, which collects contributions from school employers participating in the SEF. Money deposited in the SEF is used to reimburse the California UI Trust Fund for the cost of UI benefits paid to former employees of those school employers.

The highlights of this report are:

- As of June 30, 2016, the SEF ended with a fund balance of \$466.5 million. This represents a decrease of \$54.8 million (11 percent) compared to the SFY 2014-15 ending balance of \$521.3 million. The decrease in the SFY 2015-16 fund balance is attributed to the reduced Local Experience Charge (LEC) and prior year adjustment revenue, as a result of a stabilized school workforce. For a definition of LEC and prior year adjustment, refer to the Glossary, Appendix C.
- The SEF revenue during SFY 2015-16 totaled \$36.2 million, which represents a decrease of \$5.5 million (13 percent) when compared to the \$41.7 million in total revenue collected during SFY 2014-15. This decrease in revenue is due to the LEC revenue declining since it is dependent on benefit charges. In addition, prior year adjustment revenue was lower than prior years due to less encumbered benefit charges.
- The LEC generated revenue during SFY 2015-16 of \$6.5 million, which represents a decrease of \$1.1 million (14 percent) compared to \$7.6 million in SFY 2014-15. The decrease is due to benefits returning to historical levels.
- Additional revenue is generated from penalties and interest paid by school employers and Surplus Money Investment Fund interest earned on deposits. The revenue received from penalty and interest charges assessed to the school employers increased by \$0.03 million (50 percent) to a total of \$0.09 million in SFY 2015-16, up from \$0.06 million in SFY 2014-15. The interest revenue from the Surplus Money Investment Fund increased by \$0.7 million (50 percent) to a total of \$2.1 million in SFY 2015-16 compared to \$1.4 million in SFY 2014-15. The average Surplus Money Investment Fund apportionment yield during the SFY 2015-16 was 0.421 percent compared to 0.255 percent in the prior SFY 2014-15. For a definition of penalty and interest and the Surplus Money Investment Fund, refer to the Glossary, Appendix C.

- The SEF's total disbursements were \$91.0 million in SFY 2015-16 compared to \$103.4 million in SFY 2014-15, a decrease of \$12.4 million (12 percent) from the prior fiscal year. The SEF's major disbursement is to reimburse the California UI Trust Fund for benefits paid to former school employees.
- During SFY 2015-16, a total of \$88.5 million in UI benefits were paid to former school employees compared to the total of \$100.8 million in UI benefits paid during the SFY 2014-15, a decrease of \$12.3 million (12 percent). The decrease in benefit charges is a result of school payrolls being more stable.
- Other expenses include the SEF's administrative and operational costs and claims management fees. Administrative costs to operate the SEF totaled \$0.7 million during SFY 2015-16, a decrease of \$0.1 million (13 percent) compared to \$0.8 million in SFY 2014-15. The claims management fees paid totaled \$1.9 million during SFY 2015-16, an increase of \$0.1 million (6 percent) compared to \$1.8 million in SFY 2014-15. For a definition of the claims management fees, refer to the Glossary, Appendix C.
- The SEF UI contribution rate for SFY 2016-17 was calculated at 0.05 percent. This UI contribution rate will provide sufficient revenue for the SEF to meet its estimated financial obligations for SFY 2016-17.

INTRODUCTION

The Annual Report to the Legislature provides comments and recommendations on the administration of the School Employees Fund (SEF) as of June 30, 2016. This report includes the SEF operations and financial condition for the SFY 2015-16 as mandated by Section 832, Division 1, Part 1, Chapter 3, Article 6 of the California Unemployment Insurance Code (CUIC).

In 1978, the Unemployment Insurance (UI) coverage was extended to all public entities. Public school employers, kindergarten through 12th grades, and community colleges were given the option to finance their UI costs by participating in the SEF, as authorized in Section 821 of the CUIC. The method to finance the UI costs under the SEF program is traditionally less costly for school employers than electing to finance the UI costs under the tax-rated method, which is required for private-sector employers, or the direct reimbursable method that other public and nonprofit entities may select to pay their UI costs. The direct reimbursable method that public entities may opt to use requires repayment of all UI benefits paid to former employees on a dollar-for-dollar basis.

The SEF is a joint, pooled-risk fund administered by the State of California's Employment Development Department (EDD). The EDD collects quarterly contributions from all school employers participating in the SEF. The quarterly contributions are based upon the total wages paid to school employees by each school employer multiplied by the statutorily set UI contribution rate.

The SEF employer may also have to pay a quarterly Local Experience Charge (LEC) on the UI benefits paid to former school employees. All monies collected are deposited into the SEF and are used to reimburse the California UI Trust Fund for the cost of UI benefits paid to former school employees. Additional revenues to the SEF are generated from penalties and interest collected from employers and interest earned on the SEF deposits.

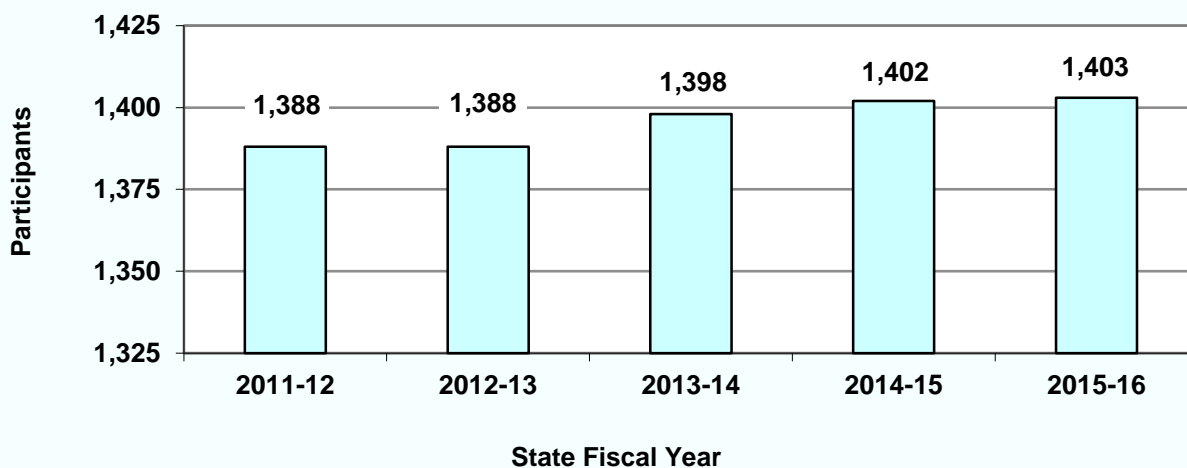
The SEF includes California's 72 community college districts and 1,331 public schools, County Offices of Education, and charter schools that choose to participate in the SEF. In SFY 2015-16, participating school employers paid wages in excess of \$43.9 billion. This represents an increase of \$1.9 billion (5 percent) from the \$42.0 billion in total wages paid during SFY 2014-15.

During SFY 2015-16, the participating school employers had a total of 929,442 school employees compared to 914,551 school employees in the prior fiscal year. This represents an increase of 14,891 employees (2 percent).

PARTICIPATING SCHOOL EMPLOYERS

Figure 1 displays the SEF participant's growth over the past five SFYs.

Figure 1. SEF Participants' Growth



SCHOOL EMPLOYER ADVISORY COMMITTEE

The School Employer Advisory Committee (SEAC) was created pursuant to Section 831 of the CUI. The SEAC consists of five members who meet at least semi-annually with the EDD administrator to consider and recommend improvements in the administration of the SEF. The State Superintendent of Public Instruction, the Chancellor of the California Community Colleges, the Association of California School Administrators, the California Association of School Business Officials, and the California School Boards Association each appoint one member to the SEAC. For a listing of the names and addresses of current SEAC representatives, see Appendix B.

Serving under the direction of the SEAC is the UI Technical Subcommittee. Its membership consists of representatives from the school employer community throughout the state and representatives from the EDD. The UI Technical Subcommittee works in conjunction with the SEAC to discuss the condition of the SEF, provide outreach, and assist school employers in managing UI costs.

Unemployment Insurance Seminar for School Employers

During SFY 2015-16, the SEAC and UI Technical Subcommittee held a seminar in Rancho Cucamonga on October 20, 2015. The seminar focused on UI claims management practices for the school employers to help control their UI costs.

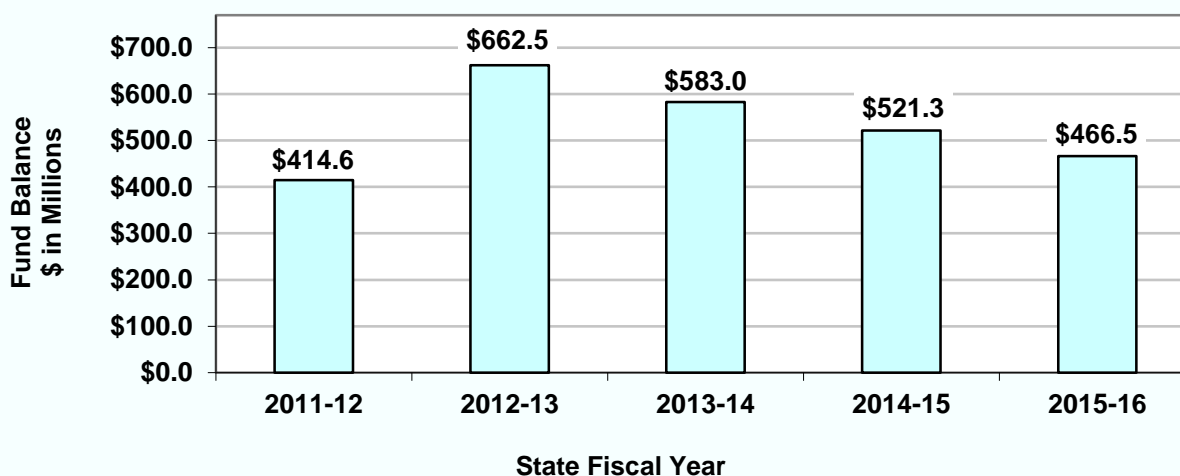
FINANCIAL CONDITION OF THE SCHOOL EMPLOYEES FUND

School Employees Fund Balance

On June 30, 2016, the SEF ended SFY 2015-16 with a fund balance of \$466.5 million. This represents a decrease in the fund balance of \$54.8 million (11 percent) when compared to SFY 2014-15, which ended with a fund balance of \$521.3 million. Figure 2 reflects the SEF's ending fund balances as of June 30 for the past five SFYs.

Figure 2.

SEF Fund Balance



Total Fund Revenue

Total SEF revenue is generated from the quarterly UI contributions, LEC, penalties and interest assessed on school employers, interest income received from the Surplus Money Investment Fund, and prior year adjustments. For a definition of UI contributions, LEC, penalty and interest, and prior year adjustment, refer to the Glossary, Appendix C.

Due to increased funding, schools have been able to hire additional staff with a special emphasis on recruiting teachers. This increase has impacted the contribution revenue. The revenue generated from UI contributions totaled \$23.8 million in SFY 2015-16, and reflects an increase of \$2 million (9 percent), compared to \$21.8 million in SFY 2014-15.

The LEC revenue collected from school employers totaled \$6.5 million in SFY 2015-16 compared to \$7.6 million collected during SFY 2014-15 (see Appendix A), which is a decrease of \$1.1 million (14 percent). The LEC revenue continued to decline as the total amount of UI benefits paid to former school employees decreases.

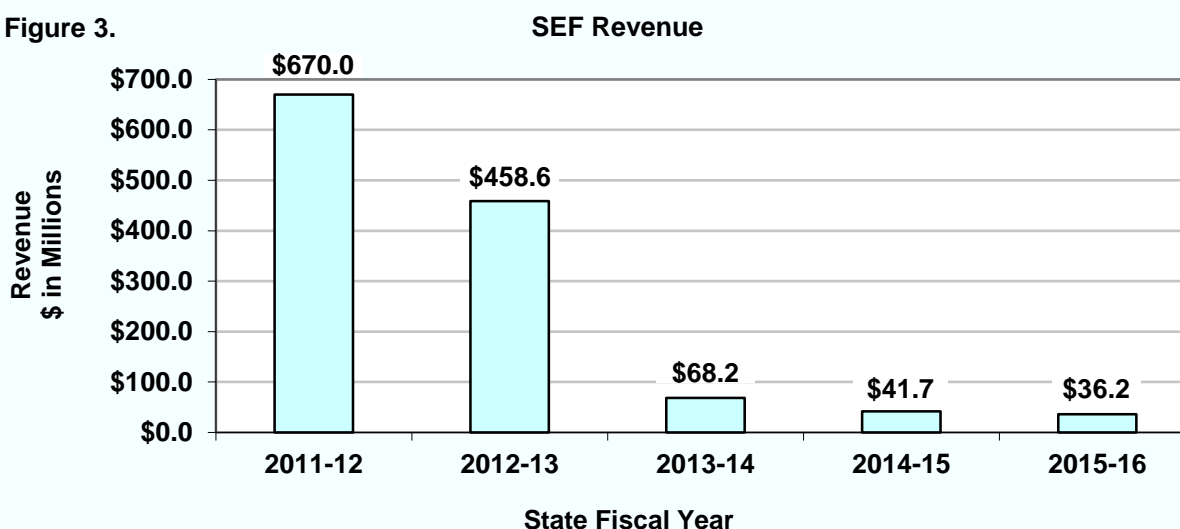
The revenue received from penalty and interest charges assessed to SEF employers totaled \$0.09 million (see Appendix A), during SFY 2015-16. This is an increase of \$0.03 million (50 percent) compared to \$0.06 million earned in SFY 2014-15.

The interest income from the Surplus Money Investment Fund increased by \$0.7 million

(50 percent) to total \$2.1 million in SFY 2015-16 compared to \$1.4 million in SFY 2014-15 (see Appendix A). The average Surplus Money Investment Fund apportionment yield during the SFY 2015-16 was 0.421 percent compared to 0.255 percent in the prior SFY 2014-15. The Surplus Money Investment Fund yield increase is a reflection of a healthy state economy.

The SEF's total revenue was \$36.2 million for SFY 2015-16. This is a decrease of \$5.5 million (13 percent) compared to the total revenue of \$41.7 million for the SFY 2014-15 (see Appendix A). Figure 3 displays the total SEF revenue collected during the past five SFYs.

Figure 3.



Unemployment Insurance Contribution Rates

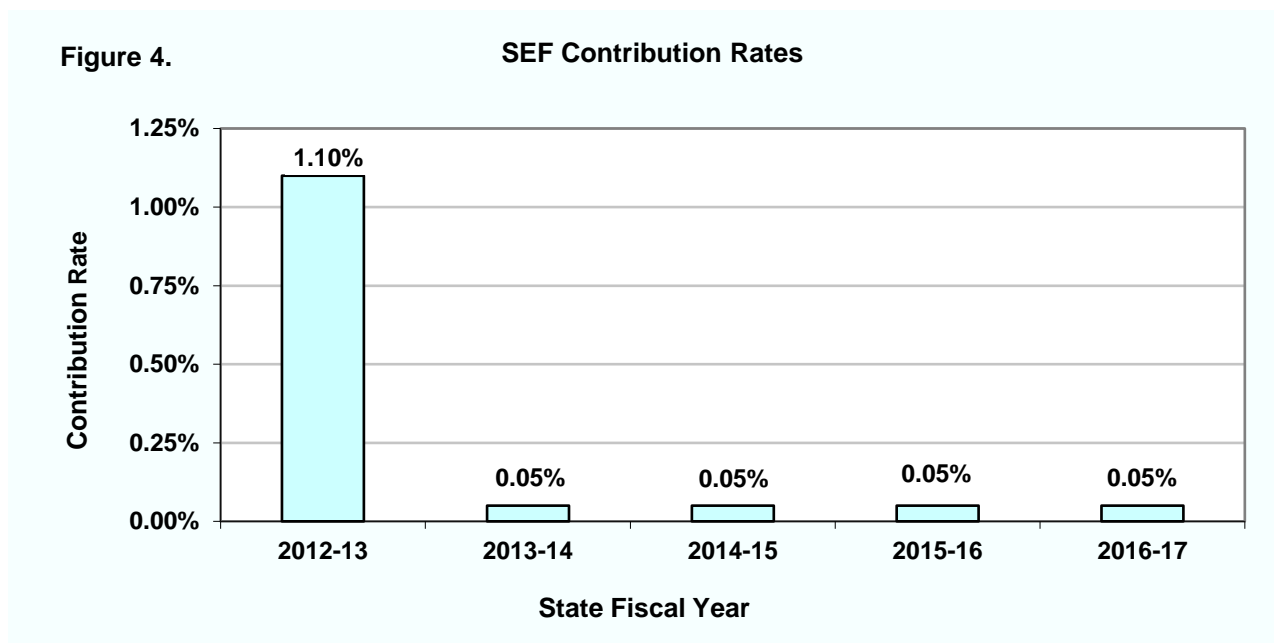
Regarding the contribution rate, Section 823(b)(2) of the CUIC states:

"The contribution rate for the fiscal year beginning July 1, 1988, and for each subsequent fiscal year shall be two times the amount disbursed for claims management fees, unemployment insurance benefit charges, and School Employees Fund administrative expenditures from the School Employees Fund during the 12-month period ending December 31 and immediately preceding the fiscal year for which the rate is to be effective, less the amount in the School Employees Fund on that December 31, with the resulting figure divided by total wages as described in paragraph (1) for the 12-month period ending June 30 and immediately preceding that December 31, and then rounded to the nearest one-hundredth of 1 percent. In no event shall the contribution rate be less than five one-hundredths of 1 percent."

The rate is determined based on the condition of the fund. The UI contribution rate is set annually for the subsequent SFY. Each SEF participant is notified of the rate by March 31.

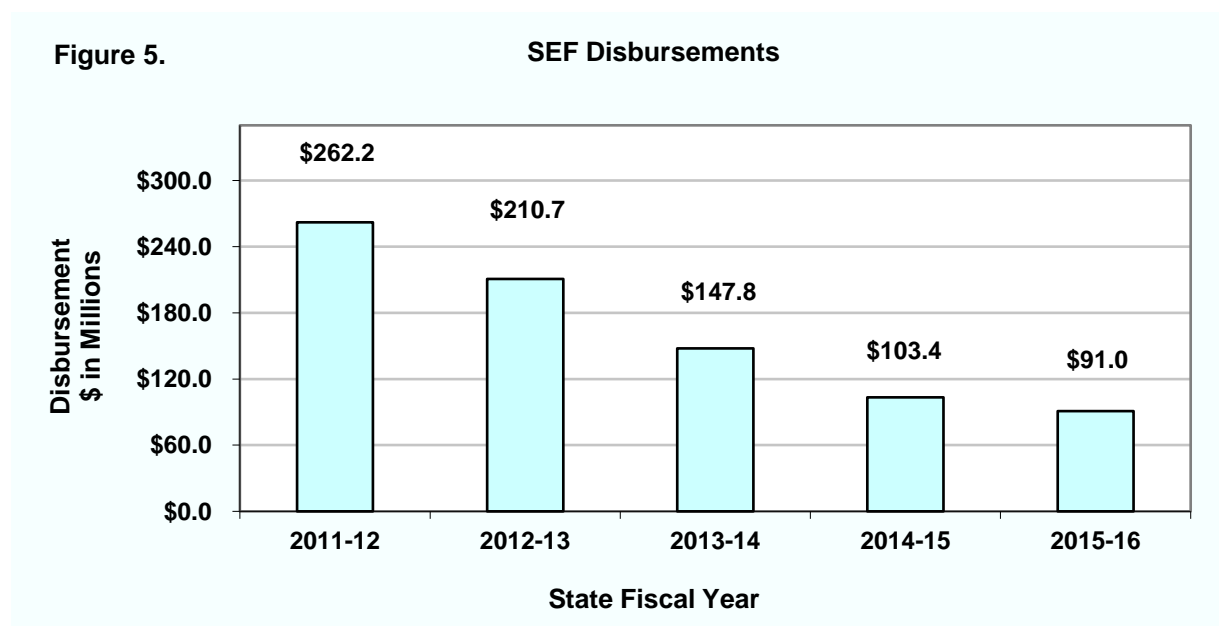
The UI contribution rate for school employers was calculated at 0.05 percent for SFY 2016-17. The UI contribution rate will provide sufficient revenue for the SEF to meet its estimated financial obligations for SFY 2016-17.

Figure 4 displays the contribution rates for the past five SFYs.



Total Fund Disbursements

The SEF's total disbursements were \$91.0 million during SFY 2015-16. This is a decrease of \$12.4 million (12 percent) compared to \$103.4 million in SFY 2014-15 (see Appendix A). The expenditures include repayment to the California UI Trust Fund for UI benefits paid to former school employees, administrative costs, claims management fees, and prior year adjustments. For a definition of benefits, administrative costs, claims management fees, and prior year adjustment, refer to the Glossary, Appendix C. Figure 5 displays the total disbursements for the past five SFYs.

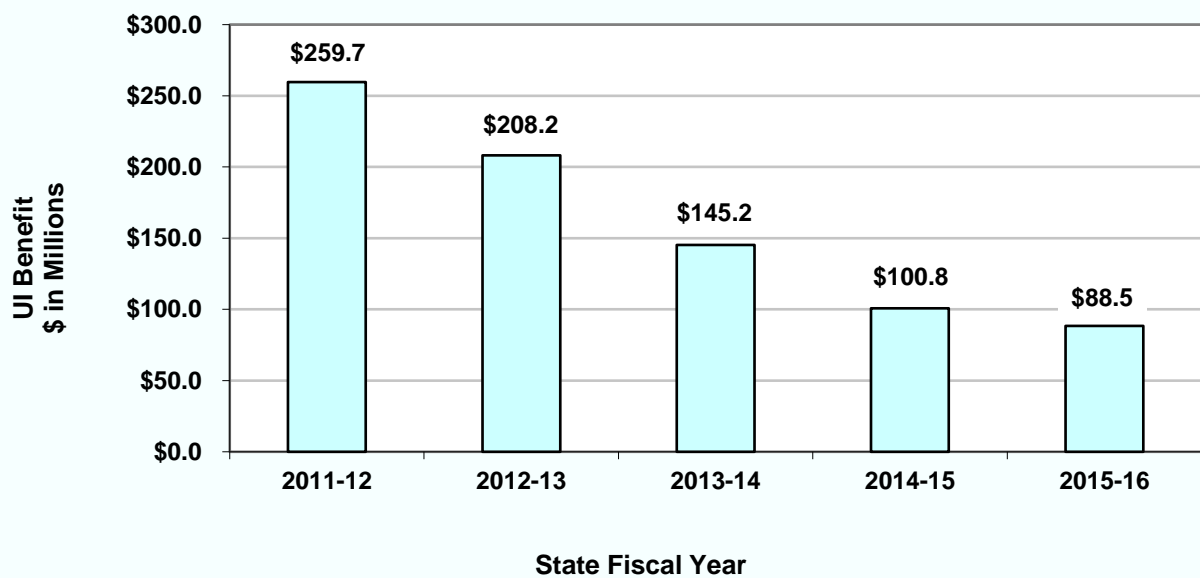


Total Benefits Paid

The total UI benefits paid to former school employees was \$88.5 million during SFY 2015-16. This represents a decrease of \$12.3 million (12 percent) when compared to \$100.8 million in SFY 2014-15 (see Appendix A). The decline in benefits is attributed to an increase in funds distributed under the Local Control Funding Formula which was designed to stabilize school budgets to allow hiring of additional staff - primarily teachers. Figure 6 displays the total UI benefits paid to former school employees during the past five SFYs.

Figure 6.

SEF Unemployment Insurance Benefits



LEGISLATION

The school employer community closely monitors legislative bills which may impact the UI program with the possible enactment of new laws, provisions, and policies. During SFY 2015-16, the school employers focused on Assembly Bill 2197:

Assembly Bill 2197 would amend Section 1253.3(c) of the CUIC by deleting the prohibition on the payment of UI benefits to nonprofessional public school employees and professional employees of school operated by an entity as defined by Section 605(b)(2) of the CUIC when they file for benefits between academic years and have reasonable assurance of returning to work in the following year or term. Specifically, the bill would allow these school employees to receive UI benefits during summer recess as follows:

- 1) Two weeks of benefits during 2017, beginning July 1, provided that funds are appropriated for that purpose in the annual Budget Act.
- 2) Four weeks of benefits during 2018, beginning July 1, provided that funds are appropriated for that purpose in the annual Budget Act.
- 3) Six weeks of benefits during 2019, beginning July 1, provided that funds are appropriated for that purpose in the annual Budget Act.
- 4) Eight weeks of benefits during 2020, and each year thereafter, beginning July 1, provided that funds are appropriated for that purpose in the annual Budget Act.

Assembly Bill 2197 passed the Senate Labor and Industrial Relations as of June 22, 2016.

As of June 30, 2016, the status of the Assembly Bill 2197 passed the Senate Labor and Industrial Relations, and was forwarded to the Governor for his signature.

Assembly Bill 2197 has no impact in this Annual Report.

RECOMMENDATION

For SFY 2016-17, the SEF UI contribution rate was calculated at 0.05 percent. The rate will provide sufficient revenue to meet the estimated financial obligations for SFY 2016-17.

QUESTIONS AND COMMENTS

Any questions, comments, or suggestions concerning the administration of the SEF should be directed to the EDD SEF Unit at 916-653-5380.

APPENDIX A

FINANCIAL STATEMENTS

FINANCIAL STATEMENTS

Statement 1

STATEMENT OF ACTIVITY STATE FISCAL YEAR 2015-16

ACCRUAL BASIS

Revenue

Contributions	\$23,776,757.87	
Local Experience Charge	\$6,484,445.02	
Penalty And Interest	\$88,370.95	
Other Revenue	\$4,369.38	
Interest Income	\$2,087,347.45	
Prior Year Appropriation Adjustment*	\$3,200,553.29	
Prior Year Revenue Adjustment*	\$559,355.28	
Total Revenue		\$36,201,199.24

Disbursements

Benefit Charges Repaid To	\$88,470,653.66	
Unemployment Insurance Fund		
SEF Administrative Cost	\$671,332.59	
Claims Management Fees Paid	\$1,858,884.00	
Prior Year Adjustment*	\$0.00	
Prior Year Benefit Appropriation		
Adjustment	\$0.00	
Total Disbursements		\$91,000,870.25

Net Decrease In Fund (\$54,799,671.01)

*Entry required at the end of the fiscal year for accrual of revenue and disbursement items.

Amounts Repaid to the Unemployment Insurance Fund

<u>Quarters</u>	<u>Number of Claimants</u>	<u>Cost of Benefits</u>
3rd Quarter 2015	25,115	\$41,288,839
4th Quarter 2015	14,453	\$18,290,650
1st Quarter 2016	16,446	\$16,891,164
2nd Quarter 2016**	14,000	\$12,000,000
		<u>\$88,470,653</u>

**Estimated Data

**STATEMENT OF RECEIPTS
AND DISBURSEMENTS
SEPTEMBER 1972 THROUGH JUNE 2016**

Revenue

Contributions	\$3,046,753,125.70	
Local Experience Charge	\$190,005,105.34	
Penalty And Interest	\$2,848,927.48	
Interest Income	\$124,351,589.12	
Total Revenue	<hr/>	\$3,363,958,747.64

Disbursements

Benefit Charges Repaid To UI Fund	\$2,711,515,263.46	
Local Assistance Special Pro-Rata	\$343,794.00	
Accrued Penalty And Interest	\$2,007,962.97	
Court Ordered Interest Payments	\$1,764.27	
SEF Administrative Costs	\$23,247,463.66	
Fund Transfer*	\$98,800,000.00	
Claims Management Fees	\$61,531,681.00	
Total Disbursements	<hr/>	\$2,897,447,929.36

Net Fund Balance

\$466,510,818.28

*Transferred to General Fund through Budget Acts of 1986 and 1988.

The Statement of Receipts and Disbursements is prepared on the accrual basis. As of June 30, 2016, outstanding liabilities for local assistance (benefits) totaled \$12 million.

	Accrued Disbursements
Second Quarter of 2016 Estimated Benefit Charges for year-end closing.	<hr/> \$12,000,000.00

Statement 3

**COMPARATIVE STATEMENT OF FUND CONDITION
FOR THREE FISCAL YEARS ENDING JUNE 30, 2016
ACCRUAL BASIS (\$ in thousands)**

	2013/14	2014/15	2015/16
Beginning Fund Balance	\$662,526	\$582,975	\$521,310
<u>Revenue</u>			
Contribution	\$20,795	\$21,803	\$23,778
Local Experience Charge	\$12,314	\$7,554	\$6,484
Penalty And Interest	\$81	\$63	\$88
Interest	\$1,538	\$1,439	\$2,087
Prior Year Adjustment	\$33,507	\$10,828	\$3,764
Total Revenue	\$68,235	\$41,687	\$36,201
<u>Disbursements</u>			
Benefit Charges Repaid	\$145,172	\$100,757	\$88,471
Pro-Rata	\$0	\$0	\$0
SEF Administrative Cost	\$833	\$766	\$671
Claims Management Fees	\$1,781	\$1,829	\$1,859
Prior Year Adjustments	\$0	\$0	\$0
Prior Year Benefit			
Appropriation Adjustment	\$0	\$0	\$0
Total Disbursements	\$147,786	\$103,352	\$91,001
Ending Fund Balance *	\$582,975	\$521,310	\$466,510

* Components may not add up to totals, due to rounding.

APPENDIX B

SCHOOL EMPLOYER ADVISORY COMMITTEE

SCHOOL EMPLOYER ADVISORY COMMITTEE

Members

DR. HAROLD L. BORING, Chair

5280 Avondale Way
Riverside, CA 92506
951-784-4496
1-800-608-2272, ACSA Ontario Office
Fax: 951-784-4058
E-mail: dr5323@sbcglobal.net

ACSA Ontario Office
3602 Inland Blvd, Suite A-230
Ontario, CA 91784

MS. ZANDRA BLACK, Vice-Chair

Department of Education
Fiscal Consultant
1430 N Street, Suite 3800
Sacramento, CA 95814
916-324-4547
Fax: 916-327-6157
E-mail: zblack@cde.ca.gov

MS. SONDRA DOUGHERTY

24442 Tuscola Circle
Murrieta, CA 92562
951-816-7493
E-mail: dougherty.sondra51@gmail.com

MR. MARIO RODRIGUEZ

1102 Q Street
Sacramento, CA 95811
916-324-9508
E-mail: mrodriguez@cccco.edu

MR. DARREL WOO

Sacramento City Unified School District
5735 47th Avenue
Sacramento, CA 95824
916-643-7400 Ext. 9314
E-mail: darrel-woo@scusd.edu

Representing

Association of California School
Administrators (ACSA)

State Superintendent of Public Instruction

California Association of School Business
Officials

Chancellor of the California
Community Colleges

California School Board Association

APPENDIX C

GLOSSARY

GLOSSARY

Benefits: The UI compensation payable to a former school employee, with respect to his or her unemployment, under the unemployment compensation law of any state or federal government.

Benefit Charges: The UI benefit charges reflected in the financial statements are the UI benefits paid during the period of July 1 through June 30 that are repaid to the California UI Trust Fund. All benefit charges paid from the SEF are considered a disbursement (expense).

Claims Management Fees: Two dollars (\$2) per covered employee, provided from available interest earnings from the SEF investments (less state administrative costs), is annually apportioned to the State Superintendent of Public Instruction or the Chancellor of the California Community Colleges for the distribution to the fund participants to administer their UI management system.

Experience: A SEF participant must be in the fund for more than three full SFYs to increase his or her reserve account in the SEF, so that in the fourth SFY, the LEC rate is calculated based on the experience of the school employer's relative usage of the UI fund (UI benefit charges). All fund participants are notified by March 31 of their LEC rate as required by Section 828(c) of the CUIIC.

Fund Participants: This term is used to refer to the school employers who have elected to participate in the SEF to finance their UI taxes.

Interest Income: Interest is deposited quarterly into the SEF based on the SEF balance with the State Treasury times the rate set by the Surplus Money Investment Fund.

Local Assistance Pro Rata: The Local Assistance Pro Rata is charged by the Department of Finance. Pro Rata is the recovery of central service administrative costs from special and non-governmental cost funds. The State of California provides certain services (central administrative agencies), such as accounting, computing, payroll services, banking, etc., to operating agencies (departments) on a centralized basis. Pro Rata is a process that identifies these central service administrative costs and assigns them to benefited activities (functions) on a reasonable and consistent basis.

Local Experience Charge: As mandated in Section 828 of the CUIIC, each school employer in the SEF shall be responsible for a quarterly LEC based on their LEC rate. The LEC is *in addition* to the quarterly contributions paid by the fund participants. The participant's individual LEC amount due is calculated by multiplying the employer's quarterly UI benefit charges times the fund participant's LEC rate. The LEC payment is due to the EDD 30 days after the mail date of the form *Notice of Amount Due* (DE 6601).

Local Experience Charge Rate: The LEC rate is calculated annually for the SFY July 1 through June 30. The LEC percentage is varied for each fund participant as listed below:

- 15 percent (ratio = negative < 1.00)
- 10 percent (ratio = 1.00 < 2.00)
- 5 percent (ratio = 2.00 < 3.00)
- 0 percent (ratio = 3.00 or more)

The LEC ratio is calculated by the fund participant's ending cumulative balance divided by the UI benefit charges. All fund participants are notified by March 31 of their individual LEC rates for the succeeding fiscal year as required by Section 828(c) of the CUI. Additionally, Section 828(a) mandates that new SEF participants are subject to a 10 percent LEC rate for the first three complete fiscal years.

Penalty and Interest: Penalty and interest are assessed to fund participants by the administrator of the SEF for delinquent payments and/or forms and errors. Interest is calculated daily until paid. The funds collected for penalty and interest are deposited in the SEF and are considered revenue.

Prior Year Adjustment: The Prior Year Adjustment is an entry to the account at the end of the fiscal year for financial statement preparation purposes required for accrual of revenue and expense items. The Prior Year Adjustment is any revenue collected or disbursed in the current SFY and tied to a prior period other than the current SFY.

School Employees Fund Administrative Costs: The SEF administrative costs are the cost of resources and tools necessary to effectively operate the SEF program.

Surplus Money Investment Fund: Interest on investments of the Surplus Money Investment Fund is apportioned to other funds quarterly by the State Controller's Office per Section 16475 of the Government Code. The administering agency for the funds receiving interest will receive the State Controller's Office Notice of Transfer posting the interest in the month following the end of the quarter. Agencies will account for the interest as revenue or operating revenue in the applicable funds.

Unemployment Insurance Contributions: Each fund participant files documents and pays quarterly contributions which are deposited into the SEF as required by Section 823(b)(1) of the CUI. The quarterly amount owed is calculated by multiplying the total wages times the contribution rate which is set for the SFY (see contribution rate definition below). The contributions paid by the fund participants are considered revenue and are deposited in the SEF to reimburse the California UI Trust Fund for UI benefits paid to former school employees.

Unemployment Insurance Contribution Rate: The contribution rate is calculated annually for the SFY July 1 through June 30. The contribution rate is the same for all fund participants. As required by Section 823(b)(1) of the CUI, all fund participants are notified by March 31 of the set contribution rate for the succeeding fiscal year.