



November 6, 2020

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LCFF Equity Coalition’s Comments Re:

- Revisions to the Annual Update Template and Instructions for the 2019-20 Local Control and Accountability Plan (LCAP) and 2020-21 Learning Continuity and Attendance Plan Pursuant to Senate Bill (SB) 820
- Implementing Changes to the LCAP Template and Instructions Required by SB 98 in the 2021-24 LCAP

Dear Superintendent Thurmond and Mr. Allen:

We submit these comments on behalf of the Local Control Funding Formula (LCFF) Equity Coalition which is composed of civil rights, advocacy, community, parent, and student organizations that have worked diligently on passage and implementation of LCFF and its accompanying accountability system. LCFF creates an historic opportunity to focus resources on helping California’s neediest students overcome the barriers they face in closing opportunity gaps and graduating college and career ready. It also promises a new level of transparency and local engagement for parents, students, and community members in the design of their local schools. We are committed to strengthening California’s K-12 school funding and accountability system to realize its promise of creating a more equitable school system.

Section 57 of the August education budget trailer bill, SB 820, requires the Superintendent of Public Instruction, in consultation with the Executive Director of the State Board of Education (SBE), to revise the Annual Update template for the 2021–22 Local Control and Accountability Plan (LCAP) before January 31, 2021 to include both the 2020-21 Learning Continuity and Attendance Plan (LCP) and the 2019–20 LCAP. We have appreciated the opportunity to discuss the proposed revisions to the template and instructions with California Department of Education (CDE) during stakeholder input sessions and want to recognize the efforts CDE is making to solicit feedback from members of the equity advocacy community and LCAP stakeholders.

Please consider our comments in response to the Annual Update template and instructions draft versions reviewed with members of the Equity Coalition on October 22, 2020.

Additionally, Section 57 of the June education budget trailer bill, SB 98, specifies changes to the LCAP template and instructions to be adopted on or before January 31, 2022. We encourage you to adopt the changes required by SB 98 in early 2021, in conjunction with the revisions to the Annual Update, so that local education agencies (LEAs) know what is expected of them and can incorporate the requirements as they begin preparing their LCAPs for the new 3-year cycle (2021-2024) and community stakeholders may participate in a more informed way in the development of their local LCAPs. We thank you for the opportunity to comment and look forward to continued collaboration.

I. Annual Update for the 2019-20 Local Control and Accountability Plan (LCAP)

a. Annual Measurable Outcomes

We recommend adding to the instructions that LEAs should discuss actual outcomes pre- and post-March 2020 to account for changes in outcomes as a result of COVID-19 closures and distance learning. Additionally, where state metrics are not available to measure outcomes, LEAs should include results of local benchmarks and data. SB 98's mandate to assess learning loss requires the use of some data, and that data should be required in the update.

b. Actions / Services

i. Actual Expenditures instead of Estimates

“Estimated Actual Expenditures” in the fourth column should be changed in the template and instructions to “Actual Expenditures” as actuals have been published by LEAs. All other references to “estimated actual expenditures” for the 2019-20 LCAP in the template and instructions should be similarly changed to “actual expenditures.”

ii. New or Changed Actions / Services in Response to COVID-19

We suggest adding an additional sentence after the prompt to “[d]uplicate the Actions/Services from the 2019-20 LCAP and complete a copy of the following table for each” inviting LEAs to add any actions not included in their 2019-20 LCAPs that they implemented in response to the pandemic in the 2019-20 school year. This is particularly important if these actions were not included in the LCP.

iii. Actions / Services Table Should Identify Funding Source for Expenditures

A column for funding source(s) should be added to the actions/services and expenditures table. LEAs received billions of dollars in CARES and Learning Loss Mitigation Funds (LLMF) to be expended in the 2019-20 and 2020-21 school years and stakeholders deserve to know how these funds were spent. We suggest adding to the instructions that LEAs should include the funding source for each action. At a minimum, LEAs should specify whether funds were from LCFF (and specifically indicate whether supplemental and concentration funds were used), CARES ESSER or LLMF (disaggregated by type), or other federal title funds. This will help to overcome the lack of transparency in the revised Budget Overview for Parents.

c. Analysis

i. Describe the overall implementation of the actions/services to achieve the articulated goal

We recommend editing this prompt in the template to ask LEAs to discuss pre-COVID successes and challenges in implementation and post-COVID successes and challenges. It is important for stakeholders to hear about and for LEAs to reflect on both aspects because districts will need to address pre-existing challenges to implementation and understand how implementation changed because of COVID-19 as they begin returning to in-person instruction and prepare their 2021-2024 LCAPs. In place of “[d]escribe the overall implementation of the actions/services to achieve the articulated goal,” we suggest the following prompts:

- *"Describe the overall implementation of the actions/services to achieve the articulated goal before schools shut down in March 2020. Include a discussion of relevant challenges and successes experienced in the implementation process."*
 - *"Describe how implementation of the actions/services changed after schools shut down in March 2020. Include a discussion of relevant challenges and successes in moving actions and services to the distance learning model."*
- ii. Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA**

To this prompt, we recommend adding the following language in the instructions:

- *"Include a discussion of which goals were met, including for which student subgroups, and which actions/services contributed towards progress on those goals. Include a discussion of which goals were not met and which actions/services did not contribute to progress that should be evaluated further before continuing investment."*
- iii. New Proposed Prompt: Describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA**

To prompt more equity-focused reflection as LEAs prepare for the next LCAP, we recommend adding the following prompt to the template:

- *"Reflect on the identified needs from the Plan Summary that relate to the metrics tracked for this goal and describe the overall effectiveness of the actions/services to achieve the articulated goal as measured by the LEA for those particular sub-groups."*

We suggest adding to the Analysis section of the instructions the following corresponding bullet:

- *"Include a discussion of any disparity in outcomes between all students and student subgroups with identified needs, including whether the disparity is increasing or decreasing over time. Evaluate which actions/services contributed towards progress on goals for student subgroups with identified needs and which did not that should be evaluated before continuing investment."*
- iv. Reflecting upon the progress of this goal and an analysis of the data provided in the California School Dashboard, describe the relationship of this goal and related metrics and actions with the development of new goals in the 2021–24 LCAP, as applicable.**

We recommend changing this prompt to read:

- *"Reflecting upon the progress of this goal and the progress (or lack thereof) for different student subgroups on this goal, and an analysis of the available data, describe how you will change the goals and related metrics and actions to most effectively close opportunity gaps in the 2021-24 LCAP."*

In addition to these edits to the prompt, we suggest adding the following language to the instructions:

- *"Include sufficient reflection so that any parent, student, or other stakeholder can understand why you are prioritizing the goals, actions, and services identified in the 2021-24 LCAP and how they will address opportunity gaps for historically marginalized student subgroups."*

II. Annual Update for the 2020-21 Learning Continuity and Attendance Plan (LCP)

a. Actions Tables Should Identify Funding Source(s) for All Expenditures

As discussed above, we also strongly suggest adding a column for funding source(s) to every actions and expenditure table in the Annual Update to Learning Continuity and Attendance Plan (LCP) and including a corresponding bullet in the instructions indicating that LEAs must report the funding source for each action including a disaggregated accounting of all CARES funds.

b. Add a Prompt for Additional Actions in Every Section

In our review of LCPs, we have noticed that the narrative sections and the actions listed in the LCP often do not match up. For example, many things discussed in the narrative do not have associated actions listed. To improve clarity and transparency of actions provided, we recommend including another prompt or table and corresponding instructions requiring LEAs to report any actions or services they identified in the LCP narrative that did not get memorialized as actions in the LCP.

c. Require an Effectiveness Analysis for All Actions and Services

It is essential that LEAs reflect on the effectiveness of the actions and services implemented to provide in-person instruction and distance learning, mitigate learning loss, monitor and support mental health and social and emotional well-being, implement pupil and family engagement and outreach, and provide school nutrition in the 2020-21 school year, not solely the success and challenges experienced, especially for the high need student groups named in SB 98. Simply because an action was challenging to implement, does not mean it was not ultimately effective in achieving the desired outcome. It is important for LEAs to conduct this analysis in preparation for the upcoming 3-year LCAP and for stakeholders to have sufficient information about effectiveness of services provided in 2020-21 to inform their engagement in developing the 2021-2024 LCAP. As such, we recommend adding a prompt to each analysis section that encourages LEAs to describe and reflect on the effectiveness of the actions and services implemented in each section of the LCP. This is even more important now that the revised LCAP has eliminated this section. We suggest the following language:

- *“A description of the overall effectiveness of [insert appropriate heading e.g. providing continuity of instruction], with specific focus on the effectiveness of these actions for students with unique needs, including English learners, pupils with exceptional need served across the full continuum of placements, pupils in foster care, and pupils who are experiencing homelessness.”*

d. Add an Increased and/or Improved Services (i.e. Contributing) Actions Table & Analysis Section

SB 98 did not change the spending regulations for LCFF supplemental and concentration funds. Section 43509(f)(3) affirms that LEAs must adhere to existing statutory and regulatory scheme:

The learning continuity and attendance plan shall include a description of how the school district, county office of education, or charter school is increasing or improving services in proportion to funds generated on the basis of the number and concentration of unduplicated pupils under the local control funding formula pursuant to Sections 2574, 2575, 42238.02, and 42238.03 in the 2020–21 fiscal year pursuant to the regulations adopted by the state board pursuant to Section 42238.07.

As such, there continues to be a justification requirement for effectiveness of actions. To that end, we urge you to add an actions table for Increased/Improved Services to the template. LEAs should be required to account for all supplemental and concentration funded expenditures, not just those included in their LCP. The instructions should inform LEAs that every action marked “yes” as contributing in the LCP, as well as any contributing action added to the LCP Annual Update, and any other supplemental or concentration funded expenditure should be included in the Increased/Improved Services table.

LEAs should be required to respond to the following prompts:

- *For each action being provided to an entire school, or across the entire school district or county office of education (COE), an explanation of (1) how the needs of foster youth, English learners, and low-income students were considered first, and (2) how these actions are effective in meeting the goals for these students.*
- *A description of how services for foster youth, English learners, and low-income students are being increased or improved by the percentage required.*
- *If your contributing actions do not equal your increased apportionment, explain how you met your minimum proportionality percentage (the percentage by which services for unduplicated students must be increased or improved as compared to services provided to all students).*

e. Description of Substantive Differences in Planned vs. Actual Actions

We recommend adding to this prompt in every section an explanation of why there were substantive differences in planned actions and actual implementation of the actions in addition to a description of what those differences were. It is important for stakeholders to understand what factors lead to the change. Without that information, this prompt does not provide sufficient transparency to stakeholders.

f. Analysis of the Distance Learning Program

i. Add the Statutory Requirements of Distance Learning to the Instructions

In their analysis of the implementation of distance learning, it is important that LEAs refer and respond to the requirements of distance learning laid out in Part 24.5 of SB 98. In doing so, LEAs must analyze implementation of distance learning for specific student subgroups named in SB 98, including providing integrated and designated English language development. As such, we recommend amending the introductory language in this section of the instructions as follows:

- “Using state and/or local data and feedback from stakeholders, analyze the implementation of distance learning in the 2020-21 school year, as applicable. *LEAs should refer to Education Code Section 43503(b)(1)-(6), which provides the requirements of distance learning. A complete response includes analysis of distance learning for students with unique needs, including English learners, pupils with exceptional need served across the full continuum of placements, pupils in foster care, and pupils who are experiencing homelessness and describe the provision of integrated and designated English language development and details for the provision of live interaction by certificated employees and peers for purposes of instruction.*”

ii. Break Out the Distance Learning Program Areas into their Own Subsections

The current draft asks LEAs to concurrently analyze six components of distance learning (1. Continuity of Instruction, 2. Access to Devices and Connectivity, 3. Pupil Participation and Progress, 4. Distance Learning Professional Development, 5. Staff Roles and Responsibilities, and 6. Supports for Pupils with Unique Needs) over four prompts. This will inevitably make it more challenging for stakeholders reviewing the Annual Update to find information on the issues they care about. Instead, we strongly recommend that each of the six distance learning components be separately addressed so that stakeholders can see a complete analysis of all four prompts in a given section, e.g. devices and connectivity, and not have to sift through multiple pages and paragraphs to find information on the same topic.

iii. Supports for Pupils with Unique Needs

We request the addition of a prompt to the Analysis of Distance Learning Program section on Supports for Pupils with Unique Needs asking LEAs to describe how planned actions for Supports for Pupils with Unique Needs differed from planned actions for all other students.

g. Pupil Learning Loss

i. Actions Related to the Pupil Learning Loss

Section 43509(f)(1)(C)(i) of the Education Code specifies that the LCP should describe how the LEA will assess pupils to measure learning status, particularly in the areas of English language arts, English language development, and math. Measurement of learning loss cannot reasonably be the same for all students, yet few LCPs clearly explained how LEAs were measuring learning loss for different student groups. It would help stakeholders to understand the effectiveness of the actions and strategies to mitigate pupil learning loss if they knew the baseline LEAs were using to assess learning loss. To that end, we suggest including in the Annual update instructions that, if it was not included in their LCP, LEAs must add to their actions descriptions of how they are determining learning loss for which subjects, grade level spans and student subgroups.

ii. Analysis of Pupil Learning Loss

Section 43509(f)(1)(C)(i)-(iii) of the Education Code lays out the requirements for addressing learning loss in the LCP, including reporting information for student subgroups. We recommend edits to the language of the

first bullet point in this section of the instructions to better align with the language in Section 43509(f)(1)(C)(ii)-(iii):

- *“Describe the successes and challenges experienced in addressing Pupil Learning Loss and accelerating learning progress for pupils, as needed, and how these strategies differed for pupils who are English learners, foster youth, special needs or homeless, in the 2020-21 school year, as applicable. Responses should discuss the effectiveness of services or supports provided and provide updates on measurement data collected.”*

h. Analysis of Additional Actions and Plan Requirements

i. Make Mental Health and Social and Emotional Well-Being, Pupil and Family Engagement and Outreach, and School Nutrition Separate Sections

In our prior advocacy around the development of the LCP, we repeatedly urged that the actions/services and expenditures to address mental health and social and emotional well-being, pupil and family engagement and outreach, and school nutrition be distinctly reported in their own sections, not lumped together in a catch-all additional actions table. Unfortunately, our concerns about transparency were well-founded. In reviewing LCPs, we have found that specific actions to support mental health and social and emotional well-being, pupil and family engagement and outreach, and school nutrition (all components of distance learning required by SB 98) are often missing. It is also common for the narrative descriptions and the actions listed to not align. The combined additional actions table in the LCP proved confusing for LEAs to spell out their planned actions for and stakeholders to understand them.

We strongly encourage you to correct this misstep in the Annual Update template and instructions by creating separate reporting sections for actions implemented for mental health and social and emotional well-being, pupil and family engagement and outreach, and school nutrition and the corresponding analysis narrative prompts for those actions.

ii. Addition to A description of the Success and Challenges Prompt

We recommend adding the italicized language to the first prompt to help stakeholders understand how LEAs dealt with challenges experienced in providing these services: *“A description of the successes and challenges experienced in monitoring and supporting Mental Health and Social and Emotional Well-Being, implementing Pupil and Family Engagement and Outreach, and providing School Nutrition in the 2020-21 school year, as applicable, and how they were addressed.”*

III. SB 98 Statutory Changes to the 2021-2024 Local Control and Accountability Plan Template

Section 57 of SB 98, the June education budget trailer bill, made some additions to the LCAP template and instructions. These changes to the forms must be made and adopted by January 31, 2022. Given that the Annual Update template and instructions are currently undergoing revisions, we believe it makes the most sense to make the required revisions to the LCAP template and instructions now, rather than wait another year, so that LEAs and community stakeholders will be aware of all requirements as they begin developing their 2021-24 LCAPs.

We note that CDE offered a change in this direction to the Board in January in Item 2 discussing the revised LCAP template and instructions, and the Board agreed to change the language to “should.” While the specific language change shown on the slide shown by CDE staff Mr. Breshears is at the beginning of the Actions and Goals section of the Instructions, the instructions below it after the subheading ***Measuring and Reporting Results*** should reflect this change for consistency:

Measuring and Reporting Results:

For each LCAP year, identify the metric(s) that the LEA will use to track progress toward the expected outcomes. LEAs ~~are encouraged to~~ **should** identify metrics for specific student groups, as appropriate, including expected outcomes that would reflect narrowing of any existing performance gaps. *See Board archived webcast, January 8, 2020, at 2:01.*

The relevant changes in SB 98 to the LCAP are listed below.

a. Addition of Stakeholder Engagement Summary

Education Code Section 52064(b)(9) adds to the LCAP template: “A summary of the stakeholder engagement process and how stakeholder engagement influenced the development of the adopted local control and accountability plan and annual update to the local control and accountability plan.”

b. Goals Section

i. Goals Based on Performance of Pupil Group or Subgroup Meeting Criteria for TA

Section 52064(e)(5) adds to the LCAP instructions: “...the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that school districts, county offices of education, and charter schools that meet the criteria to receive technical assistance pursuant to Section 47607, 47607.2, 52071, or 52071.5, as applicable, based on the performance of the same pupil subgroup or subgroups for three or more consecutive years shall include a goal in the local control and accountability plan focused on improving the performance of the pupil subgroup or subgroups.”

To effectuate this change, we suggest adding the following language to the LCAP instructions:

- *“LEAs, including charter schools, meeting the criteria to receive technical assistance based on the performance of the same pupil subgroup or subgroups for three or more consecutive years shall include a goal on improving the performance of the pupil subgroup(s).”*

ii. Goals to Address Disparities in Performance by Student Group

Section 52064(e)(6)(A) adds: “...the instructions developed by the state board pursuant to paragraph (1) of subdivision (d) shall specify that, for any school district or county office of education with a school that meets the criteria described in subparagraph (B), the school district or county office of education shall include a goal in the local control and accountability plan focused on addressing the disparities in performance at the school or schools compared to the school district or county office of education as a whole.

Section 52064(e)(6)(B) states: “[t]he requirement described in subparagraph (A) shall apply for any local educational agency with two or more schools if, for two consecutive years, a school receives the two lowest performance levels on all but one of the state indicators for which the school receives performance levels on the California School Dashboard pursuant to subdivision (d) of Section 52064.5 and the performance of the local educational agency for all pupils is at least one performance level higher on all of those indicators.”

To effectuate this change, we suggest adding the following language to the LCAP instructions:

- *“Describe the goal to address the disparities in performance at the school or schools compared to the school district or county office of education as a whole.”*

* * *

Thank you for considering our comments and recommendations. We look forward to continuing our collaboration with you and your staff to realize the full promise of LCFF and our new accountability system for our neediest students as we respond to inequities further exacerbated by this pandemic.

Sincerely,

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