



Date: July 28, 2014

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California Department of Education

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Re: *Proposed Modifications to Regulations Regarding Local Control Funding Formula and Local Control Accountability Plan Template*

The California School Boards Association (CSBA) is pleased to provide the following comments on the proposed modifications to the permanent regulations and template for Local Control Funding Formula (LCFF) and Local Control Accountability Plan (LCAP). As an association 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 to improve opportunities and outcomes for students.

Since its enactment, LCFF, including the LCAP process, has presented a paradigm shift from the past focus on inputs to a focus on improving outcomes for students, especially those with greater challenges. Governing boards' responsibility to make decisions locally to improve student outcomes underpins the LCFF core principles of transparency, accountability, and equity. CSBA urges the State Board of Education to maintain the focus on student outcomes as it makes decisions on further modifications to the regulations and template.

In general, the proposed changes, and particularly the new template format, offer needed improvements over the existing requirements. For example, the decision to list specific services and actions in the same table as their associated goals is a meaningful change that will undoubtedly increase transparency and ease of reading.

Below are CSBA's recommendations and comments on specific sections of the regulations and template.

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**”.

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. We appreciate and support this clarification.

(g) “Required metric.” The definition seems to require that districts 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 Local Education Agencies (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.”*

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The word “principally” is subjective. Its inclusion will likely confuse the public rather than make the LCAP more transparent. The appropriate focus is on how the services will be effective in meeting goals and improving outcomes and closing gaps in achievement for unduplicated pupils 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.

During the discussion of this issue by the State Board of Education on July 10, 2014, it was suggested that examples from the field would be helpful to illustrate CSBA’s concern with the term “principally” and CSBA’s support for the term “effective.” Below are examples of schoolwide and districtwide actions or services taken from existing LCAPs, with some slight changes to avoid identifying the specific districts.

- \$15,000 in supplemental and concentration grant funds to ensure all new teachers of Advanced Placement (AP) classes are properly trained. The associated goal was to increase the percentage of high school students, particularly unduplicated students, who are college and career ready. As a result of other initiatives, the district expects to see an increase in students, particularly unduplicated students, enrolled in AP classes. Thus, there is a need to train more AP teachers.
- \$260,000 in supplemental and concentration funds to provide K-8 library services to increase access to reading materials and online resources in support of the district’s literacy initiative. The associated goal was to align the curriculum with Common Core and to include differentiated strategies to meet the needs of students with disabilities and English Learner (EL) students. Since Common Core requires a significant focus on literacy and technology, the school libraries need to be updated, including providing increased access to reading materials and online resources. This need is especially acute for students who might be expected to struggle such as students with disabilities and EL students.
- \$92,000 in supplemental and concentration funds to provide math coaches to support K-12 math teachers with the transition to Common Core and implementation of a new international high school math pathway. The coaches will focus on helping teachers differentiate their instruction, particularly for unduplicated students. The associated goal is to increase grade level proficiency in math, particularly for unduplicated students. Hiring math coaches to work with teachers in improving their instruction is directly related to this goal.
- \$37,000 in supplemental and concentration funds to hire a part-time teacher on special assignment to evaluate the programs supported with supplemental and concentration funds. This expenditure will help determine whether the programs supported with supplemental and concentration funds are effective and should continue or whether the district should fund other specific actions/services to meet its goals.

These examples are proper uses of supplemental and concentration grants. They fund districtwide or schoolwide services in accordance with the existing language of Section 15496(b) and are supported by strong arguments that they will be effective in meeting the district's goals for its unduplicated students. This is the very discussion that should (and often did) occur as part of the LCAP process when these specific actions/services were proposed and adopted.

However, it is arguable whether these expenditures "principally" benefit unduplicated students. Indeed, if the word "principally" is added to the regulation, then districts and their community stakeholders will be engaged in fruitless semantic discussions rather than discussions that center on the effectiveness of these specific actions and services. The result will be less transparency and less clarity.

Questions such as whether the funds for math coaches to build capacity of classroom teachers to differentiate instruction "principally" benefit unduplicated students, or, do they "primarily" benefit unduplicated students, or, do they benefit all students with a "focus" on unduplicated students, distract from the proper focus of Section 15496(b), which must be on whether the funded programs and services are effective in improving outcomes and meeting goals for unduplicated pupils.

To advance a focus on outcomes for students, what matters most is whether the programs and services supported with supplemental and concentration funds are effective in helping the district in meeting goals for its unduplicated pupils.

Section 15496. (b)(2)(C). This section pertains to districts with 55% or more unduplicated pupils and the 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, a process which is intended to entail significant local outreach and engagement in 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.**

Section 15497.5 LCAP and Annual Update Template

Pages 24-25: Instructions and LCAP Chart

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. This requirement is also in the template subheading.

- ✓ CSBA recommends the language be revised to read as follows:
 - Identified need: **Describe the need(s) identified, which may include a description of the supporting data used, to develop each goal.**

Pages 25-26: LCAP Chart

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

Page 27-28: Annual Update to the LCAP

1. 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.**
2. 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.
3. CSBA recommends placing the Annual Update table *before* the LCAP table 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.

In closing, it is important to take a moment to remember how the LCAP process is intended to work. Through an open and transparent process, the district and the community of stakeholders exchange information on experiences, priorities, expectations and ideas for how to improve outcomes for students and move the district forward. The district uses this information to develop a draft of the LCAP, which is then shared (perhaps multiple times) with the community for review and comment. The district then uses, as appropriate, this feedback to modify the draft LCAP until it goes to the school board for final approval.

However, an open and transparent process does not mean that every community proposal is adopted or that every suggested program is funded. Rather, it means that all stakeholders in the community have a legitimate forum to provide the district with feedback and suggestions. Thus, an instance in which a district rejects specific suggestions is, in fact, evidence of a successful open and transparent process. If a local stakeholder does not like the outcome of the LCAP, the redress is not for different *state* regulations but to utilize local advocacy to convince the district to adopt his/her recommendation. Indeed, this is what it means for there to be *local* control.

Please don't hesitate to contact CSBA if you have questions or would like additional information. We may be reached by phone at (800) 266-3382 and via e-mail at: aball@csba.org; tburns@csba.org; jdaniels@csba.org.

Thank you for your consideration.