



Date: July 3, 2014

To: Michael Kirst, President, California State Board of Education  
Members, California State Board of Education  
The Honorable Tom Torlakson, State Superintendent of Public Instruction  
Karen Stapf-Walters, Executive Director, California State Board of Education  
Judy Cias, Chief Counsel, California State Board of Education

From: Andrea Ball, Legislative Advocate  
Teri Burns, Senior Director  
Josh Daniels, Staff Attorney

**Re: *Agenda Item 11, July State Board of Education***

CSBA is pleased to provide the following comments on the proposed permanent regulations and template for Local Control Funding Formula and Local Control Accountability Plans (Item 11). We appreciate the thoughtful review and response to the public comments submitted during the 45-day comment period and understand the goal of the re-organized template and attempt to consolidate display of information.

As a representative of school district and county boards throughout California, CSBA has reviewed the proposed changes to the regulations and template through the lens of those charged with adopting LCAPs and budgets and governing to high standards. In general, CSBA believes that the changes, and particularly the new template format, offer needed improvements over the existing requirements.

The comments, concerns and suggestions below address areas that the organization believes need clarification and revision to ensure fidelity to the Local Control Funding Formula core principles of transparency, accountability, and equity, underpinned by subsidiarity.

### **Comments and recommendations on LCFF Regulations (Attachment 2)**

#### **Section 15495. Definitions.**

**(a) Consult with pupils.** The language requires a “process for the presentation of the LCAP to pupils for review and comment.” Read literally, this change would result in an LCAP being prepared and only then presented to pupils for their review and comment.

CSBA recommends changing the wording to allow for “a process for ~~the presentation of the LCAP to pupils for~~ **to** review and **comment on the development of the LCAP**”.

CBSA believes that more meaningful pupil input will be provided if pupils are involved in the development of the LCAP and provided opportunities to review and comment as the LCAP is in development, not simply presented with the LCAP once it is completed.

**(e) “Parent advisory committee.”** CSBA understands this definition to mean that this committee must be comprised of a majority of parents/guardians of pupils and is not limited to a majority of parents/guardians of students in the LCFF unduplicated categories.

**(g) “Required metric.”** The definition seems to require that district use *all* metrics included in the statutory provisions related to state priorities. In CSBA’s view this will be burdensome and, as well, may not be appropriate in all circumstances. CSBA recommends this sentence be clarified to require only those metrics that are applicable are required.

**Section 15496. Requirements for LEAs to Demonstrate Increased or Improved Services for Unduplicated Pupils in Proportion to the Increase in Funds Apportioned for Supplemental and Concentration Grants.**

**(b)(1)(B), (b) (2) (B), (b) (3) (B) and (b) (4) (B).**

CSBA has significant concern about the addition of the word “principally” in these sections. The regulations as proposed would require LEAs to describe in the LCAP how such districtwide and schoolwide services are principally directed towards, and are effective in, meeting the district’s goals for its unduplicated pupils in the state priority areas.

- CSBA recommends deleting the word “principally” so that the sentence would read: *“describe in the LCAP how such services are directed towards and are effective in meeting the district’s goals for its unduplicated pupils in the state priority areas.”*
- To help clarify the meaning of the phrase “are effective in”, CSBA also recommends adding the following sentence after the sentence modified above: *“The description may include supporting research, experience, or educational theory.”*

First, the word “principally” is subjective. Its inclusion will likely confuse the public rather than make the LCAP more transparent. Second, the appropriate focus is on how the services will be effective in meeting goals and improving outcomes for unduplicated pupils and closing gaps in achievement in the state priority areas. It is for this reason that CSBA recommends adding the second sentence to help districts describe the basis for asserting that a service is effective.

**Section 15496. (b)(2)(C).** This section pertains to districts with 55% or more unduplicated pupils and use of supplemental and concentration grant funds on a

districtwide basis. The new language imposes substantial workload and requires exhaustive compilation of data in describing how the district arrived at its decision.

In addition, the new language is prescriptive and imports a state requirement into the LCAP process, which in itself entails significant local outreach and engagement and consideration of information and options. Decisions such as districtwide services are part and parcel of the local accountability that is the basis of LCFF and LCAP.

CSBA proposes the following amendments to the language (CSBA new wording bold underlined and proposed deletion is in strikeout):

(C) Describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated pupils in the state priority areas. **The description shall include the basis for this determination, which may include including but not limited to, any alternatives considered and any supporting research, experience, or educational theory.**

**Section 15496 (b) (4) (C).** This section pertains to use of supplemental and concentration grant funds on a schoolwide basis. For the same reasons as noted in the section above, CSBA makes the following recommendation:

(C) Describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated pupils in the state priority areas. **The description shall include the basis for this determination, which may include including but not limited to, any alternatives considered and any supporting research, experience, or educational theory.**

### **Comments and recommendations on LCAP Template (Attachment 3)**

#### **Page 6: Instructions**

**Identified Need:** The new language states that in identifying need(s), the LCAP should describe need(s) identified "including a description of the supporting data to develop each goal". This is a new requirement that is likely to result in significant workload that the value-added may not be sufficient to justify.

- CSBA recommends the following changes:  
Identified need: **Describe the need(s) identified, which may include a description of the supporting data used, to develop each goal.**

## Page 8: LCAP Chart

- CSBA proposes adding the word budgeted to the chart subheading as follows: **Action/Services and Related Budgeted Expenditures.**

## Page 10: Annual Update to the LCAP

The subheading on the right side of the table asks for “Actual Action/Services and Related Expenditures”

At the time of year in which local education agencies will begin their update review and analysis, they will not have the year-end actuals.

- CSBA proposes changing the subheading to avoid confusion by readers. CSBA proposes the following: **Projected Year-End Action/Service and Related (Budgeted) Expenditures.**

The box at the bottom of the chart states: “What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals?”

- This section seems potentially redundant. The changes in the prior year’s LCAP are demonstrated by comparing the two columns in the Annual Update, i.e., the Planned Action/Services and Related (Budgeted) Expenditures on the left and Actual Action/Services and Related (Budgeted Expenditures) on the right. Perhaps this section is intended to address *why* changes were made. If so, CSBA recommends clarifying.
- Finally, CSBA recommends placing the Annual Update table (found on page 10 of 13) *before* the LCAP table (found on page 8 of 13) because the former will be used to inform the latter. Reordering the two tables as suggested would align their order in the template with their order in practice.

Thank you for your consideration. Please don’t hesitate to contact CSBA if you have additional questions or would like additional information. CSBA looks forward to continued work with the State Board of Education and your staff as the regulations and the template are refined and as the evaluation rubric is developed.