

California Department of Education

Executive Office

SBE-003 (REV. 11/2017)

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# California State Board of EducationSeptember 2021 AgendaItem #03

## Subject

Local Control and Accountability Plan Template – Revision Drafts, Consistent with California *Education Code* sections 42238.07, 52064 and Section 124 of Assembly Bill 130.

## Type of Action

Action, Information

## Summary of the Issue(s)

The Local Control and Accountability Plan (LCAP) is a three-year plan that describes the goals, actions, services, and expenditures to support positive student outcomes that address state and local priorities. The LCAP provides an opportunity for local educational agencies (LEAs) to share their stories of how, what, and why programs and services are selected to meet their local needs. Since the adoption of the first LCAP in 2014, California has worked to continuously improve the LCAP template, instructions, and trainings based on learnings from implementation and feedback. Improvements that have been made to the LCAP include the addition of the annual update, a move to a three-year template, and most recently the addition of summary tables displayed in a database format. Over the past two years, the administration and legislature have made additional changes through Senate Bill (SB) 98 (2020) and Assembly Bill (AB)130 (2021) which amended California *Education Code* (*EC*) Sections 42238.07 and 52064 to require additional revisions of the LCAP and Annual Update template and instructions in response to the current and emergent needs of California’s students and schools. The proposed revisions to the LCAP template and instructions will be in effect beginning with the 2022–23 LCAP year. Please see attachments 1 and 3 for more information related to the LCAP template revisions.

Additionally, Section 124 of AB 130 requires the State Board of Education (SBE) to adopt a one-time supplement template to the Annual Update to the 2021–22 LCAP (2021–22 Supplement) on or before November 30, 2021. Subsection (e)(1) of Section 124 of AB 130 requires local educational agencies (LEAs) to use the 2021–22 Supplement to present an update on the Annual Update to the 2021–22 LCAP and Budget Overview for Parents on or before February 28, 2022, at a regularly scheduled meeting of the governing board or body of the LEA. Attachment 4 provides the proposed draft of the template and instructions for the 2021–22 Supplement.

The statutory deadline for adoption of the revised LCAP template and instructions is January 2022. The California Department of Education (CDE) is bringing this item to the SBE at its September 2021 meeting to receive feedback on the draft LCAP template and instructions and 2021–22 Supplement before bringing the request for adoption of the new LCAP template by the SBE at its November 2021 meeting. This timeline corresponds with the required adoption date of the 2021–22 Supplement. This timeline also affords LEAs and educational partners with more time to become familiar with the new requirements as well as ensure the CDE can provide timely and comprehensive guidance and support related to these new requirements.

Preexisting statute requires that LCAP templates avoid technical terminology and detailed prompts. The proposed changes, as described in Attachments 1 and 3, include more technical instructions and guidance for completing the LCAP as well as the creation of the 2021–22 Supplement, which is outlined in Attachment 4.

Based on the SBE’s feedback during its September 2021 meeting, the CDE staff will revise the current draft LCAP template and instructions and 2021-22 Supplement draft templates and instructions. The revised LCAP and 2021-22 Supplement draft templates and instructions will then be shared to receive additional stakeholder feedback. The Local Agency Systems Support Office (LASSO) in the CDE will host a Tuesday @ 2 webinar and send out a call for public comment through the LCFF Listserv and partner networks. Members of the public may submit comments throughout this revision and adoption period to LCFF@cde.ca.gov. All public comments received via email, group discussions, and webinars will be documented, analyzed and considered into the next iterations of the revised LCAP template and instructions and 2021–22 Supplement template and instructions. The CDE will bring the final drafts of the revised LCAP template and instructions and 2021–22 Supplement back to the SBE during its November 2021 meeting for adoption.

Attachment 1 provides a summary of the revisions to the LCAP template and instructions and the requirements for the 2021 Supplement. Attachment 2 provides the current LCAP template and instructions adopted by the SBE at its January 2020 meeting. Attachment 3 provides the draft LCAP template and instructions as required by SB 98 and AB 130. Attachment 4 provides the draft 2021-22 Supplement template and instructions for feedback.

## Recommendation

No action is recommended at this time. However, the CDE requests that the SBE provide feedback regarding the draft LCAP template and instructions that incorporate the requirements outlined in SB 98 and AB 130 as well as the draft for the 2021-22 Supplement template and instructions.

The CDE also recommends that the SBE take additional action as deemed necessary and appropriate.

## Brief History of Key Issues

SB 98amended *EC* Section 52064 to require the following revisions to the instructions for the LCAP template:

* To include a requirement that an LEA that meets certain criteria include a goal in the LCAP focused on improving the performance of that student group or groups.
* To include a requirement that a school district or county office of education (COE) that meets certain criteria include a goal in the LCAP focused on addressing disparities in performance between a consistently low-performing school or schools compared to the performance of the school district or COE as a whole.

AB 130 further amended *EC* Section 52064 to require the following revisions to the LCAP template:

* That the summary table listing and describing all the specific actions and budgeted expenditures that contribute to the demonstration of how the LEA will increase or improve services for unduplicated pupils in the coming year be revised to include:
	+ A demonstration that the LEA’s full proportionality obligation is being met annually through the actions and services listed in the summary table; and
	+ Each action’s quantitative contribution toward the proportionality obligation as an expenditure or its qualitative contribution as a percentage of increased or improved services for unduplicated pupils.
* The inclusion of the calculations required by *EC* Section 42238.07(C)(1) and (2).
* A description of the specific actions and related expenditures to be implemented using any unused portion of the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils from the prior year, including a demonstration that the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement, if applicable to the LEA.
* For LEAs that receive concentration grant funding, a demonstration that the additional funding received as a result of the increased concentration grant add-on will be used to increase the number of credentialed staff and\or classified staff that provide direct services to students on school campuses with greater than 55 percent unduplicated pupil enrollment as compared to school campuses with less than 55 percent unduplicated pupil enrollment.

In addition to the required changes to the LCAP template and instructions, Section 124 of AB 130 requires the template for the one-time supplement to the Annual Update to the 2021–22 LCAP to include all of the following:

* A description of how and when the LEA’s stakeholders were engaged on the use of funds provided in the Budget Act of 2021 that were not included in its LCAP adopted on or before July 1, 2021.
* A description of how the additional concentration grant add-on was used by the LEA to increase the number of certificated staff and/or classified staff who provide direct services to pupils on school campuses, or the location of the actions related to these funds in its 2021–22 LCAP.
* A description of how and when the LEA’s stakeholders were engaged on the use of one-time federal funds intended to support recovery from the COVID-19 pandemic and the impacts of distance learning on students.
* An update on the implementation of the federal American Rescue Plan Act of 2021 and the federal Elementary and Secondary School Emergency Relief expenditure plan, including successes and challenges.
* A description of how the 2021–22 school year fiscal resources are being used consistent with the applicable plans and aligned with the LEA’s 2021–22 LCAP.

In addition to the requirements of SB 98 and AB 130, the CDE has received feedback from some Native American communities that they find the use of the term “stakeholder” offensive, as it connotates the practice of “staking a claim” to land. As such, use of the term “stakeholder” in the LCAP template and instructions has created a barrier to engagement for some Native American communities. To remove this barrier, the CDE is recommending that, throughout the LCAP template and instructions, the term “stakeholder” be replaced with a like term that encompasses the stakeholder groups that LEAs are required to engage with in developing the LCAP, pursuant to *EC* sections 52060(g), 52066(g), and 47606.5. Consistent with this recommendation, these groups will be referred to using the term “educational partners” throughout the remainder of this Item, where appropriate. The term “educational partners” will serve as a placeholder until an appropriate term is identified and recommended to the SBE for adoption. Identification of an appropriate term will be informed by input from statewide educational partners, from Tribes and the Superintendent’s American Indian Education Oversight Committee.

Attachment 1 provides a detailed summary of these required and proposed revisions to the LCAP template and instructions and the Supplement to the Annual Update to the 2021–22 LCAP.

### Input from Educational Partners

The CDE is seeking to engage diverse educational partners to receive feedback and inform the development of the revisions to the LCAP template and instructions and the Supplement to the Annual Update to the 2021–22 LCAP. To date, the CDE has provided the following opportunities for educational partners to provide input:

* On July 28, 2021 the CDE facilitated a meeting of the LCAP advisory group, an ad-hoc group comprised of representatives from COEs, the California Teachers Association, charter schools, school districts, and advocates with experience completing, reviewing, or engaging around LCAPs, as well as representation from the California Collaborative for Educational Excellence, SBE staff, and the CDE. Participants provided input on the proposed drafts for the revised LCAP template and instructions and the 2021-22 Supplement.
* On August 10, 2021 the CDE hosted a statewide Tuesdays @ 2 webinar to solicit feedback related to the proposed drafts for the revised LCAP template and instructions and the 2021-22 Supplement. 294 attendees participated in the webinar.
* On August 20, 2021 the CDE presented the proposed drafts for the revised LCAP template and instructions and the 2021-22 Supplement to the California Practitioners Advisory Group (CPAG) and solicited feedback from CPAG members.

Feedback received from the SBE and the aforementioned engagement sessions will be used to inform revisions to both the LCAP template and instructions and the 2021-22 Supplement. The CDE will solicit feedback related to these revised versions of the LCAP template and instructions and the 2021-22 Supplement from:

* The LCAP advisory group during the week of September 30, 2021; and
* Statewide educational partners at a Tuesdays @ 2 webinar on October 5, 2021

Input from these sessions will inform any necessary final edits prior to bringing the revised LCAP template and instructions and the 2021-22 Supplement to the SBE for adoption at its November 2021 meeting.

### Implementation Timeline

As previously noted, Section 124 of AB 130 requires the SBE the template and instructions for the 2021–22 Supplement on or before November 30, 2021. The CDE will bring the final draft of the template and instructions for the 2021–22 Supplement to the SBE during its November 2021 meeting for adoption. Following adoption by the SBE the CDE will provide statewide training related to the 2021–22 Supplement and LEAs will use the 2021–22 Supplement to provide the required update on the Annual Update to the 2021–22 LCAP and Budget Overview for Parents on or before February 28, 2022, at a regularly scheduled meeting of the governing board or body of the LEA.

While the statutory deadline for adoption of the required revisions to the LCAP template and instructions is January 2022, the CDE intends to bring the revised template and instructions for the LCAP to the SBE for adoption at its November 2021 meeting. LEAs will use the revised LCAP template and instructions in the development of the 2022–23 LCAP. This timeline affords LEAs and educational partners with more time to become familiar with the new requirements and will allow the CDE to provide statewide training, guidance and support for LEAs related to these new requirements.

## Summary of Previous State Board of Education Discussion and Action

In January 2020, the SBE adopted the proposed Revised LCAP and Annual Update Template, consistent with *EC* Section 52064 and the LCAP Annual Update Template for the 2019–2020 LCAP year consistent with *EC* sections 52061 and 52064. (<https://www.cde.ca.gov/be/ag/ag/yr20/documents/jan20item02.docx>)

In October 2019, an information memorandum was provided to update the SBE regarding the LCAP Template redesign project and provide access to the LCAP Template redesign survey. The draft LCAP Template presented in the redesign survey included draft instructions. (<https://www.cde.ca.gov/be/pn/im/documents/oct19memoiad01.docx>)

In September 2019, the SBE directed the CDE to continue with the development of a revised template for the LCAP to include instructions. (<https://www.cde.ca.gov/be/ag/ag/yr19/documents/sep19item02.docx>)

In January 2019, the SBE adopted the proposed Revised LCAP and Annual Update Template necessary to implement the LCFF Budget Overview for Parents established by *EC* Section 52064.1, to address requirements of Section 1111(d) of the Every Student Succeeds Act (ESSA), to reduce duplication of effort for LEAs in completing the LCAP and the LCFF Budget Overview for Parents, and in a continued effort to reduce a duplication of effort, removed the Increase or Improved Services prompt from the LCAP Plan Summary section, as this information is addressed fully in the Demonstration of Increased or Improved Services for Unduplicated Pupils section of the LCAP. (<https://www.cde.ca.gov/be/ag/ag/yr19/documents/jan19item03.docx>)

In November 2016, the SBE adopted the proposed Revised LCAP and Annual Update Template and allowed the CDE, in collaboration with SBE staff, to make any necessary typographical or formatting corrections as the document is prepared for posting on the CDE website. (<https://www.cde.ca.gov/be/ag/ag/yr16/documents/nov16item04.doc>)

In July 2016, the SBE directed the CDE to continue with the development of a revised template for the LCAP and the Annual Update based on the assumptions that the revised LCAP and Annual Update Template would include a Plan Summary section for completion by all LEAs and would be effective for a period of three years inclusive, and be updated annually, as required (consistent with *EC* sections 52060(b) and 52066(b), and *EC* sections 52061 and 52067). (<https://www.cde.ca.gov/be/ag/ag/yr16/documents/jul16item03.doc>)

In May 2016, the SBE directed the CDE to proceed with the development of a revised template for the LCAP and the Annual Update using the identified overarching design principles. (<https://www.cde.ca.gov/be/ag/ag/yr16/documents/may16item03.doc>)

## Fiscal Analysis (as appropriate)

None.

## Attachment(s)

* Attachment 1: Summary of Required Revisions to the Local Control and Accountability Plan and Annual Update Template and Instructions and Requirements for the Supplement to the Annual Update to the 2021–22 Local Control and Accountability Plan (7 pages)
* Attachment 2: Current Local Control and Accountability Plan and Annual Update Template and Instructions (27 pages)
* Attachment 3: Proposed Revisions to the Local Control and Accountability Plan and Annual Update Template and Instructions (31 pages)
* Attachment 4: Proposed Draft of the Template and Instructions for the Supplement to the Annual Update to the 2021–22 LCAP (5 pages)