



PaRa loS niños



for the childRen



September 3, 2021

Dr. Linda Darling-Hammond, President
California State Board of Education
1430 N Street, Suite 5111
Sacramento, CA 95814

Via email only (sbe@cde.ca.gov)

RE: Item 3 – LCAP Template and LCAP Supplement

Dear President Darling-Hammond and State Board Members:

We represent organizations that advocate on behalf of students, parents, community members, and educators in our state's public schools. We are united by a common belief that all schools and districts must address long-standing inequities of opportunity and should offer every student an excellent education that prepares them for college, career, and civic life. Below we provide feedback on the development of the 2021-2022 Local Control and Accountability Plan (LCAP) Template (Item #3).

The LCAP template is a key tool in engaging local communities in strategic planning for a district, and in providing transparency on how local education agencies (LEAs) are using funding from the components of the Local Control Funding Formula (LCFF) and other sources to achieve equity of opportunity for all students. The template and its instructions have the power of regulations and are an important tool to ensuring that LEAs are following the statute. Item #3 addresses three statutory changes, and we have the following comments and recommendations for each:

- ***Ensure Additional LCFF Concentration Grant Funds (\$1.1 billion) only Benefit Schools with 55% or More Unduplicated Student Population.*** Ensure that these funds are used to hire staff at schools with high concentrations of English learners, foster youth and low-income students (targeted students). We recommend that the Board require districts to (1) report, by school, the additional staff positions supported by this additional funding (**Attachment 1 – Additional Staff**), and (2) add a chart in the template to ensure staffing levels at schools with a higher concentration of unduplicated students have improved more than at schools with a student population made up of less than 55% unduplicated students. (See **Attachment 2 – Concentration Funding Demonstration**).

- ***Additional Instructions and Reporting on no cost “Qualitative” Improvements is Needed.*** We have historically opposed allowing qualitative improvement as a substitution for spending all an LEA’s LCFF Supplemental and Concentration grant funds toward specific actions benefitting the targeted students (English learners, foster youth and low-income students). Nonetheless, now that the legislature has authorized qualitative improvements under certain circumstances, lack of clear state guidance could obscure transparency on how qualitative improvements benefit target student groups. The revision should be accompanied with detailed instructions and guidance on what types of specific actions can be counted as a qualitative improvement, and how an LEA should value a qualitative improvement. Absent more direction, implementation of this change in law is susceptible to abuses that will be detrimental to the interests of ensuring that the targeted population gets a higher level of service as statutorily required. Specifically, the instructions and the template should be amended to clarify:
 - A contributing action can have either an expenditure and associated quantitative contribution or a qualitative contribution, but not both. Nor can other fund sources be used toward a qualitative contribution and supplant required maintenance of equity and funding requirements.
 - How an LEA determines the qualitative contribution, the percentage of increased or improved services for unduplicated over and above the level of services for all students for the associated action.
 - LEAs must be transparent on the percentage calculations attributed to each action.
 - LEAs must report how it was determined whether a qualitative action had been implemented, and if only partially implemented, what portion of the action had been implemented to calculate carryover obligations.

See **Attachment 3: Amended Contributing Table** for some of these corrections.

- ***Ensure Unused LCFF Funds (Carryover) Are Expended in the Following Year to Benefit Targeted Students.*** Implementing the new LCFF Carryover requirements will be complicated by the new qualitative contribution provisions, and how to value those improvements. Further, without more direction it may be almost impossible for stakeholders or county offices of education to verify what percent of a quality improvement was actually implemented.

Once a LEA, using additional guidance and instructions as recommended above, determines the percent improvement for its qualitative actions and then determines what portion it estimates for the implementation of the qualitative action, those percentages need to be combined with the quantitative actions to calculate the carryover requirement of 42238.07(e), which explicitly states carryover funds, “*are independent and additional to the requirement to increase or improve services for the ensuing fiscal year...*”

We believe the proposed template comes up short and should instead include a separate section for actions taken with Carryover funds. Statute is clear that carryover funds must be “expended,” and thus, can’t be used for qualitative improvements. Specifically, 42238.07(d)(2) requires that carryover funds “*shall be **expended** only to implement specific actions that satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement...*” The current template doesn’t make it clear that LEAs must report on the specific actions that will be funded with these carryover resources.

Thank you for the opportunity to comment. We look forward to continuing our collaboration with the State Board of Education to realize the full promise of LCFF for our neediest students.

Sincerely,
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Speak UP

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Attachments:

Attachment 1: Additional Staff

Attachment 2: Concentration Funding Demonstration

Attachment 3: Amended Contributing Table

cc:

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Attachment 2. For Districts Receiving LCFF Concentration Funding - Demonstration of Differential Staffing Changes at Schools with 55% or More Unduplicated Students

If a Concentration LEA has some schools with a concentration of Foster Youth, English Learners and Low-Income Students 55% or greater, and other schools with a concentration less than 55%, then complete the following tables.

(Note - LEA may generate these tables districtwide, or may generate these tables on a grade-span basis)

Estimated Number of Enrolled Students per Teacher

	2020-21 (Base Year)	2022-23 LCAP	Change in Students per Teacher	Meets Statutory Requirement?
<55% Concentration Schools	24.5	23.0	-1.5	
≥55% Concentration Schools	22.0	20.0	-2.0	
Difference	2.5	3.0	0.5	
Are Staffing Changes at ≥55% Concentration Schools Greater than at <55% Concentration Schools?				

Estimated Number of Enrolled Students per "Other Eligible Staff"¹

	2020-21 (Base Year)	2022-23 LCAP	Change in Students per Teacher	Meets Statutory Requirement?
<55% Concentration Schools	12.5	12.5	0.0	
≥55% Concentration Schools	10.0	9.0	-1.0	
Difference	2.5	3.5	1.0	
Are Staffing Changes at ≥55% Concentration Schools Greater than at <55% Concentration Schools?				

1. Note - "Other Eligible Staff" includes non-teacher credentialed staff, classified staff including custodial, who provide "direct services" to pupils

This display differentiates between Teachers and Other Eligible Staff. Alternatively, the tables could display (1) credentialed staff who provide direct services to pupils and (2) classified staff who provide direct services to pupils

Attachment 3. Contributing Actions Summary Table (Proposed Changes Highlighted in Yellow)

(Includes example data from the CDE presentation to CPAG to illustrate how table would work)

Estimated Amount of Funds Apportioned on the Basis of the Number and Concentration of Unduplicated Pupils	Percentage to Increase or Improve Services (% of Base Grant)
\$ 250,000	8.00%
Estimated LCFF Base Grant	
\$ 3,125,000.00	

Totals by Type	Total LCFF Funds	Total Funds
Total:	\$ 204,040	\$ 228,100
LEA-wide Total:	\$ 84,000	\$ 100,000
Limited Total:	\$ 40	\$ 100
Schoolwide Total:	\$ 120,000	\$ 128,000

Total Expenditure Quantitative % Increase	Total Qualitative Percentage of Improved Services	Total Planned Percentage to Increase or Improve Services	Does Total Percent Increased or Improved Equal or Exceed Required Percentage
6.6%	1.8%	8.4%	YES

Goal #	Action #	Action Title	Scope	Unduplicated Student Group(s)	Location	LCFF Funds	Total Funds	LCFF Expenditure Quantitative % Increase (% of Base)	Qualitative % of Improved Services (% of Base)	Fiscal Equivalence of the Qualitative Improvements	Total Percentage of Increased or Improved Services
Quantitative Actions											
1	1	Test 1	LEA-wide	All	Elementary	\$ 9,000	\$ 10,000	0.3%	X	X	0.3%
1	2	Test 2	Schoolwide		High Schools	\$ 3,000	\$ 15,000	0.1%	X	X	0.1%
2	1	Test 3	Schoolwide	Foster Youth	Middle Schools	\$ 120,000	\$ 128,000	3.8%	X	X	3.8%
3	1	Test 4	Limited	Low-income	All	\$ 20	\$ 50	0.0%	X	X	0.0%
3	1	Test 5	Limited	Low-income	All	\$ 20	\$ 50	0.0%	X	X	0.0%
4	1	Test 6	LEA-wide	English Learners	All	\$ 75,000	\$ 90,000	2.4%	X	X	2.4%
Qualitative Actions											
1	3	Test 8	LEA-wide	Low-income	All	\$ -	\$ -	X	0.5%	15,625	0.5%
2	2	Test 9	Schoolwide	All	Elementary	\$ -	\$ -	X	0.7%	21,875	0.7%
3	2	Test 10	Limited	English learners	High School	\$ -	\$ -	X	0.6%	18,750	0.6%