

# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

# Bylaws

For the California State Board of Education, Amended January 16, 2013.

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## ARTICLE I

### Authority

The California State Board of Education is established in the Constitution of the State of California and empowered by the Legislature through the California *Education Code*.

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## ARTICLE II

### Powers and Duties

The Board establishes policy for the governance of the state's kindergarten through grade twelve public school system as prescribed in the *Education Code*, and performs other duties consistent with statute.

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## ARTICLE III

### Members

#### APPOINTMENT

##### *Section 1.*

The State Board of Education consists of 11 members who are appointed by the Governor with the advice and consent of two-thirds of the Senate.

*CC, Art. IX, Sec. 7*  
*EC 33000 and 33000.5*

#### TERM OF OFFICE

##### *Section 2.*

- a. The term of office of the members of the Board is four years, except for the student member whose term is one year.
- b. Except for the student member, who serves a one-year term, terms expire on January 15 of the fourth year following their commencement. Members, other than the student member, continue to serve until the appointment and qualification of their successors to a maximum of 60 days after the expiration of their terms. If the member is not reappointed and no successor is appointed within that 60-day period, the member may no longer serve and the position is deemed vacant. The term of the student member begins on August 1 and ends on July 31 of the following year.
- c. If the Senate refuses to confirm, the person may continue to serve until 60 days have elapsed since the refusal to confirm or until 365 days have elapsed since the person first began performing the duties of the office, whichever occurs first.
- d. If the Senate fails to confirm within 365 days after the day the person first began performing the duties of the office, the person may not continue to serve in that office following the end of the 365-day period.

*EC 33001; 33000.5*  
*GC 1774*

#### VACANCIES

##### *Section 3.*

Any vacancy shall be filled by appointment by the Governor, subject to confirmation by two-thirds of the Senate. The person appointed to fill a vacancy shall hold office only for the balance of the unexpired term.

*EC 33002*

## STUDENT MEMBER

### **Section 4.**

Finalists for the student member position shall be selected and recommended to the Governor as prescribed by law.

*EC 33000.5*

## COMPENSATION AND EXPENSES

### **Section 5.**

Members of the Board shall receive their actual and necessary travel expenses while on official business. Each member shall also receive one hundred dollars (\$100) for each day he or she is acting in an official capacity.

*EC 33006*

*GC 11564.5*

## CONFLICT OF INTEREST CODE

### **Section 6.**

Board members shall file statements of economic interest as required by the Fair Political Practices Commission. The terms of a standard Conflict of Interest Code, adopted by the Commission and as may be amended, are incorporated by reference and constitute the Conflict of Interest Code of the Board.

*2 CCR 18730*

*5 CCR 18600*

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## ARTICLE IV

### **Officers and Duties**

#### **PRESIDENT, VICE PRESIDENT**

##### **Section 1.**

Officers of the Board shall be a president and a vice president. No member may serve as both president and vice president at the same time.

##### **Section 2.**

- a. The president and vice president shall be elected annually in accordance with the procedures set forth in this section.
- b. At the January meeting, the State Superintendent of Public Instruction shall ask members to nominate individuals for the office of president. At that same meeting, the president shall ask Board members to nominate individuals for the office of vice president. Any nomination for office must be seconded. No member may nominate or second the nomination for himself or herself for either office.
- c. Six votes are necessary to elect an officer, and each officer elected shall serve for one year or until his or her successor is elected.
- d. If, in the Board's judgment, no nominee for the office of president or vice president can garner sufficient votes for election to that office at the January meeting, a motion to put the election over to a subsequent meeting is in order.
- e. Newly elected officers shall assume office immediately following the election.
- f. In the event a vacancy occurs in the office of president or vice president during a calendar year, an election shall be held at the next meeting. Any member interested in completing the one-year term of an office that has become vacant may nominate himself or herself, but each nomination requires a second.
- g. The State Superintendent of Public Instruction shall preside only during the election proceedings for the office of president and for the conduct of any other business that a majority of the Board members may direct.

#### **EXECUTIVE OFFICER**

##### **Section 3.**

The State Superintendent of Public Instruction shall be secretary and shall act as executive officer of the Board.

*EC 33004*

#### **DUTIES OF THE PRESIDENT**

##### ***Section 4.***

The president shall:

- serve as spokesperson for the Board;
- represent the position of the Board to the State Superintendent of Public Instruction;
- appoint members to serve on committees and as liaisons, as prescribed in these Bylaws, and as may be needed in his or her judgment properly to fulfill the Board's responsibilities;
- serve as an ex officio voting member of the Screening Committee and any ad hoc committees, either by substituting for an appointed member who is not present with no change in an affected committee's quorum requirement, or by serving as an additional member with the affected committee's quorum requirement being increased if necessary;
- preside at all meetings of the Board and follow-up with the assistance of the executive director to see that agreed upon action is implemented;
- serve, as necessary, as the Board's liaison to the National Association of State Boards of Education, or designate a member to serve in his or her place;
- serve, or appoint a designee to serve, on committees or councils that may be created by statute or official order where required or where, in his or her judgment, proper carrying out of the Board's responsibility demands such service;
- keep abreast of local, state, and national issues through direct involvement in various conferences and programs dealing with such issues, and inform Board members of local, state, and national issues;
- participate in selected local, state, and national organizations, which have an impact on public education, and provide to other members, the State Superintendent, and the staff of the Department of Education the information gathered and the opinion and perspective developed as the result of such active personal participation;
- provide direction for the executive director;
- and, along with the executive director, direct staff in preparing agendas for Board meetings, in consultation with other members as permitted by law, and determine priorities for the expenditure of board travel funds.

#### **DUTIES OF THE VICE PRESIDENT**

##### ***Section 5.***

The vice president shall:

- preside at Board meetings in the absence of the president;
- represent the Board at functions as designated by the president; and
- fulfill all duties of the president when he or she is unable to serve.

#### **DUTIES OF COMMITTEE CHAIR**

##### ***Section 6.***

The chair of the Screening Committee or any ad hoc committee shall:

- preside at meetings of the committee he or she chairs, except that he or she shall yield the chair to another committee member in the event he or she will be absent or confronts a conflict regarding any matter coming before the committee, and may yield the chair to another committee member for personal reasons; and
- in consultation with the president, other committee members, and appropriate staff, assist in the preparation of committee agendas and coordinate and facilitate the work of the committee in furtherance of the Board's goals and objectives.

#### **DUTIES OF LIAISON OR REPRESENTATIVE**

##### ***Section 7.***

A Board member appointed as a liaison or representative shall:

- serve as an informal (non-voting) link between the Board and the advisory body or agency (or function) to which he or she is appointed as liaison or representative; and
- reflect the position of the Board, if a position is known to him or her, on issues before the advisory body or agency (or within the

function) to which he or she is appointed as liaison or representative and keep the Board appropriately informed.

## **DUTIES OF A BOARD MEMBER APPOINTED TO ANOTHER AGENCY**

### **Section 8.**

The member shall:

- to every extent possible, attend the meetings of the agency and meet all responsibilities of membership; and
  - reflect through his or her participation and vote the position of the Board, if a position is known to him or her, and keep the Board informed of the agency's activities and the issues with which it is dealing.
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## **ARTICLE V**

### **Meetings**

#### **REGULAR MEETINGS**

##### **Section 1.**

Generally, regular meetings of the Board shall be held on the Wednesday and Thursday preceding the second Friday of each of the following months: January, March, May, July, September, and November. However, in adopting a specific meeting schedule, the Board may deviate from this pattern to accommodate state holidays and special events. Other regularly noticed meetings may be called by the president for any stated purpose.

*EC 33007*

#### **SPECIAL MEETINGS**

##### **Section 2.**

Special meetings may be called to consider those purposes specified in law if compliance with the 10-day notice would impose a substantial hardship on the board or if immediate action is required to protect the public interest.

#### **OPEN MEETINGS**

##### **Section 3.**

- a. All meetings of the Board, except the closed sessions permitted by law, and all meetings of Board committees, to the extent required by law, shall be open and public.
- b. All meetings shall conform to the Bagley-Keene Open Meeting Act, including requirements for notices of meetings, preparation and distribution of agendas and written materials, inspection of public records, closed sessions and emergency meetings, maintenance of records, and disruption of a public meeting. Those provisions of law which govern the conduct of meetings of the Board are hereby incorporated by reference into these Bylaws.
- c. Unless otherwise provided by law, meetings of any advisory body, committee or subcommittee thereof, created by statute or by formal action of the Board, which is required to advise or report or recommend to the Board, shall be open to the public.

*GC 11120 et seq.*

#### **NOTICE OF MEETINGS**

##### **Section 4.**

- a. Notice of each regular meeting shall be posted at least 10 days prior to the time of the meeting and shall include the time, date, and place of the meeting and a copy of the meeting agenda.
- b. Notice of any meeting of the Board shall be given to any person so requesting. Upon written request, individuals and organizations wishing to receive notice of meetings of the Board will be included on the mailing list for notice of regular meetings.

#### **SPECIAL MEETINGS (ADDITIONAL PROVISIONS)**

##### **Section 5.**

- a. Special meetings may be called by the president or by the secretary upon the request of any four members of the board for the purposes specified in law if compliance with the 10-day notice requirements would impose a substantial hardship on the board or if immediate action is required to protect the public interest.
- b. Notice of special meetings shall be delivered in a manner that allows it to be received by the members and by newspapers of general circulation and radio or television stations at least 48 hours before the time of the special meeting. Notice shall also be provided to all national press wire services. Notice to the general public shall be made by placing it on appropriate electronic bulletin boards if possible.
- c. Upon commencement of a special meeting, the board shall make a finding in open session that giving a 10-day notice prior to the meeting would cause a substantial hardship on the board or that immediate action is required to protect the public interest. The finding shall be adopted by a two-thirds vote of the board or a unanimous vote of those members present if less than two-thirds of the members are present at the meeting.

*EC 33008*  
*GC 11125*

## **EMERGENCY MEETINGS**

### ***Section 5.***

- a. An emergency meeting may be called by the president or by the secretary upon the request of any four members without providing the notice otherwise required in the case of a situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities and which is properly a subject of an emergency meeting in accordance with law.
- b. The existence of an emergency situation shall be determined by concurrence of six of the members during a meeting prior to an emergency meeting, or at the beginning of an emergency meeting, in accordance with law.
- c. Notice of an emergency meeting shall be provided in accordance with law.

*GC 11125.5*  
*EC 33008*  
*EC 33010*

## **CLOSED MEETINGS**

### ***Section 6.***

Closed sessions shall be held only in accordance with law.

*GC 11126*

## **QUORUM**

### ***Section 7.***

- a. The concurrence of six members of the Board shall be necessary to the validity of any of its acts.  
*EC 33010*
- b. A quorum of any Board committee shall be a majority of its members, and a committee may recommend actions to the Board with the concurrence of a majority of a quorum.

## **ORDER OF BUSINESS**

### ***Section 8.***

The order of business for all regular meetings of the Board shall generally be:

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations
- Agenda Items
- Adjournment

## CONSENT CALENDAR

### **Section 9.**

- a. Non-controversial matters and waiver requests meeting established guidelines may be presented to the Board on a consent calendar.
  - b. Items may be removed from the consent calendar upon the request of an individual Board member or upon the request of Department staff authorized by the State Superintendent of Public Instruction to submit items for consideration by the Board.
  - c. Items removed from the consent calendar shall be referred to a standing committee or shall be considered by the full Board at the direction of the president.
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## ARTICLE VI

### Committees and Representatives

#### SCREENING COMMITTEE

##### **Section 1.**

- a. The president shall appoint a Screening Committee composed of at least three Board members to screen and interview applicants for appointment to Board advisory bodies and other positions as necessary; participate, as directed by the president, in the selection of candidates for the position of student Board member in accordance with law; and recommend appropriate action to the Board. The president shall designate one Board member as Chair of the Screening Committee.
- b. In consultation with the chair, the president may appoint additional Board members, such as the appointed Board liaison, to serve as voting members of the Screening Committee on a temporary basis. In accordance with Section 4 of these bylaws, the president may also serve as an ex officio member of the Screening Committee. The quorum requirement shall be increased as necessary to include the total number of Board members, including temporary members, appointed to serve on the Committee for that purpose.
- c. As necessary, the chair may create an ad hoc subcommittee of the Screening Committee to assist the Screening Committee with its duties.

#### AD HOC COMMITTEES

##### **Section 2.**

From time to time, the president may appoint ad hoc committees for such purposes as he or she deems necessary. Ad hoc committees shall remain in existence until abolished by the president.

#### REPRESENTATIVES

##### **Section 3.**

From time to time, the president may assign Board members the responsibility of representing the State Board in discussions with staff (as well as with other individuals and agencies) in relation to such topics as assessment and accountability, legislation, and implementation of federal and state programs. The president may also assign Board members the responsibility of representing the Board in ceremonial activities.

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## ARTICLE VII

### Public Hearings: General

#### SUBJECT OF A PUBLIC HEARING

##### **Section 1.**

- a. The Board may hold a public hearing regarding any matter pending before it after giving notice as required by law.
- b. The Board may direct that a public hearing be held before staff of the Department of Education, an advisory commission to the Board, or a standing or ad hoc committee of the Board regarding any matter which is or is likely to be pending before the Board. If the Board directs that a public hearing be held before staff, then a recording of the public hearing and a staff-prepared

summary of comments received at the public hearing shall be made available in advance of the meeting at which action on the pending matter is scheduled in accordance with law.

5 CCR 18460  
EC 33031  
GC 11125

#### **TIME LIMITS FOR THE PRESENTATION OF PUBLIC TESTIMONY**

##### **Section 2.**

At or before a public hearing, the presiding individual shall (in keeping with any legal limitation or condition that may pertain) determine the total amount of time that will be devoted to hearing oral comments, and may determine the time to be allotted to each person or to each side of an issue.

5 CCR 18463  
EC 33031

#### **WAIVER BY PRESIDING INDIVIDUAL**

##### **Section 3.**

At any time, upon a showing of good cause, the presiding individual may waive any time limitation established under Section 3 of this article.

5 CCR 18464  
EC 33031

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## **ARTICLE VIII**

### **Public Hearings: School District Reorganization**

#### **SUBMISSION OF PROPOSALS AND PETITIONS**

##### **Section 1.**

A proposal by a county committee on school district organization or other public agency, or a petition for the formation of a new district or the transfer of territory of one district to another shall be submitted to the executive officer of the Board. The executive officer of the Board shall cause the proposal or petition to be:

- reviewed and analyzed by the California Department of Education;
- set for hearing before the Board (or before staff if so directed by the Board) at the earliest practicable date; and
- transmitted together with the report and recommendation of the Department of Education to the Board (or to the staff who may be directed by the Board to conduct the hearing) and to such other persons as is required by law not later than ten days before the date of the hearing.

CCR 18570

#### **ARGUMENTS PRESENTED AT THE PUBLIC HEARING: ORIGINAL SUBMISSION**

##### **Section 2.**

At the time and place of hearing, the Board (or staff if so directed by the Board) will receive oral or written arguments on the proposal or petition. The presiding individual may limit the number of speakers on each side of the issue, limit the time permitted for the presentation of a particular view, and limit the time of the individual speakers. The presiding individual may ask that speakers not repeat arguments previously presented.

CCR 18571

#### **RESUBMISSION OF THE SAME OR ESSENTIALLY IDENTICAL PROPOSAL OR PETITION**

##### **Section 3.**

If the same or an essentially identical proposal or petition has been previously considered by the Board, the documents constituting such a resubmission shall be accompanied by a written summary of any new factual situations or facts not previously presented. In this case, any hearing shall focus on arguments not theretofore presented and hear expositions of new factual situations and of facts not previously entered into the public record.

CCR 18572

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## **ARTICLE IX**

### **Public Records**

Public records of the Board shall be available for inspection and duplication in accordance with law, including the collection of any permissible fees for research and duplication.

GC 6250 *et seq.*

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## **ARTICLE X**

### **Parliamentary Authority**

#### **RULES OF ORDER**

##### **Section 1.**

Debate and proceedings shall be conducted in accordance with Robert's Rules of Order (Newly Revised) when not in conflict with rules of the Board and other statutory requirements.

##### **Section 2.**

Members of the public or California Department of Education staff may be recognized by the president of the Board or other presiding individual, as appropriate, to speak at any meeting. Those comments shall be limited to the time determined by the president or other presiding individual. All remarks made shall be addressed to the president or other presiding individual. In order to maintain appropriate control of the meeting, the president or other presiding individual shall determine the person having the floor at any given time and, if discussion is in progress or to commence, who may participate in the discussion.

##### **Section 3.**

All speakers shall confine their remarks to the pending matter as recognized by the president or other presiding individual.

##### **Section 4.**

Public speakers shall not directly question members of the Board, the State Superintendent, or staff without express permission of the president or other presiding individual, nor shall Board members, the State Superintendent, or staff address questions directly to speakers without permission of the president or other presiding individual.

##### **Section 5.**

The Chief Counsel to the Board or the General Counsel of the California Department of Education, or a member of the Department's legal staff in the absence of the Board's Chief Counsel, will serve as parliamentarian. In the absence of legal staff, the president or other presiding individual will name a temporary replacement if necessary.

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## **ARTICLE XI**

### **Board Appointments**

#### **ADVISORY BODIES**

##### **Section 1.**

Upon recommendation of the Screening Committee as may be necessary, the Board appoints members to the following advisory bodies for the terms indicated:

- a. Advisory Commission on Special Education. The Board appoints five of 17 members to serve four-year terms.  
*EC 33590*
- b. Instructional Quality Commission. The Board appoints 13 of 18 members to serve four-year terms.  
*EC 33530*
- c. Child Nutrition Advisory Council. The Board appoints 13 members, 12 to three-year terms and one student representative to a one-year term. By its own action, the Council may provide for the participation in its meetings of non-voting representatives of interest groups not otherwise represented among its members, such as school business officials and experts in the area of physical education and activity.  
*EC 49533*
- d. Advisory Commission on Charter Schools. The Board appoints eight members to two-year terms.  
*EC 47634.2(b)(1)*  
*State Board of Education Policy 01-04*

## **OTHER APPOINTMENTS**

### **Section 2.**

On the Board's behalf, the president shall make all other appointments that are required of the Board or require Board representation, including, but not limited to: WestEd (Far West Laboratory for Educational Research and Development), Trustees of the California State Summer School for the Arts and the California Subject Matter Projects.

## **SCREENING AND APPOINTMENT**

### **Section 3.**

Opportunities for appointment shall be announced and advertised as appropriate, and application materials shall be made available to those requesting them. The Screening Committee shall paper-screen all applicants, interview candidates as the Committee determines necessary, and recommend appropriate action to the Board.

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## **ARTICLE XII**

### **Presidential Appointments**

#### **LIAISONS**

##### **Section 1.**

The president shall appoint one Board member, or more where needed, to serve as liaison(s) to:

- a. The Advisory Commission on Special Education.
- b. The Instructional Quality Commission.
- c. The Advisory Commission on Charter Schools.
- d. The National Association of State Boards of Education, if the Board participates in that organization.
- e. The Commission on Teacher Credentialing.

#### **OTHER**

##### **Section 2.**

The president shall make all other appointments that may be required of the Board or that require Board representation.

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## **ARTICLE XIII**

### **Amendment to the Bylaws**

These Bylaws may be amended at any regular meeting of the Board, provided that the amendment has been submitted in writing to the Board and members of the public with the meeting notice.

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## Abbreviations

Abbreviations used in these Bylaws, citing Board authority, are:

Abbreviation	Description
CC	Constitution of the State of California
CCR	California Code of Regulations
EC	California <i>Education Code</i>
GC	California <i>Government Code</i>
CFR	Code of Federal Regulations
JPA-FWL	Joint Powers Agreement Establishing the Far West Laboratory for Educational Research and Development, originally entered into by the State Board of Education on February 11, 1966, and subsequently amended

## Dates of Adoption and Amendment

Status	Date
Adopted	April 12, 1985
Amended	February 11, 1987
Amended	December 11, 1987
Amended	November 11, 1988
Amended	December 8, 1989
Amended	December 13, 1991
Amended	November 13, 1992
Amended	February 11, 1993
Amended	June 11, 1993
Amended	May 12, 1995
Amended	January 8, 1998
Amended	April 11, 2001
Amended	July 9, 2003
Amended	January 16, 2013

# SBE Agenda for September 2014

Agenda for the California State Board of Education (SBE) meeting on September 3-4, 2014.

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## State Board Members

- Michael W. Kirst, President
- Ilene W. Straus, Vice President
- Sue Burr
- Carl Cohn
- Bruce Holaday
- Aida Molina
- Patricia A. Rucker
- Niki Sandoval
- Trish Williams
- Kenton Shimosaki, Student Member
- *Vacancy*

## Secretary & Executive Officer

- Hon. Tom Torlakson

## Executive Director

- Karen Stapf Walters

Schedule of Meeting	Location
<b>Wednesday, September 3, 2014</b> 8:30 a.m. Pacific Time ±  STATE BOARD OF EDUCATION <b>Public Session, adjourn to Closed Session—IF NECESSARY.</b>	<b>California Department of Education</b> 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

Please see the detailed agenda for more information about the items to be considered and acted upon. The public is welcome.

Schedule of Meeting	Location
<b>Thursday, September 4, 2014</b> 8:30 a.m. Pacific Time ±  STATE BOARD OF EDUCATION <b>Public Session. The Closed Session will take place at approximately 11:30 a.m. (The Public may not attend.)</b>	<b>California Department of Education</b> 1430 N Street, Room 1101 Sacramento, California 95814 916-319-0827

The Closed Session (1) may commence earlier than 11:30 a.m.; (2) may begin at or before 11:30 a.m., be recessed, and then be reconvened later in the day; or (3) may commence later than 11:30 a.m.

## CLOSED SESSION AGENDA

Conference with Legal Counsel – Existing Litigation: Under *Government Code* sections 11126(e)(1) and (e)(2)(A), the State Board of Education hereby provides public notice that some or all of the pending litigation follows will be considered and acted upon in closed session:

- *Alejo, et al. v. Jack O'Connell, State Board of Education, et al.*, San Francisco County Superior Court, Case No. CPF-09-509568, CA Ct. of Appeal, 1<sup>st</sup> Dist., Case No. A130721
- *California School Boards Association, et al. v. California State Board of Education and Aspire Public Schools, Inc.*, Alameda

County Superior Court, Case No. 07353566, CA Ct. of Appeal, 1<sup>st</sup> Dist., Case No. A122485, CA Supreme Court, Case No. S186129

- *California School Boards Association and its Education Legal Alliance, et al. v. The California State Board of Education, et al.*, Sacramento County Superior Court, Case No. 34-2008-00021188-CU-MC-GDS, CA Ct. of Appeal, 3<sup>rd</sup> Dist., Case No. No. C060957
- *Cruz et al. v. State of California, State Board of Education, State Department of Education, Tom Torlakson et al.*, Alameda County Superior Court, Case No. RG14727139
- *D.J. et al. v. State of California, California Department of Education, Tom Torlakson, the State Board of Education*, Los Angeles Superior Court, Case No. BS142775.
- *Emma C., et al. v. Delaine Eastin, et al.*, USDC (No.Dist.CA), Case No. C-96-4179
- *EMS-BP, LLC, Options for Youth Burbank, Inc., et al. v. California Department of Education, et al.*, Sacramento County Superior Court, Case No. 03CS01078 and 03CS01079 and related appeal
- *Graham et al. v the State Board of Education, the California Department of Education, Jack O'Connell, Fred Balcom, Tom Torlakson*, Los Angeles County Superior Court, Case No. BC482694, 2<sup>nd</sup> Dist., Case No. B245288
- *K.C. et al. v. Jack O'Connell, et al.*, U.S. District Court, Northern District of California, Case No. C054077 MMC
- *Nevada City School District and the Board of Trustees of the Nevada City School District v. California Department of Education, State Superintendent of Instruction Tom Torlakson, State Board of Education*, Nevada County Superior Court, Case No. CU14-080329
- *Opportunity for Learning – PB, LLC; Opportunities Learning – C, LLC, and Opportunities for Learning WSH, LLC*, Notice of Appeal Before the Audit Appeals Panel
- *Options for Youth, Burbank, Inc., San Gabriel, Inc. Upland, Inc. and Victor Valley*, Notice of Appeal Before the Education Audit Appeals Panel, OAH Case No. 2006100966 ; Los Angeles County Superior Court, Case No. BS 148496
- *Perris Union High School District v. California State Board of Education, California Department of Education, et al.*, Riverside County Superior Court, Case No. RIC520862, CA Ct. of Appeal, 4<sup>th</sup> District, Case No. E055856
- *Reed v. State of California, Los Angeles Unified School District, State Superintendent of Public Instruction, Jack O'Connell, California Department of Education, and State Board of Education, et al.*, Los Angeles County Superior Court, Case No. BC432420, CA Ct. of Appeal, 2<sup>nd</sup> Dist., Case No. B230817, CA Supreme Ct., Case No. 5191256
- *Shabazz, et al. v. Governor Edmund G. Brown Jr., California Attorney General Kamala Harris, Superintendent of Public Instruction Tom Torlakson, President California State Board of Education Dr. Michael Kirst, Does 1-50*, Alameda County Superior Court, Case No. RG12636192
- *Stoner Park Community Advocates v. City of Los Angeles, Department of Planning of the City of Los Angeles, Department of Transportation City of Los Angeles, New West Charter Middle School, and State Board of Education*, Los Angeles County Superior Court, Case No. BS138051
- *Today's Fresh Start, Inc. v. Los Angeles County Office of Education, et al.*, Los Angeles County Superior Court, Case No. BS112656, CA Ct. of Appeal, 2<sup>nd</sup> Dist., Case Nos. B212966 and B214470
- *Vergara et al. v. State of California, Governor Edmund G. Brown, Tom Torlakson, the California Department of Education, the State Board of Education*, Los Angeles County Superior Court, Case No. BC484642

Conference with Legal Counsel – Anticipated Litigation: Under *Government Code* sections 11126(e), the State Board of Education hereby provides public notice that it may meet in Closed Session to decide whether there is a significant exposure to litigation, and to consider and act in connection with matters for which there is a significant exposure to litigation. Under *Government Code* sections 11126(e)(1) and (e)(2), the State Board of Education hereby provides public notice that it may meet in Closed Session to decide to initiate litigation and to consider and act in connection with litigation it has decided to initiate.

Under *Government Code* Section 11126(c)(14), the State Board of Education hereby provides public notice that it may meet in Closed Session to review and discuss the actual content of pupil achievement tests (including, but not limited to, the High School Exit Exam) that have been submitted for State Board approval and/or approved by the State Board.

**ALL TIMES ARE APPROXIMATE AND ARE PROVIDED FOR CONVENIENCE ONLY**

**ALL ITEMS MAY BE HEARD IN A DIFFERENT ORDER THAN HOW THEY ARE LISTED ON THE AGENDA ON ANY DAY OF THE NOTICED MEETING**

**THE ORDER OF BUSINESS MAY BE CHANGED WITHOUT NOTICE**

Time is set aside for individuals desiring to speak on any topic **not** otherwise on the agenda. Please see the detailed agenda for the Public Session. In all cases, the presiding officer reserves the right to impose time limits on presentations as may be necessary to ensure that the agenda is completed.

**REASONABLE ACCOMMODATION FOR ANY INDIVIDUAL WITH A DISABILITY**

Pursuant to the *Rehabilitation Act of 1973* and the *Americans with Disabilities Act of 1990*, any individual with a disability or any other individual who requires reasonable accommodation to attend or participate in a meeting or function of the California State Board of Education (SBE), may request assistance by contacting the SBE Office at 1430 N Street, Room 5111, Sacramento, CA 95814; by telephone at 916 319-0827; or by facsimile at 916 319-0175.

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## **FULL BOARD AGENDA**

### **Public Session Day 1**

**Wednesday, September 3, 2014 – 8:30 a.m. Pacific Time ±**

California Department of Education  
1430 N Street, Room 1101  
Sacramento, California 95814

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations  
*Public notice is hereby given that special presentations for informational purposes may take place during this session.*
- Agenda Items
- Adjournment

#### **Agenda Items**

[Item 1](#) (DOC)

**Subject:** Presentation Regarding Implementation of Common Core State Standards systems by the Californians Dedicated to Education Foundation.

**Type of Action:** Action, Information

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[Item 2](#) (DOC)

**Subject:** Update on California Assessment of Student Performance and Progress Activities, including Smarter Balanced Field Test Focus Groups, Science Assessment Stakeholder Meetings, and Alternate Assessment Activities including the National Center and State Collaborative Assessment Activities.

**Type of Action:** Action, Information

---

[Item 3](#) (DOC)

**Subject:** Memorandum of Understanding for the Smarter Balanced Assessment Consortium Managed Services Contract to implement the Smarter Balanced Assessment System as Part of the California Assessment of Student Performance and Progress in the 2014–17 school years.

**Type of Action:** Action, Information

- [Item 3 Attachment 1](#) (PDF; 2MB)
- 

#### **Public Hearing**

A Public Hearing on the following agenda item will commence no earlier than 1:00 p.m. on September 3, 2014. The Public Hearing will be held as close to 1:30 p.m. as the business of the State Board permits.

[Item 4](#) (DOC)

**Subject:** Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Opportunities Unlimited Charter High School which was denied by Los Angeles County Office of Education.

**Type of Action:** Action, Information, Hearing

- [Item 4 Attachment 2](#) (XLS)
- [Item 4 Attachment 4](#) (XLS; 1MB)
- [Item 4 Attachment 6](#) (PDF)
- [Item 4 Attachment 8](#) (DOC)

**End of Public Hearing**

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[Item 5](#) (DOC)

**Subject:** Class Size Penalties, Approval of State Board of Education Policy Regarding Waivers to *Education Code* sections 41376 and 41378.

**Type of Action:** Action, Information

- [Item 5 Attachment 1](#) (DOC)
  - [Item 5 Attachment 2](#) (DOC)
- 

#### Waivers / Action and Consent Items

The following agenda items include waivers that are proposed for consent and those waivers scheduled for separate action because CDE staff has identified possible opposition, recommended denial, or determined present new or unusual issues that should be considered by the State Board. Waivers proposed for consent are so indicated on each waiver's agenda item, and public comment will be taken before board action on all proposed consent items; however, any board member may remove a waiver from proposed consent and the item may be heard individually. On a case-by-case basis, public testimony may be considered regarding the item, subject to the limits set by the Board President or by the President's designee; and action different from that recommended by CDE staff may be taken.

Federal Program Waiver (Carl D. Perkins Career and Technical Education Improvement Act)

[Item W-01](#) (DOC)

**Subject:** Request by five districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).

#### Waiver Numbers:

- Black Oak Mine Unified School District Fed-2-2014
- Health Sciences High and Middle College Charter Fed-3-2014
- Lakeport Unified School District Fed-4-2014
- Shandon Joint Unified School District Fed-6-2014
- Sierra-Plumas Joint Unified School District Fed-5-2014

(Recommended for APPROVAL)

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Special Education Program (Extended School Year [Summer School])

[Item W-02](#) (DOC)

**Subject:** Request by Gateway Unified School District for a renewal to waive *California Code of Regulations*, Title 5, Section 3043(d),

which requires a minimum of 20 school days of attendance of four hours each for an extended school year (summer school) for special education students.

**Waiver Number:** 17-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

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Special Education Program (Resource Teacher Caseload)

[Item W-03](#) (DOC)

**Subject:** Request by three local educational agencies, under the authority of California *Education Code* Section 56101 and *California Code of Regulations*, Title 5, Section 3100, to waive *Education Code* Section 56362(c). Approval of this waiver will allow the resource specialists to exceed the maximum caseload of 28 students by no more than four students (32 maximum).

**Waiver Numbers:**

- Evergreen Union School District 27-6-2014
- Lakeside Union Elementary School District 3-6-2014
- Union Elementary School District 8-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

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State Testing Apportionment Report

[Item W-04](#) (DOC)

**Subject:** Request by three local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the *California Code of Regulations*, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 1225(b)(2)(A), regarding the California High School Exit Examination; or Title 5, Section 862(c)(2)(A), regarding the Standardized Testing and Reporting Program.

**Waiver Numbers:**

- Gravenstein Union Elementary School District 7-5-2014
- Guadalupe Union Elementary School District 16-5-2014
- La Canada Unified School District 8-5-2014

(Recommended for APPROVAL)

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Administrator/Teacher Ratio (Administrator/Teacher Ratio in Elementary School District)

[Item W-05](#) (DOC)

**Subject:** Request by Banta Elementary School District to waive California *Education Code* Section 41402(a), the requirement which sets the ratio of administrators to teachers for elementary schools at nine for every 100 teachers. Banta Elementary School District would like to continue to have two full-time administrators with 14 teachers.

**Waiver Number:** 34-6-2014

(Recommended for APPROVAL)

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Charter School Program (Nonclassroom-Based Funding)

[Item W-06](#) (DOC)

**Subject:** Request by three local educational agencies to waive portions of *California Code of Regulations*, Title 5, Section 11963.6(c), relating to the submission and action on determination of funding requests regarding nonclassroom-based instruction.

**Waiver Numbers:**

- Alameda County Office of Education 10-6-2014
- Porterville Unified School District 34-5-2014
- Yuba City Unified School District 33-5-2014

(Recommended for APPROVAL)

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Community Day Schools (Colocate Facilities and Commingle Grade Levels)

[Item W-07](#) (DOC)

**Subject:** Request by three school districts to waive California *Education Code* Section 48916.1(d) and portions of California *Education Code* Section 48660, relating to the allowable grade spans for community day schools. A fourth request is from a district requesting to waive portions of California *Education Code* Section 48661(a), relating to the colocation of a community day school with other types of schools.

**Waiver Numbers:**

- Lakeport Unified School District 10-5-2014
- Lucerne Valley Unified School District 1-5-2014
- Scott Valley Unified School District 2-6-2014
- Shasta Union High School District 13-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

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Equity Length of Time

[Item W-08](#) (DOC)

**Subject:** Request by four school districts to waive California *Education Code* Section 37202, the equity length of time requirement for transitional kindergarten and kindergarten programs at the district's elementary schools.

**Waiver Numbers:**

- Dixie Elementary School District 29-6-2014
- Dunham Elementary School District 21-6-2014
- Mount Baldy Joint Elementary School District 1-6-2014
- Newark Unified School District 27-5-2014

(Recommended for APPROVAL WITH CONDITIONS)

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School Construction Bonds (Bond Indebtedness Limit - Non-Unified after 2000)

[Item W-09](#) (DOC)

**Subject:** Request by Larkspur-Corte Madera School District to waive California *Education Code* sections 15102 and 15268, related to bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for elementary and high school districts. Proposition 39 of 2000 bonds limit the tax rate levy authorized in each election to \$30 per \$100,000 of assessed value for elementary and high school districts. The district is requesting 1.5 percent bonded indebtedness limit.

**Waiver Number:** 25-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

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School District Reorganization (Elimination of Election Requirement)

[Item W-10](#) (DOC)

**Subject:** Request by ABC Unified School District to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require (1) a districtwide election to establish a by-trustee-area method of election and (2) a determination by-lot of the unrepresented trustee area to be on the first by-trustee-area governing board election.

**Waiver Number:** 24-5-2014

(Recommended for APPROVAL)

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School District Reorganization (Elimination of Election Requirement)

[Item W-11](#) (DOC)

**Subject:** Request by Moreno Valley Unified School District to waive California *Education Code* Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.

**Waiver Number:** 38-6-2014

(Recommended for APPROVAL)

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Schoolsite Council Statute (Number and Composition of Members)

[Item W-12](#) (DOC)

**Subject:** Request by 12 local educational agencies, under the authority of California *Education Code* Section 52863 for waivers of *Education Code* Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

**Waiver Numbers:**

- Davis Joint Unified School District 3-5-2014
- Davis Joint Unified School District 4-5-2014
- Davis Joint Unified School District 5-5-2014
- Dunsmuir Joint Union High School District 9-6-2014
- Hanford Joint Union High School District 30-5-2014
- Lagunitas Elementary School District 14-5-2014
- Lassen View Union Elementary School District 18-6-2014
- Mendocino County Office of Education 26-6-2014
- Modoc Joint Unified School District 18-5-2014
- Modoc Joint Unified School District 19-5-2014
- Modoc Joint Unified School District 20-5-2014
- Modoc Joint Unified School District 23-5-2014
- Oakland Unified School District 2-5-2014
- Pomona Unified School District 23-6-2014
- Siskiyou Union High School District 29-5-2014
- Upper Lake Union High School District 20-6-2014
- Valley Home Joint Elementary School District 19-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

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Supplemental Educational Services Providers (July 1 Timeline)

[Item W-13](#) (DOC)

**Subject:** Request by five local educational agencies to waive *California Code of Regulations*, Title 5, Section 13075.2(c)(1), for Supplemental Educational Services, the effective date of any ensuing approval to be July 1 of the next state fiscal year following the State Board of Education approval.

**Waiver Numbers:**

- Centinella Valley Union High School District 28-6-2014
- Encinitas Union Elementary School District 22-6-2014
- Kings River Union Elementary School District 31-6-2014
- Lake Tahoe Unified School District 30-6-2014
- Sacramento City Unified School District 24-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

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Special Education Program (Algebra I Requirement for Graduation)

[Item W-14](#) (DOC)

**Subject:** Request by two local educational agencies to waive *California Education Code* Section 51224.5(b), the requirement that all students graduating in the 2013–14 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for two special education students based on *Education Code* Section 56101, the special education waiver authority.

**Waiver Numbers:**

- Fresno Unified School District 12-5-2014
- Pleasanton Unified School District 25-6-2013

(Recommended for APPROVAL WITH CONDITIONS)

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Sufficiency of Instructional Materials – *Education Code* 60119 (County Level Approval)

[Item W-15](#) (DOC)

**Subject:** Request by Los Angeles County Office of Education under the authority of *California Education Code* Section 41344.3 for a retroactive waiver of the audit penalty for the 2012–13 fiscal year of *Education Code* Section 60119, regarding the annual public hearing and board resolution on the availability of textbooks and instructional materials for all students at all grade levels and subjects.

**Waiver Number:** 15-5-2014

(Recommended for APPROVAL)

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Class Size Penalties (Over Limit on Grades 1-3)

[Item W-16](#) (DOC)

**Subject:** Request by five school districts, under the authority of *California Education Code* Section 41382, to waive portions of *Education Code* sections 41376(a), (c), and (d) and/or 41378(a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.

**Waiver Numbers:**

- Cypress Elementary School District 16-6-2014
- Garden Grove Unified School District 25-5-2014

- Hueneme Elementary School District 33-6-2014
- Placentia-Yorba Linda Unified School District 9-5-2014
- Simi Valley Unified School District 26-5-2014

(Recommended for APPROVAL WITH CONDITIONS)

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Quality Education Investment Act (Class Size Reduction Requirements)

[Item W-17](#) (DOC)

**Subject:** Request by three local educational agencies to waive portions of California *Education Code* Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.

**Waiver Numbers:**

- Hilmar Unified School District 17-5-2014
- River Delta Joint Unified School District 11-5-2014
- San Francisco Unified School District 15-6-2014

(Recommended for APPROVAL WITH CONDITIONS)

**End of Waivers**

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[Item 6](#) (DOC)

**Subject:** Update of the *History–Social Science Framework for California Public Schools: Revised Timeline and Guidelines*.

**Type of Action:** Action, Information

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[Item 7](#) (DOC)

**Subject:** STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board office budget, staffing, appointments, and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.

**Type of Action:** Action, Information

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[Item 8](#) (DOC)

**Subject:** Update on Issues Related to California’s Implementation of the Elementary and Secondary Education Act and Other Federal Programs, Including, but Not Limited to, the School Improvement Grant Federal Targeted Monitoring Review.

**Type of Action:** Action, Information

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[Item 9](#) (DOC)

**Subject:** Update on the State Implementation Plan for California Next Generation Science Standards for Public Schools, Kindergarten through Grade Twelve.

**Type of Action:** Action, Information

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[Item 10](#) (DOC)

**Subject:** GENERAL PUBLIC COMMENT. Public Comment is invited on any matter **not** included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.

**Type of Action:** Information

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[Item 11](#) (DOC)

**Subject:** Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.

**Type of Action:** Action, Information

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[Item 12](#) (DOC)

**Subject:** Elementary and Secondary Education Act: Approve Amendments to California's Consolidated State Application Accountability Workbook related to the Title III Accountability System.

**Type of Action:** Action, Information

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[Item 13](#) (DOC)

**Subject:** Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.

**Type of Action:** Action, Information

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[Item 14](#) (DOC)

**Subject:** Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approval of Additional Providers to the 2014–16 State Board of Education-Approved Supplemental Educational Services Provider List.

**Type of Action:** Action, Information

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[Item 15](#) (DOC)

**Subject:** Local Control Funding Formula Spending Requirements (LCFF) and Local Control and Accountability Plan (LCAP) – Readoption of the Finding of Emergency and Proposed Emergency Regulations for Additions to the *California Code of Regulations*, Title 5, Sections 15494-15497.

**Type of Action:** Action, Information

- [Item 15 Attachment 1](#) (DOC; 2MB)
  - [Item 15 Attachment 2](#) (DOC)
  - [Item 15 Attachment 3](#) (DOC)
  - [Item 15 Attachment 4](#) (PDF; 1MB)
  - [Accessible Alternative Version \(AAV\) of Item 15 Attachment 4](#)
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[Item 16](#) (DOC; 2MB)

**Subject:** Approval of 2014–15 Consolidated Applications.

**Type of Action:** Action, Information

## Adjournment of Day's Session

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### FULL BOARD AGENDA Public Session Day 2

**Thursday, September 4, 2014 – 8:30 a.m. Pacific Time ±**

California Department of Education  
1430 N Street, Room 1101  
Sacramento, California 95814

- Call to Order
- Salute to the Flag
- Communications
- Announcements
- Report of the State Superintendent of Public Instruction
- Special Presentations  
*Public notice is hereby given that special presentations for informational purposes may take place during this session.*
- Agenda Items
- Adjournment

#### Agenda Items

[Item 17](#) (DOC)

**Subject:** Local Control Funding Formula: Update on California's Local Educational Agency and School Planning and Accountability System.

**Type of Action:** Action, Information

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[Item 18](#) (DOC)

**Subject:** Local Control Funding Formula Spending Requirements (LCFF) and Local Control and Accountability Plan (LCAP) – Approve Commencement of a Second 15 Day Public Comment Period for Proposed Amendments to *California Code of Regulations*, Title 5, Sections 15494-15497.

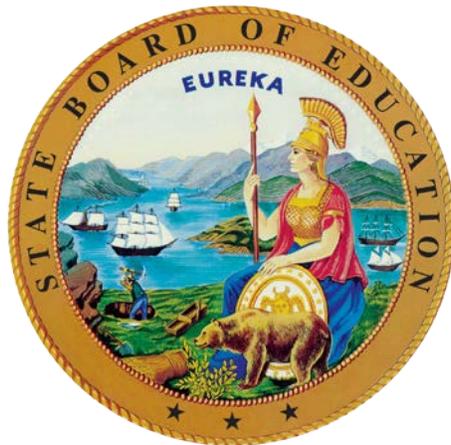
**Type of Action:** Action, Information

- [Item 18 Attachment 1](#) (DOC; **Posted** 26-Aug-2014)
- [Item 18 Attachment 2](#) (DOC; **Updated** 25-Aug-2014) Updated to correct formatting on page 33, a vertical line was removed from shaded box in last row of Annual Update table.
- [Item 18 Attachment 3](#) (DOC; **Updated** 25-Aug-2014) Updated to correct formatting on page 12, a vertical line was removed from shaded box in last row of Annual Update table.
- [Item 18 Attachment 4](#) (DOC; **Posted** 26-Aug-2014)
- [Item 18 Attachment 5](#) (DOC; **Posted** 26-Aug-2014)

#### Adjournment of Meeting

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**This agenda is posted on the [State Board of Education's Web site](http://www.cde.ca.gov/be/ag/) [http://www.cde.ca.gov/be/ag/]. For more information concerning this agenda, please contact the State Board of Education at 1430 N Street, Room 5111, Sacramento, CA, 95814; telephone 916-319-0827; facsimile 916-319-0175. Members of the public wishing to send written comments about an agenda item to the board are encouraged to send an electronic copy to [SBE@cde.ca.gov](mailto:SBE@cde.ca.gov), with the item number clearly marked in the subject line. In order to ensure that comments are received by board members in advance of the meeting, please submit these and any related materials to our office by 12:00 Noon on August 29, 2014, the Friday prior to the meeting.**



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 01**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Presentation Regarding Implementation of Common Core State Standards systems by the Californians Dedicated to Education Foundation.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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This agenda item is an update to inform the State Board of Education (SBE) and public regarding Common Core State Standards (CCSS) systems implementation activities.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the SBE listen to the presentation from Shelly Masur, CEO of the Californians Dedicated to Education Foundation, regarding Common Core Implementation and Communication Strategies. No specific action is recommended at this time, but recommends the Board take action as deemed necessary and appropriate.

#### **BRIEF HISTORY OF KEY ISSUES**

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When the SBE adopted the CCSS with additions in 2010, these standards became the current subject-matter standards in English language arts and mathematics. The full implementation of these standards will occur over several years as a new system of CCSS-aligned curriculum, instruction and assessment is developed. A Web-based interactive timeline that provides detailed information regarding the statewide implementation projects included in the plan is available on the CDE CCSS Systems Implementation—Significant Milestones Web page at <http://www.cde.ca.gov/re/cc/tl/index.asp>.

Formed in 2011, the Californians Dedicated to Education Foundation (CDE Foundation) is dedicated to improving public education in California by supporting a whole child approach to education. It has raised over \$3.5 million to support projects important to

both the California Department of Education and the State Board of Education. More information about the CDE Foundation can be found at <http://cdefoundation.org/>.

The CDE Foundation currently focuses its efforts in 3 areas: Common Core State Standards (CCSS) implementation, STEM education, and student wellness. As such, it is leading the Common Core Communications Campaign. The Campaign is working with the major statewide education organizations in California to build a strong understanding of the CCSS, how they are being implemented, and how they will positively affect California's students, teachers, and schools. Efforts in Phase One are focused on the education community including active families, with broader reach to families, and the public planned for in Phase Two. The Campaign will also provide increased access to resources for the education community to build knowledge and skills related to CCSS implementation. Current communications resources are available at <http://cdefoundation.org/ccss-campaign/>.

Shelly Masur joined the CDE Foundation as the CEO in February 2014. She brings a background in non-profit leadership, adolescent health, and education policy. Shelly is a school board member in Redwood City and serves on numerous non-profit boards and advisory boards.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**July 2011-May 2014:** The CDE presented to the SBE a series of regular updates on the implementation of the CCSS. Previous items regarding CCSS area available at <http://www.cde.ca.gov/re/cc/sbeccssmeetingagenda.asp>.

**March 2012:** The SBE unanimously voted to present, in partnership with the SSPI, the *CCSS Systems Implementation Plan for California* to the Governor and the California State Legislature thereby fulfilling the requirements of California *Education Code* Section 60605.8 (h). The *CCSS Systems Implementation Plan for California*, available on the CDE CCSS Web page at <http://www.cde.ca.gov/re/cc/>.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

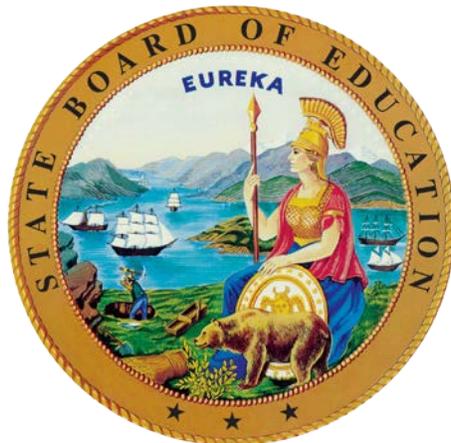
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The cost of implementing the CCSS is significant, but will be offset by the improved efficiencies, benefits of shared costs with other states, and the shifting of current costs to CCSS activities. In terms of instructional materials, costs will span multiple years but will be offset by access to a national market of materials and greater price competition in so long as California does not add state-specific evaluation criteria. Nonetheless, the implementation of new CCSS-aligned assessments, professional learning supports, and instructional materials will require a shifting and infusion of new resources. Assembly Bill 86 (Chapter 48, Statutes of 2013), Section 85, appropriates \$1.25 billion to support the integration of academic content standards in instruction adopted pursuant to sections 60605.8, 60605.85, 60605.10, 60605.11, and 60811.3 of the California *Education Code*.

**ATTACHMENT(S)**

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None



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 02**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b>	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
Update on California Assessment of Student Performance and Progress Activities, including Smarter Balanced Field Test Focus Groups, Science Assessment Stakeholder Meetings, and Alternate Assessment Activities including the National Center and State Collaborative Assessment Activities.	

#### SUMMARY OF THE ISSUE(S)

This item reflects the collaboration of the Assessment Development and Administration Division (ADAD), the Educational Data Management Division (EDMD), and the Special Education Division (SED) of the California Department of Education (CDE).

#### **California Assessment of Student Performance and Progress**

The California Assessment of Student Performance and Progress (CAASPP) System includes Smarter Balanced computer-based assessments that are aligned to the Common Core State Standards (CCSS), specified state-developed paper-pencil assessments that were previously administered through the Standardized Testing and Reporting (STAR) Program, and new assessments to be recommended by the CDE with stakeholder input and approved by the State Board of Education (SBE).

This item provides an update on CAASPP development activities, including the Smarter Balanced Field Test administration focus groups and Post-Test survey, science assessment stakeholder meetings, and alternate assessment activities.

#### **Smarter Balanced Focus Groups and Post-Test Survey Results**

California completed the administration of the Smarter Balanced Field Test between March 25 and June 13, 2014. Approximately, 3.1 million students in grades three through eight, and eleven participated in English–language arts (ELA) and mathematics assessments. In addition, a sample of students from grades nine and ten were selected for the scientific sample for vertical articulation scaling purposes. In order to collect information from local educational agencies (LEAs) about their experience with the Smarter Balanced Field Test, the CDE convened eight focus groups in July: three in Southern California and five in Northern California. Each focus group consisted of eight to ten California educators who participated in the Smarter Balanced Field Test as one of the three designated roles: LEA CAASPP Coordinator, Site Coordinator, or Test Administrator. Test Administrators are teachers who are familiar with the CCSS and curriculum and teach ELA or mathematics. Focus group participants were randomly

selected with consideration for the diversity of California in terms of size of schools, socioeconomic status, and geographic locations (urban/suburban). The participants represented a variety of LEAs, including independently testing charter schools. In addition, two of the five focus groups in Northern California targeted teachers of special populations specifically students with disabilities (SWDs) and English learners (ELs). The questions for these two focus groups elicited responses about the challenges each group faced in administering the Smarter Balanced Field Test. The summary of these in-person focus group meetings will be provided when results are available as a November SBE Item.

The CDE also convened three focus groups with parents and students to collect information regarding their experience with the Smarter Balanced Field Test. The focus groups were held in July and August 2014 in Southern, Central, and Northern California. The summary of these in-person focus group meetings will be provided when results are available as a November SBE Item.

In addition to these in-person focus group meetings, a Post-Test survey was conducted to collect additional information from Test Coordinators, Technology Coordinators, and Test Administrators. The purpose of the focus groups and Post-Test survey was to solicit feedback on test administration, technology readiness, and test delivery system functionality including universal tools for accessibility, as well as to identify best practices for test administration. The Post-Test survey was available between June 25 and August 30, 2014. The summary of the Post-Test Field Test survey results will be provided when results are available as a November SBE Item.

## **Technology Update**

As detailed in the August SBE Information Memorandum (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-edmd-aug14item01.doc>), the K-12 High Speed Network (K12HSN) plans to release the Broadband Infrastructure Improvement Grant (BIIG) announcement in late August. The grants will be used to assist those schools that need immediate network connectivity improvements in order to implement computer-based assessments for the 2014–15 school year. Grant participants are scheduled to be notified in October.

In preparation for the connectivity report, the K12HSN reviewed existing sources of information, including responses to Educational Testing Service (ETS), the California Educational Technology Professionals Association (CETPA), and other technology readiness surveys to refine the data points needed to be collected from schools sites. A survey for collecting additional information will be released this fall to assist with completing the legislatively mandated report, which is due to the Department of Finance (DOF), Legislative Analyst's Office (LAO), and the Legislature by March 1, 2015.

## **Outreach Activities to Prepare LEAs for the 2015 Smarter Balanced Operational Assessment**

The ADAD, in collaboration with Senior Assessment Fellows and the associated contractors, continues its outreach to prepare LEAs for the Smarter Balanced

operational administration in spring 2015. The outreach efforts were identified based on input from LEAs, lessons learned from the Field Test, and discussions in outreach coordination meetings and will include a series of tools, presentations, and professional development. These efforts include providing support to LEAs to use the Designated Supports and Accommodations for their students. The activities will focus on the value of the Designated Supports and Accommodations, a process to identify students who use Designated Supports, and the use of the Individual Student Assessment Accessibility Profile (ISAAP). In addition, a series of best practices, based on successful Field Test experiences, will profile effective practices in the areas of technology, scheduling, training, and administration of the computer-based test. A communication toolkit to support district communication to stakeholders will also be available to LEAs. Finally, ADAD staff and the Senior Assessment Fellows are developing and providing presentations on the use of the Digital Library, Interim Assessments, and performance tasks as part of a balanced assessment system.

### **Science Assessment Stakeholder Meetings**

Assembly Bill (AB) 484 requires the State Superintendent of Public Instruction (SSPI) to make recommendations to the SBE regarding the assessment of the newly adopted science standards, called the Next Generation Science Standards (NGSS). The recommendations shall be developed after consultation with stakeholders regarding new science assessments.

The ETS convened 2 two-day in-person meetings in Sacramento, California, between July 15 and July 18, 2014, to obtain initial input from stakeholders about developing new science assessments aligned to the state-adopted NGSS, including the federally-required science tests and other science assessments that the state may develop as part of the CAASPP System. As required by law, participants of the stakeholder meetings included California science teachers, individuals with expertise in assessing ELs and SWDs, parents, and measurement experts. The summary of these stakeholder meetings will be provided when results are available.

### **Alternate Assessment**

At the July 2014 meeting, the SBE approved a proposed plan for full (100 percent of eligible students) participation in spring 2015 using the National Center and State Collaborative (NCSC) alternate assessment field test, for California eligible students with significant cognitive disabilities. As detailed in the ADAD August Information Memorandum, the CDE notified the NCSC on July 14, 2014 of California's plan to participate in the spring 2015 alternate assessment administration as a field test with all of California's eligible students (<http://www.cde.ca.gov/be/pn/im/documents/memo-dsib-adad-aug14item03.doc>). Further, the SBE directed the CDE to explore other alternate assessment options. The SBE also directed the CDE to submit a waiver to eliminate double testing. Students who previously took the California Alternate Performance Assessment (CAPA) will not take the CAPA ELA and mathematics in 2015. The CAPA science assessments, required by federal law, will continue to be administered in 2014–15 and until an alternate assessment for science is adopted by the SBE.

The CDE communicated to NCSC a proposal to deliver the NCSC alternate assessment modeled after the successful implementation of Smarter Balanced. The Department formalized the request and received communication from NCSC on July 30, 2014 stating: "Only states that plan to administer the test under operational conditions, fully implementing all features of the NCSC summative assessment design, will be able to participate in spring 2015."

As indicated in the NCSC letter, no state will be allowed to participate on a field test basis as previously indicated in their work plan. This decision will affect three other states, Tennessee, Pennsylvania, and Maryland. Based on California's request, the NCSC reviewed and determined that given its "available resources, capacity, and timelines," it could not accommodate California. However, the NCSC decision included the opportunity to participate in the NCSC Phase II Pilot, which ensures California students will be represented in the final design, item bank data, and analysis. Therefore, the CDE has decided to take the opportunity to participate in the Phase II Pilot. Meanwhile, the CDE continues to collect information and have conversations with other states, as it explores options for a California alternate assessment.

## **RECOMMENDATION**

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This item is for information only. No specific action is recommended.

## **BRIEF HISTORY OF KEY ISSUES**

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### **California Assessment of Student Performance and Progress**

Per California *Education Code (EC)* 60640, the CAASPP System succeeded the STAR Program on January 1, 2014. The new statewide assessment system supports the full implementation of CCSS.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In July 2014, the CDE provided the SBE with an update on CAASPP activities, details of the Smarter Balanced Field Test, results of the Mid-test survey, planning of the Post-Test survey and focus group meetings, and future outreach activities for the 2015 Smarter Balanced operational assessments.

(<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item22.doc>)

In addition, the SBE approved the contract amendment to extend the ETS contract until December 31, 2015. (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item05.doc>)

In March 2014, the CDE provided the SBE with an update on CAASPP activities, outreach efforts to prepare LEAs for the Smarter Balanced Field Test, the Smarter Balanced Digital Library, spring 2014 Smarter Balanced Field Test, NCSC activities, and planning of the science assessment stakeholder meetings.

(<http://www.cde.ca.gov/be/ag/ag/yr14/documents/mar14item14.doc>)

In January 2014, the CDE provided the SBE with an update on statewide assessment transition activities, including the establishment of the CAASPP System, the spring 2014 Smarter Balanced Field Test preparation activities, information about the Smarter Balanced *Usability, Accessibility, and Accommodations Guidelines*, the CDE and ETS training modules for California LEAs, and a CAASPP technology update. (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jan14item04.doc>)

In November 2013, the CDE provided the SBE with highlights of AB 484, information on the availability of the Smarter Balanced *Usability, Accessibility, and Accommodations Guidelines*, an update on the Technology Readiness Tool, an update on changes to the new registration system with the California Longitudinal Pupil Achievement Data System, and an update on collaboration activities of the CDE and the K12HSN. (<http://www.cde.ca.gov/be/ag/ag/yr13/documents/nov13item08.doc>)

In September 2013, the CDE presented information to the SBE on Smarter Balanced assessment development activities, including legislative developments, findings from the CDE Technology Preparedness Survey, a report on research regarding the costs of statewide student testing, research regarding computer-based versus paper-based testing, an update on the draft *Accessibility and Accommodations Guidelines*, development activities for the spring 2014 Field Test, and a comparison of costs for the development and administration of the ELA and mathematics portions of the STAR Program and the Smarter Balanced assessment system. (<http://www.cde.ca.gov/be/ag/ag/yr13/documents/sep13item03.doc>)

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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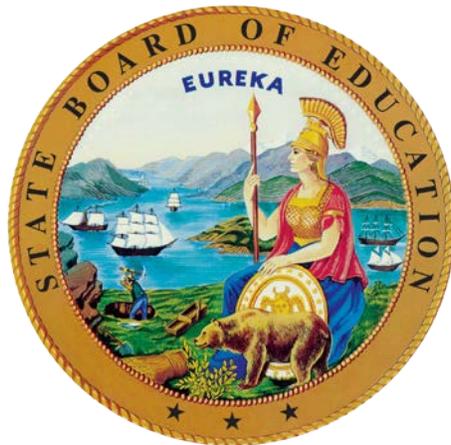
Funding for the CAASPP System is included in the Governor's proposed 2014–15 Budget Act for contract costs as approved by the SBE, contingent upon DOF review of the related contract, during contract negotiations, prior to its execution.

The proposed budget includes a total of \$89,081,000 for contracts related to the CAASPP system. This includes \$9.55 million for consortium-managed services for the CAASPP Smarter Balanced assessments to be provided by the University of California, Los Angeles, National Center for Research on Evaluation Standards and Student Testing (CRESST) and \$200,000 for the first six months of a separate contract to provide an independent evaluation of the CAASPP System. The remaining \$73,231,000 is available to fund contract activities for the 2014–15 test administration and \$6 million for the development of specified new CAASPP assessments per SBE actions as part of this contract amendment. The final budget for this contract amendment is to be negotiated and approved by the CDE, SBE, and DOF.

#### **ATTACHMENT(S)**

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None.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 03**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Memorandum of Understanding for the Smarter Balanced Assessment Consortium Managed Services Contract to implement the Smarter Balanced Assessment System as Part of the California Assessment of Student Performance and Progress in the 2014–17 school years.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

The Smarter Balanced Assessment Consortium (SB Consortium) has been funded by a U.S. Department of Education grant that is set to end in September 2014. The federal grant has been administered by the State of Washington, to provide oversight for all fiscal, administrative, and operational responsibilities as fiscal agent for the SB Consortium. In 2011, California signed a Memorandum of Understanding (2011 MOU) with the SB Consortium to participate as a Governing State. The purpose of the 2011 MOU was to describe the vision and principles of the SB Consortium; establish the governance structure, roles, responsibilities, and activities of the Consortium States; and describe State entrance, exit, and status changes.

To continue post-grant, the SB Consortium is being transformed and has selected the University of California, Los Angeles (UCLA), National Center for Research and Evaluation Standards and Student Testing (CRESST) to assume the fiscal, administrative, and operational responsibilities for providing services to the consortium states. The SB Consortium's governing board will continue to operate pursuant to the 2011 MOU to direct and oversee UCLA/CRESST, including approval of budgets, staffing plans, and project schedules. UCLA/CRESST will be reimbursed by state members for the proportionate share of actual expenses, so that UCLA/CRESST operates on a revenue neutral basis.

In order to continue participation in the SB Consortium post-grant, all member states, including California, must sign the MOU with UCLA/CRESST (UCLA/CRESST MOU) (Attachment 1). Consistent with California *Education Code (EC)* Section 60643 (b)(1), the Department shall develop, and the Superintendent and the State Board of Education (SBE) must approve and sign all contracts entered into in connection with the California Assessment of Student Performance and Progress (CAASPP) System provided for in *EC* 60640. The Department has developed and negotiated the UCLA/CRESST MOU, the Superintendent has approved it and, now, the Department recommends the SBE take action to approve the UCLA/CRESST MOU for California to continue participation

in the SB Consortium. The UCLA/CRESST MOU is for the period of July 1, 2014 through June 30, 2017 (three years).

Table 1 displays the services that California will receive through the Smarter Balanced annual membership fee of \$9.55 million. This fee is used to support three facets of the Smarter Balanced Assessment System: (1) Member Services, (2) Summative and Interim Assessments, and (3) Digital Library of Formative Assessment Tools and Practices.

**Table 1: Services Provided by Smarter Balanced As Part of Membership**

### **Member Services**

- Maintain state-led governance system
- Provide communication tools and templates
- Provide support for State Assessment Directors and Chiefs (e.g., state superintendents)
- Continue engagement of higher education and encourage recognition of the grade eleven assessment

### **Summative and Interim Assessments**

- Develop, calibrate, and evaluate quality of items
- Ensure integrity of blueprint and scale
- Provide necessary Peer Review assurances for federal accountability
- Develop and release the Smarter Balanced version of the test administration platform (on annual basis)
- Develop and implement a certification process
- Certify eligible vendors for test administration
- Certify States' implementation of the overall Smarter Balanced system
- Produce materials and processes to maintain consistency across States (e.g., training, administration manuals, accommodations procedures, etc.)
- Produce standardized reports for assessment results
- Supply student results to the state (if requested), and provide access to reporting system
- Conduct research studies in support of the Smarter Balanced validity framework and use of effective accommodations and supports for students
- Design paper and pencil forms for up to three years

### **Digital Library of Formative Assessment Tools and Practices**

- Develop and maintain digital library application

- Host digital library application
- Facilitate development and review of formative materials
- Conduct regular reviews and evaluations of user needs

Representatives of the SB Consortium, Joe Willhoft, Executive Director, and Tony Alpert, Chief Operating Officer and Eva Baker, Co-Director of the National Center for Research on Evaluation, Standards, and Student Testing (CRESST) will be available to provide a brief overview of this transition and to answer any questions related to the change in governance structure and responsibilities of state participation.

## **RECOMMENDATION**

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The CDE recommends that the SBE authorize SBE President Michael Kirst or his designee to sign the MOU for the SB Consortium Managed Services Contract.

## **BRIEF HISTORY OF KEY ISSUES**

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Per California *EC* Section 60640, the CAASPP System succeeded the Standardized Testing and Reporting Program on January 1, 2014. The new statewide assessment system supports the full implementation of Common Core State Standards.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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On June 3, 2011, an MOU for California to join the SB Consortium as a governing state with decision-making capacity was signed by SBE President Michael Kirst, State Superintendent of Public Instruction (SSPI) Tom Torlakson, and Governor Edmund G. Brown, Jr.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The funding for the CAASPP System is to be an annual budget appropriation. The agreement will be for the period of July 1, 2014 through June 30, 2017 (three years) at the cost of \$9.55 million annually (total \$28,650,000).

The funding for this membership was requested as part of the budget change proposal to implement Assembly Bill 484 and the requested funding was approved and included in the 2014 Budget Act. Funding for 2015–16 and 2016–17 will be contingent upon subsequent annual appropriations for this membership. Per the Budget Act (6110-113-0001, Provision 2), funds provided for the CAASPP System are contingent upon Department of Finance review of the related contract, during contract negotiations, prior to its execution.

## **ATTACHMENT(S)**

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Attachment 1: Memorandum of Understanding and Agreement (28 pages)

**Approval of Memorandum of Understanding with  
The Regents of the University of California  
for Consortium-Managed Services for the  
California Assessment of Student Performance and Progress**

Per California Education Code Section 60640, the California Department of Education shall develop, and the Superintendent and the State Board of Education shall approve, a contract or contracts to be entered into with a contractor in connection with the test(s) provided for in the California Assessment of Student Performance and Progress. The department may develop the contract through negotiations. In approving a contract amendment to the contract authorized pursuant to this section, the department, in consultation with the state board, may make material amendments to the contract that do not increase the contract cost. Contract amendments that increase contract costs may only be made with the approval of the department, the state board, and the Department of Finance.

Per the 2014 Budget Act (6110-113-0001, Provision 2), funds provided for contract costs for the implementation of the statewide pupil assessment system established pursuant to Chapter 489 of the Statutes of 2013 (i.e., CAASPP), as approved by the State Board of Education, and are contingent upon Department of Finance review of the related contract, during contract negotiations, prior to its execution.

Expenditures are contingent upon, and are not to exceed, the amount appropriated for approved contract costs in each respective fiscal year budget act.

**SBE Approval:**

My signature below indicates the agreement of the SBE to this revised scope of work.

Dated: \_\_\_\_\_  
Karen Stapf-Walters, Executive Director  
State Board of Education

**CDE Approval:**

Dated: \_\_\_\_\_  
Keric Ashley  
Interim Deputy Superintendent of Public Instruction  
District, School, and Innovation Branch  
California Department of Education



CALIFORNIA  
DEPARTMENT OF  
EDUCATION

**TOM TORLAKSON**

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

July 11, 2014

Michael Cohen, Finance Director  
Department of Finance  
915 L Street  
Sacramento, CA 95814

Dear Mr. Cohen:

The California Department of Education is submitting the attached Memorandum of Understanding for the Smarter Balanced Assessment Consortium Managed Services to be provided beginning in July 2014. The MOU will be with The Regents of the University of California, represented by the University of California, Los Angeles (UCLA) National Center for Research and Evaluation Standards and Student Testing (CRESST), which will be to provide leadership and resources for the Smarter Balanced formative tools and interim and summative assessments that are a part of the California Assessment of Student Performance and Progress (CAASPP). The agreement will be for the period of July 2014 through June 2017 (three years) at the cost of \$9.55 million annually (total \$28,650,000).

The funding for this membership was requested as part of the budget change proposal to implement Assembly Bill 484 and the requested funding was approved and included in the 2014 Budget Act. The funding for 2015-16 and 2016-17 will be contingent upon subsequent annual appropriations for this membership. Per the 2014 Budget Act (6110-113-0001, Provision 2), funds provided for CAASPP are contingent upon Department of Finance review of the related contract, during contract negotiations, prior to its execution.

If you have questions regarding this contract amendment, please contact me by phone at 916-322-2552 or by e-mail at [eres@cde.ca.gov](mailto:eres@cde.ca.gov).

Sincerely,

Roxanne Eres, Director  
Fiscal and Administrative Services Division

RE:dm

cc: Jillian Kisse, Finance Budget Analyst

**Department of Finance Approval:**

\_\_\_\_\_  
Michael Cohen, Finance Director

Dated: \_\_\_\_\_

## MEMORANDUM OF UNDERSTANDING AND AGREEMENT

This Memorandum of Understanding and Agreement (this "MOU") is entered into by and between the entity (or authorized agency or division thereof) identified as "Member" by the parties' signatures below ("Member"), and The Regents of the University of California ("UC"), a public entity with full powers of self governance under Article IX, Section 9 of the California Constitution, as represented by the University of California at Los Angeles and its National Center for Research on Evaluation, Standards and Student Testing ("CRESST"), which is located in UCLA's Graduate School of Education and Information Studies (collectively, "UCLA/CRESST"), as of the latest date set out by the parties' signatures below (the "Execution Date"), with reference to the following:

- A. The Smarter Balanced Assessment Consortium (the "Consortium") is currently a state-led enterprise intended to provide world-class leadership and resources to improve teaching and learning by creating and maintaining a balanced suite of formative, interim and summative assessment tools aligned to the Common Core State Standards in mathematics and English Language Arts/Literacy. The Consortium is not an independent legal entity and thus, the State of Washington currently acts as the Consortium's fiscal agent (the "Fiscal Agent") and oversees all fiscal, administrative and operational responsibilities on behalf of the Consortium.
- B. UCLA/CRESST has as its mission the promotion of research, development, applications and training designed to raise the learning of students and the abilities of teachers, and to improve educational institutions through the creation of knowledge, models and tools.
- C. The Consortium's projects are currently funded primarily through a grant from the U.S. Department of Education, but this grant will end in 2014, and the intent of this MOU is to enable the work of the Consortium to continue at UCLA/CRESST, with UC assuming those current or anticipated liabilities of the Consortium or the State of Washington in its capacity as the Fiscal Agent as may be expressly set forth in one or more written agreements between UC and the Fiscal Agent.
- D. As the Fiscal Agent, the State of Washington has entered into contracts and undertaken obligations on behalf of the Consortium and its members, and Member understands and expects that the work of the Consortium will be transitioned to UCLA in a manner that allows UC to succeed to the fiscal, administrative and operational responsibilities currently carried out by the Fiscal Agent.
- E. Schedule 1 attached hereto contains a list of current contracts to which the Fiscal Agent is a party on behalf of the Consortium that will be assigned to UC (the "Consortium Contracts"), together with a list of those other Consortium assets currently owned by or otherwise in the possession of the Fiscal Agent that will be assigned to UC (the "Consortium Assets"), and pursuant to a separate written agreement the Fiscal Agent will assign or otherwise transfer to UC the Consortium Assets and the Consortium Contracts.
- F. Beginning with UC's 2014-2015 fiscal year (which begins on July 1, 2014), Smarter Balanced ("SB") will exist under and operate as a part of The UCLA Graduate School of Education and Information Studies, subject to the direction of the Governing Board, to be funded by members paying annual fees to UC, in order to allow the Consortium's work to continue for those members that execute this MOU.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Member and UC agree as follows:

### 1. Definitions.

- 1.1. "Annual Fees" means those amounts that Member pays for its participation in SB pursuant to this MOU, including any late fees charged pursuant to Section 5.1(d) below. Member's initial Annual Fees, which are calculated on a projected per-student basis (as described in Section 5.6(c) below) are set forth on Exhibit A, and Exhibit C attached hereto provides the calculations on which the Annual Fees will be based during the Term

of this MOU. Exhibit C may be updated from time to time during the Term at the direction of the Governing Board to reflect any changes to the way the Annual Fees are calculated, and Exhibit A will be updated at least yearly at the direction of the Governing Board to reflect the Annual Fees for each subsequent fiscal year during the Term.

- 1.2. **“Annual Operating Expenses”** means the annual operating expenses for SB, as measured on a fiscal year basis, as approved by the Governing Board, and as described in more detail in Section 5.2 below. Consistent with UC’s goal of operating SB on a “revenue neutral” basis, the Annual Operating Expenses will be determined by reference to the total number of Members entering into memoranda of understanding with UC for participation in SB and the total fees the Members will pay annually.
- 1.3. **“Assessment System”** means the services, tools, applications, and resources, developed initially by the Consortium, which will be managed by SB from and after the Effective Date, and which includes, but is not necessarily limited to, the SB Materials and the UC Materials.
- 1.4. **“Confidential Information”** means any nonpublic information of Member that is disclosed to or otherwise shared with SB and UC, and any nonpublic information of SB that is disclosed to or otherwise shared with Member. Confidential Information will be identified at the time of disclosure as “confidential.” Confidential Information will further include any information that the Governing Board Procedures designate for confidential treatment.
- 1.5. **“Consortium Assets”** has the meaning ascribed to it in the recitals, above. For the avoidance of doubt, the Consortium Assets include the SB Marks and will further include any Enhancements to the Consortium Assets, including (without limitation) any such Enhancements developed during the Term of this MOU.
- 1.6. **“Consortium Governance Structure Document”** means the Smarter Balanced Assessment Consortium Governance Structure Document dated July 1, 2010 (as amended by the Consortium from time to time), which is available on the “Governance” page of the Consortium’s website, <http://www.smarterbalanced.org/about/governance/>, under “Publications and Resources.”
- 1.7. **“Effective Date”** means July 1, 2014.
- 1.8. **“Enhancements”** means any enhancements, improvements, modifications or alterations to any works of authorship or other materials that embody any intellectual property rights that are conceived or otherwise developed by a party, alone or with others, or by the parties jointly, under or in connection with their performance of this MOU.
- 1.9. **“Executive Committee”** means the set of representatives elected by the Governing Board, together with at least one ex officio representative of UC. The Executive Committee will have primary responsibility for interfacing with SB on behalf of the Governing Board and the Members.
- 1.10. **“Governing Board”** means a board that consists of one representative from each Member, and to which Member will be entitled to appoint its Member Representative, who will serve during the Term of this MOU. The Governing Board will meet on a regular basis and will be responsible for providing SB with Member input and direction on operational and financial issues for SB.
- 1.11. **“Governing Board Procedures”** means the set of rules, policies, and procedures that will govern the operations of the Governing Board and the Executive Committee. The Governing Board Procedures will be created, adopted and amended pursuant to the terms of Section 3.3 below; provided, that until such time as the Governing Board Procedures have been adopted as set forth herein, the Governing Board will continue to operate in accordance with the Consortium Governance Structure Document. In addition, in the

event of any conflict between the Governing Board Procedures and this MOU concerning the allocation of authority between the Governing Board and the Executive Committee, the Governing Board Procedures will take precedence, and any references in this MOU to "Governing Board" or "Executive Committee" will be understood as referring to the body that has been allocated the applicable authority under the then-current Governing Board Procedures. For avoidance of doubt, the foregoing refers only to the allocation of authority between the Governing Board and the Executive Committee, and the Governing Board Procedures and actions of the Governing Board will at all times be subject to the provisions of Sections 3.2 and 3.3 below.

- 1.12. **"Governing Board Representative"** means an individual designated by the Governing Board who will be the single point of contact between the Governing Board and UC and between the Governing Board and each Member. At or promptly following its first meeting, the Governing Board will designate the Governing Board Representative. The Governing Board Procedures will specify the means by which the Governing Board can change the Governing Board Representative and the notice required to be given to Members and UC upon any such change.
- 1.13. **"Invoice"** means an invoice sent by UC to Member that includes the information (if any) that Member has identified on Exhibit A as required to be included on invoices submitted to Member.
- 1.14. **"Member Materials"** means any and all services, tools, applications, resources, documentation, reports, works of authorship, specifications, know-how, trade secrets, ideas, discoveries, improvements, and other works protected by intellectual property rights that are independently developed by Member during the Term of this MOU and that are not Consortium Assets, SB Materials, or UC Materials. The Member Materials will further include any Enhancements to the Member Materials, including (without limitation) any such Enhancements developed during the Term of this MOU, as long as such Enhancements are independently developed by Member.
- 1.15. **"Member Representative"** is the individual appointed by Member to serve as Member's representative to the Governing Board. Member's initial Member Representative is identified on Exhibit A attached hereto. Member will give UC and the Governing Board at least 15 days prior written notice of any change to its Member Representative.
- 1.16. **"Members"** means, collectively, every state, commonwealth or United States territory that enters into a memorandum of understanding and agreement with UC for participation in SB, as well as any other entities that the Governing Board determines to provide with voting rights in SB equal to the rights enjoyed by Member under this MOU. By way of example, if upon approval of the Governing Board the Bureau of Indian Education or the Department of Defense should enter into a memorandum of understanding and agreement with UC for participation in SB, then such entity would be included in the definition of Members hereunder. The term **"Other Member"** is used to refer to Members other than Member in the singular.
- 1.17. **"Monthly Fee Amount"** means one twelfth (1/12<sup>th</sup>) of Member's Annual Fee.
- 1.18. **"Most Favored Nations Provisions"** means the terms of the following sections of this MOU: Section 2 ("Term and Termination"); Section 5.1 ("Fees"); Section 5.4 ("Confidentiality"); Section 5.5 ("Obligations of UC"); Section 5.6 ("Obligations of Member"); and Section 6.2 ("Representations and Warranties by UC"). The Most Favored Nations Provisions also include Exhibit B and Exhibit C attached hereto.
- 1.19. **"Non-routine Services"** means any administrative or support services such as legal, contracting, accounting, or purchasing, that are beyond the scope of the Support Services to be provided by UC to SB pursuant to Section 5.5(e).

- 1.20. **“Planning Documents”** means, with respect to SB, the annual budget (including the Annual Operating Expenses for each fiscal year), staffing plans, project schedules, descriptions of Products and Services to be offered to Members, and such other planning and management documentation as the Governing Board determines for each fiscal year.
- 1.21. **“Products and Services”** means those products and services that Member obtains from UC pursuant to this MOU, which will include (without limitation): general operational support; assessment and item design; interoperability and certification assistance; applications development and maintenance pursuant to agreed upon milestones and service levels; access to and use of the SB Website; reporting services; and, to the extent included in or otherwise relevant to the foregoing, the Consortium Assets, the SB Materials, and the UC Materials. The specific Products and Services available to Member at the Effective Date are set forth in Exhibit B. The Products and Services are subject to change from time to time as set forth in Section 5.5(a) below. Section 5.5(a) also sets forth the process by which Member will identify Products and Services for purchase under this MOU.
- 1.22. **“Project Manager”** means, with respect to each party, that individual who is designated as its principal point of contact for day to day operational communications with the other party under this MOU. Member’s initial Project Manager will be Member’s State Lead, as identified on Exhibit A attached hereto, unless a different person is identified on Exhibit A as the Project Manager. Member will give UC at least 15 days prior written notice of any change to its Project Manager. UC’s initial Project Manager will be Noelle Griffin; provided, UC’s Project Manager and his or her responsibilities are subject to change from time to time as set forth in Section 5.5(b) below.
- 1.23. **“Reserve Account”** has the meaning given to it in Section 5.3(a) below.
- 1.24. **“SB Marks”** means, collectively, the Smarter Balanced name and those Smarter Balanced logos identified on Schedule 1 to this MOU, as well as any derivation thereof that would reasonably be understood to be referring to Smarter Balanced; provided, however, that the Governing Board must approve in advance any proposed combination of any SB Mark with any UC Mark, and any combined mark approved by the Governing Board will remain subject to all applicable terms and restrictions set forth or referenced herein regarding use of UC Marks.
- 1.25. **“SB Materials”** means any and all services, tools, applications, resources, documentation, reports, works of authorship, specifications, know-how, trade secrets, ideas, discoveries, improvements and other works protected by intellectual property rights that may be developed from time to time by SB, or by other UC resources or third parties acting at the direction of SB or UC, and that are paid for by Annual Fees from Members. The SB Materials are expected to include, without limitation, assessment items and revisions thereto, as well as other materials created for use in the administration of assessments to students. The SB Materials will further include any Enhancements to the SB Materials, including (without limitation) any such Enhancements developed during the Term of this MOU. For avoidance of doubt, the SB Materials specifically exclude any items that constitute existing Consortium Assets, Member Materials or UC Materials. Regardless of who holds title to the SB Materials, all ownership rights and interests in the SB Materials will be directed and controlled by the Governing Board so that such rights and interests inure to the benefit of the Members.
- 1.26. **“SB Personnel”** means those employees and contractors that UC hires as SB employees or otherwise engages as contractors to provide services to SB (including but not limited to employees with career appointments, temporary employees, and contract employees).
- 1.27. **“SB Website”** will be the website established, operated and maintained by SB as part of the products and services provided to Members.

- 1.28. “**Shortfall**” has the meaning given to it in Section 5.3 below.
- 1.29. “**State Lead**” means Member’s principal point of contact under this MOU for high-level communications. Member’s initial State Lead is identified on Exhibit A attached hereto. Member will give UC at least 15 days prior written notice of any change to its State Lead.
- 1.30. “**STIP Rate**” means the most recently available rate of return earned by UC’s Short-Term Investment Pool, as calculated and published by the General Accounting Office in UC’s Office of the President.
- 1.31. “**Support Services**” has the meaning given to it in Section 5.5(e) below.
- 1.32. “**Term**” has the meaning given to it in Section 2.1 below.
- 1.33. “**UC Marks**” means, collectively, the University of California name (including abbreviations of any University of California name), trade names, logos, seals and other trademarks and identifying names or graphics, as well as any derivation thereof that would reasonably be understood to be referring to the University of California or any campus, center, division or representative thereof. The UC Marks will further include any Enhancements to the UC Marks, including (without limitation) any such Enhancements developed during the Term of this MOU.
- 1.34. “**UC Materials**” means any and all services, tools, applications, resources, documentation, reports, works of authorship, specifications, know-how, trade secrets, ideas, discoveries, improvements, and other works protected by intellectual property rights that are independently developed by UCLA/CRESST, or by any other UC resources, that were not developed using any Annual Fees. The UC Materials are expected to include, without limitation, analytical tools, statistical models, and intellectual property related to assessment design and analysis. The UC Materials will further include any Enhancements to the UC Materials, including (without limitation) any such Enhancements developed during the Term of this MOU.
- 1.35. “**Vendor Specification Package**” means the set of requirements, analyses, specifications, and other materials that SB provides to Member for the purpose of facilitating Member’s use of one or more vendors for the implementation, operation, and delivery of the Assessment System.

## 2. **Term and Termination.**

- 2.1. Term. This MOU will have an initial term of three years, commencing on the Effective Date. Upon expiration of the initial term, this MOU will automatically renew for successive one-year periods, unless earlier terminated as set forth herein; provided, that after the initial three-year term, Member may provide UC with written notice of non-renewal between July 1 and October 1 of any calendar year, and this MOU will terminate at the end of the then-current term. As used in this MOU, “**Term**” refers to the initial term and any and all renewal terms.
- 2.2. Termination of MOU.
  - (a) Termination for Breach. Either party may terminate this MOU if the other party fails to cure a material default of the terms hereof within 30 days after receiving written notice of the default.
  - (b) Termination for Violation of State Law. Member may terminate this MOU on thirty (30) days’ prior written notice in the event that the Governing Board should take any action that violates Member’s state laws applicable to Member’s performance of this MOU, unless the Governing Board cures the violation within the 30-day period after receiving Member’s notice. In order to exercise its termination right under this paragraph, Member’s written notice to UC and the Governing Board Representative must include a written opinion of Member’s legal counsel that identifies in

reasonable detail the applicable state law or laws violated and the specific action or actions of the Governing Board in violation of such law or laws. Notice that does not include an opinion of counsel will not be an effective notice of termination for purposes of this paragraph.

- (c) Termination for Convenience. During the Term, either party may terminate this MOU effective as of June 30 of any year (that is, at the end of any fiscal year during the Term) by providing the other party with written notice of its intent to terminate on or before the preceding October 1. By way of illustration, if a Member wished to terminate for convenience effective as of June 30, 2016, Member would need to notify UC no later than October 1, 2015.
- (d) Termination for Withdrawal of Authority or Non-Appropriation of Funds. Member may terminate this MOU on reasonable prior written notice if (i) Member's state withdraws, or materially reduces or limits the Member's ability to perform Member's duties under this MOU, or (ii) Member's state fails to appropriate the funds necessary for Member's Annual Fee; provided, that Member must immediately notify UC upon Member's learning of any withdrawal of authority or non-appropriation of funds, and Member will exercise reasonable efforts to provide UC with at least sixty (60) days advance notice of termination under this paragraph (but, for avoidance of doubt, Member is only obligated to provide such advance notice as is reasonably possible in light of the circumstances leading to a withdrawal of authority or non-appropriation of funds). For clarity, this Section 2.2(d) is not intended to provide Member with an expedited alternative to termination under Section 2.2(c) above, and Member acknowledges and agrees that it will exercise its rights under this Section 2.2(d) in good faith and in connection with a bona fide withdrawal of authority or non-appropriation of funds.

### 2.3. Termination as to All Members.

- (a) All Members may vote (in accordance with the then-current Governing Board Procedures) to collectively withdraw from SB and their association with UC effective as of June 30 of any year (that is, at the end of any fiscal year during the Term) by having the Governing Board provide UC with written notice on or before the preceding October 1. By way of illustration, if all Members wished to collectively withdraw from SB effective as of June 30, 2016, the Governing Board would need to notify UC no later than October 1, 2015.
- (b) UC may terminate its association with all Members, effective as of June 30 of any year (that is, at the end of any fiscal year during the Term), by providing the Governing Board and all Members with written notice on or before the preceding October 1. By way of illustration, if UC wished to terminate its involvement with all Members effective as of June 30, 2016, UC would need to notify all Members no later than October 1, 2015.

### 2.4. Effect of Termination.

- (a) By Member. After the effective date of any termination of this MOU, Member will no longer be entitled to continue to use any of the Products and Services, except to the extent permitted by, and subject to Member's compliance with, any terms and conditions determined by the Governing Board in accordance with the Governing Board Procedures.
- (b) As to All Members. In the event of any termination of this MOU under Section 2.3 above or any other termination that results in SB having no Members paying fees for access to Products and Services:

- (i) The Governing Board Representative will work with the UC Project Manager to address transition and closing issues and to develop a transition plan in order to carry out the other requirements of this Section 2.4(b);
- (ii) It is the intention of the parties, but not a legal obligation, to cooperate and endeavor to coordinate the content and timing of any press release, statement or other public announcement regarding the termination (whether by UC, by Member individually or by the Governing Board or any other representative acting on behalf of Member and other Members);
- (iii) If not previously designated, the Governing Board will promptly identify a third party or third parties that will be responsible for taking title to and possession of the Consortium Assets and for taking ownership and possession of the SB Materials (as well as any third-party software, tools or applications related to the Consortium Assets or the SB Materials) and for continuing to provide the Consortium Assets and SB Materials for the benefit of any and all Members entitled to continued access and use thereof, and the Consortium Assets, SB Materials and related third-party materials will be delivered to the designated third party or parties in accordance with the transition plan developed under Section 2.4(b)(i) above;
- (iv) Only if and to the extent necessary in order to carry out the transition plan, UC agrees to negotiate in good faith with the Governing Board Representative regarding the manner in which SB Materials and any related third-party materials would be transferred under this Section 2.4(b), and regarding responsibility for any actual transfer expenses or other payments required for such transfer (which, for avoidance of doubt, will be limited to any out-of-pocket expenses or other cost reimbursement actually required to effect such transfer);
- (v) In connection with the transfer of the Consortium Assets and SB Materials under this Section 2.4(b), UC will execute any assignment, quit claim or other documentation reasonably requested to facilitate the transition requested by the Governing Board, and take any and all such other actions as may be reasonably necessary to give effect to and carry out the transition plan and transfer of Consortium Assets and SB Materials hereunder; and
- (vi) Member will have a perpetual, worldwide, nonexclusive, fully-paid and royalty-free right and license to continue to use, at no additional cost and with no further obligations to UC, any UC Materials comprising software that was in use by Member at the time that this MOU was terminated; provided, that use of any and all such software will be limited to the version in use by Member at the time of termination and will be at Member's sole discretion and without any warranty, obligation of support, or liability of any kind on the part of UC.

### **3. Governing Board and Member Authority**

- 3.1. Role of Governing Board Generally. The Governing Board will provide direction and oversight with respect to Products and Services to be provided by SB to the Members. The Governing Board will be responsible for approving the Planning Documents annually and otherwise as required by this MOU or by the Governing Board Procedures. The Governing Board will be the principal means by which the Members communicate with SB on matters requiring the input of Members. By entering into this MOU, Member is agreeing to participate in the Governing Board in accordance with the terms hereof, and is further agreeing to be bound by the Governing Board Procedures and by all other decisions and actions of the Governing Board that are intended by the terms of this MOU to bind Member.
- 3.2. Governing Board Direction. SB and UC will take actions based on the direction of the Governing Board as contemplated herein. In the event that any action directed by the

Governing Board would conflict with UC or UCLA policies or procedures, or where UC determines that the action is not operationally feasible or could expose UC or SB to undue or unreasonable risk, UC and the Governing Board Representative will negotiate in good faith to find a resolution acceptable to the parties.

- 3.3. Governing Board Procedures and Operations. The Governing Board will be responsible for organizing and supervising such committees and subcommittees as the Governing Board shall form from time to time. In addition, the Governing Board will adopt a process and timeline for preparation of the Governing Board Procedures, and may determine to seek input from UC in connection with such preparation; provided, that UC will have no formal input regarding, and no responsibility or other liability for (and UC expressly disclaims any and all such responsibility or liability), the Governing Board Procedures or their implementation. In addition, for avoidance of doubt, UC will not be a party to the Governing Board Procedures and will not be bound in any way by the Governing Board Procedures, and under no circumstances will the Governing Board Procedures effect any modification to this MOU or to the respective obligations of Member and UC to one another hereunder. The Executive Committee will be responsible for interpreting the Governing Board Procedures consistent with the terms of this MOU.
- 3.4. Executive Committee. The Governing Board will establish an Executive Committee in the manner described by the Governing Board Procedures. The Executive Committee will be authorized to act on behalf of the Governing Board consistent with the constraints described in the Governing Board Procedures and subject to all applicable provisions of this MOU (including, without limitation, those provisions hereunder providing for appointment of and communications through a Governing Board Representative). The Executive Committee may approve changes to the Planning Documents, unless those changes require Governing Board approval under Section 3.5 or under the Governing Board Procedures.
- 3.5. Decisions Requiring Governing Board Input. Without limiting the general authority of the Governing Board as described above and elsewhere in this MOU, the Executive Committee will determine when a request for approval or other action needs to be presented to the Governing Board; provided, however, that the following decisions and actions will only be made or taken by UC after the Governing Board has been notified and has been given the opportunity to meet and thereafter provide its input to UC (and, for avoidance of doubt, after Member and other Members have been given the opportunity to participate in and provide input at any and all such Governing Board meetings):
  - (a) Hiring or termination of key SB employees;
  - (b) Approval of the annual SB budget, to be proposed by SB, approval of other annual Planning Documents, and approval of changes to the Planning Documents as required by the Governing Board Procedures;
  - (c) Approval of Annual Fees; and
  - (d) Any modification to the Products and Services proposed to be offered to all Members.
- 3.6. Member Representative. During the Term of this MOU, Member will be entitled to designate one individual (who may be, but need not be, Member's State Lead or Project Manager) as its Member Representative.
- 3.7. Relationship of the Parties. UC's employees and agents performing under this MOU are not, and will not be construed to be, employees or agents of Member or of the Governing Board. No employee or agent of UC will hold itself out as or claim to be an officer, employee or agent of Member by reason hereof, nor will UC make any claim for any right, privilege, or benefit which would accrue to such employee or agent under law.

Member and its employees and agents performing under this MOU are not, and will not be construed to be, employees or agents of UC. No employee or agent of Member will hold itself out as or claim to be an officer, employee or agent of UC by reason hereof, nor will Member make any claim for any right, privilege, or benefit which would accrue to such officer, employee or agent under law.

#### 4. Intellectual Property Rights

##### 4.1. Ownership of Intellectual Property Rights.

- (a) UC Marks and UC Materials. UC owns and will retain all right, title and interest in and to the UC Marks and the UC Materials and any Enhancements thereto that may be created under or in connection with this MOU.
- (b) SB Materials and SB Marks. Subject to any contrary agreement between UC and Member, and further subject to the terms of Section 2.4(b)(iv), and except as UC may otherwise agree with respect to all Members, UC will own all worldwide intellectual property rights (including rights under patents, patent applications, trademark laws, trade secret laws, and copyright laws) in the SB Materials. UC will only use the SB Materials and the SB Marks in connection with the operation of, and in furtherance of the objectives of, SB and its Members. UC's ownership of the SB Materials will be undertaken on behalf of and solely for the benefit of the Members, and following delivery of SB Materials in accordance with the terms of Section 2.4(b) above, UC will have no further right, title or interest in, right to possess or right to make use of any SB Materials.
- (c) Member Materials. Subject to any contrary agreement between UC and Member, Member will own all worldwide intellectual property rights (including rights under patents, patent applications, trademark laws, trade secret laws, and copyright laws) in the Member Materials, as well as any Enhancements thereto developed by Member independent of the parties' performance of this MOU.
- (d) Consortium Assets. UC acknowledges that nothing in this MOU will provide or will be construed to provide UC with ownership rights in or to any Consortium Assets, and to the extent that UC takes title or possession of or is otherwise involved in use or the delivery of any Consortium Assets to Members in connection with UC's operation of SB, such title, possession or delivery will be undertaken on behalf of and solely for the benefit of the Members, and following delivery of Consortium Assets in accordance with the terms of Section 2.4(b) above, UC will have no further right to possess or make use of such Consortium Assets.

##### 4.2. License Grants.

- (a) Assessment System. During the Term of this MOU, and contingent upon Member's timely payment of all Annual Fees when due hereunder, UC grants to Member the nonexclusive, fully-paid, royalty-free right and license to use the Assessment System and any Enhancements thereto that are made generally available to Members, only for supporting educational purposes related to Member's students and Member (and not for commercial exploitation, resale, or use in any manner not reasonably related to the administration of assessments to Member's students), and subject to any reasonable restrictions on reproduction, distribution or use that may apply to the Assessment System or certain of the SB Materials, Consortium Assets or UC Materials included therein. Member will faithfully reproduce, and will not under any circumstances remove, alter, obscure or deface any SB Marks or UC Marks that appear in any Assessment System materials.
- (b) SB Marks. Until such time as the Consortium Assets are transferred in accordance with the terms of Section 2.4(b) above, UC will have the right to use the SB Marks in

order to identify SB and to designate SB as the source of the Products and Services, and Member will be entitled to make such use of the SB Marks as may be permitted under the Governing Board Procedures.

- (c) Member Materials. Member hereby grants and agrees to grant to UC the nonexclusive, fully-paid, royalty-free right and license (with right of sublicense) to use any Member Materials that Member contributes to SB or otherwise makes available to UC; provided, that any such use will only be in support of SB's obligations to Member under this MOU, and SB will not incorporate any Member Materials into the Assessment System, distribute any Member Materials to other Members or to non-member third-parties, or otherwise make use of the Member Materials without Member's prior written consent.

- 4.3. Action on Claim of Infringement. Should any part of the Assessment System that is generally used by all or substantially all Members become, or in UC's opinion be likely to become, the subject of a claim of infringement, UC will provide written notice to the Governing Board Representative of the circumstances giving rise to such claim or likely claim of infringement. In the event that Member receives notice of a claim of infringement, or is made a party to or is threatened with being made a party to any claim of infringement related to the Assessment System or Member's participation in SB, Member will provide notice of such claim or threat to UC's Project Manager and to the Governing Board Representative. Following receipt of such notice by the Governing Board Representative, except as UC and the Governing Board Representative may otherwise agree in writing, UC will either (at UC's sole election) (a) procure for Members the right to continue to use the affected portion of the Assessment System, or (b) replace, or otherwise modify, the affected portion of the Assessment System to make it noninfringing, or obtain a reasonable substitute product for the affected portion of the Assessment System, provided that any replacement, modification or substitution under this paragraph does not effect a material change in the functionality of the Assessment System. If none of the foregoing options is reasonably available to UC, then UC will so notify Member and the Governing Board Representative in writing, and Member will cease all use of the affected portion of the Assessment System promptly upon receipt of UC's notice.

- 4.4. Use of UC Marks. Member will not use the UC Marks, in any form or manner, in advertisements, reports, or other information released to the public, and Member will not place any UC Marks on any consumer goods, products, or services for sale or distribution to the public, without UC's prior written approval, to be given or withheld in UC's sole discretion. Member is hereby charged with notice of, and agrees to comply at all times with California Education Code Section 92000 et seq.

## 5. **Obligations of the Parties**

### 5.1. Fees.

- (a) Annual Fees; Student Testing Projections. Member's Annual Fees are calculated (using Member's projections regarding the anticipated number of students to be tested, which Member will make in good faith and in reliance on all resources available to Member) on a fiscal year basis, and the fiscal year for SB begins on each July 1. Annual Fees under this MOU are generally payable in arrears, on a monthly basis, except that Member is obligated to make a payment at the start of each fiscal year, in order to fund certain expenses that SB will incur at the beginning of each fiscal year. Accordingly, for as long as this MOU remains in effect and Member remains a participant in SB as one of its Members, Member will be obligated to make an initial payment (with respect to each fiscal year during the Term hereof, the "Initial Payment") equal to two times the Monthly Fee Amount for the applicable

fiscal year, to be invoiced and paid as set forth in Section 5.1(c) below) with the remaining portion of Member's Annual Fees invoiced and paid monthly as described in more detail below. Member will provide UC with the anticipated number of students to be tested for an upcoming fiscal year at least one hundred twenty (120) days prior to the start of the fiscal year immediately preceding the fiscal year in which testing is to occur, and UC will calculate and provide Member with notice of Member's Annual Fees within thirty (30) days after receipt of Member's anticipated number of students to be tested.

(b) Fee Adjustments. Because Member's Annual Fees are calculated based on projected student testing numbers, adjustments to Member's Annual Fees may be required once the actual number of tested students is known. The necessity for any such adjustments (referred to herein as "**Fee Adjustments**") will be determined, and where necessary Fee Adjustments will be made, as follows:

(i) SB will endeavor to determine Member's actual number of tested students for a fiscal year by June 15 of that fiscal year, and will in any event determine such numbers as soon as reasonably possible after all records necessary for such determination have been received by SB, and will thereafter notify Member of actual student testing numbers for that fiscal year, together with a calculation of Member's Annual Fee for that fiscal year based on the actual student testing numbers (the "**Final Fee Amount**");

(ii) Where the Final Fee is more than \$15,000 higher than the Annual Fees paid by Member for that fiscal year (an "**Underpayment**"), then Member will pay the amount of the Underpayment within 30 days after receiving an Invoice therefor, which Invoice will be provided together with SB's Final Fee Amount notice under Section 5.1(b)(i) above; and

(iii) Where the Final Fee is more than \$15,000 lower than the Annual Fees paid by Member for that fiscal year (an "**Overpayment**"), then Member will receive a credit for the amount of the Overpayment, to be applied against (and reflected on the Invoice for) Member's first payment of Annual Fees for the next fiscal year; provided, if this MOU terminates at the end of the fiscal year in which there was an Overpayment, Member will instead receive a refund in the amount of the Overpayment, which refund will be provided to Member within sixty (60) days after Member receives SB's Final Fee Amount notice.

(iv) In the event that SB determines that any Fee Adjustment required pursuant to this Section 5.1(b) (or the operation of this Section 5.1(b) in general) poses a financial risk to SB or is otherwise not operationally feasible, SB will either request a review of this Section 5.1(b) by the Governing Board, or SB will negotiate in good faith with Member (and any other affected Members) in order to find a resolution acceptable to the affected parties.

(c) Payment Terms. Subject to the final sentence of Section 5.1(d) below, and subject to Member's receipt of a timely Invoice therefor, Member must make timely payment of the applicable Initial Payment prior to the start of each fiscal year (i.e., on or before July 1). The remaining portion of Member's Annual Fees will be paid in 10 equal monthly installments, each equal to the Monthly Fee Amount, with the first installment due not later than August 1 of the applicable fiscal year, and each subsequent installment due on the first day of the next nine calendar months (and with no Monthly Fee Amount due on June 1, all Annual Fees having been due prior to that time); provided, that if the Execution Date for this MOU occurs after July 31, then Member's Monthly Fee Amount payments will be due as set forth on Exhibit A. UC will provide Member with an Invoice at least thirty (30) days prior to the due date for each Initial Payment and Monthly Fee Amount.

- (d) Late Fees. Each Initial Payment and Monthly Fee Amount will be due on the first day of the month, as specified above in Section 5.1(c), but payments will not be considered late for purposes of this Section 5.1(d) until the tenth day of the month in which the applicable payment is due. An Initial Payment or Monthly Fee Amount that is not paid by the tenth day of the month in which is due will accrue monthly interest at the STIP Rate until paid; provided, however, that before any late fee is assessed, UC will first obtain the approval of the Executive Committee, pursuant to a process established by the Governing Board and included in the Governing Board Procedures. These late fees will be without prejudice to UC's right to suspend Member's membership and access under Section 5.1(e) below for Member's failure to timely make payments when due. The foregoing notwithstanding, for the 2014-2015 fiscal year, Member's Initial Payment will not be deemed late and will not be subject to a late fee as long as that Initial Payment is received by UC within thirty (30) days after Member's receipt of an Invoice therefor, which will be provided on or after the Execution Date.
- (e) Suspension of Membership. Any failure of Member to timely pay an Invoice when due may result in late fees being charged (as set forth in Section 5.1(d)) and may result in suspension of Member's membership and access to the Assessment System until UC receives Member's payment of all amounts due; provided, however, that before suspending Member's membership and access to the Assessment System, UC will obtain the approval of the Executive Committee, pursuant to procedures established by the Governing Board. During the period of any suspension, Member will not be entitled to enjoy any of the privileges of membership in SB, nor will Member be entitled to receive any of the Products and Services. Member may prepay all or a portion of its Annual Fees at any time, and Member's unpaid Monthly Fee Amounts will be reduced pro rata by the amount of any such prepayment.

5.2. Governing Board Review of Operating Expenses. On a year-to-year basis beginning after the end of the 2014-2015 fiscal year, UC will consult with the Governing Board about and obtain the Governing Board's approval of the Annual Operating Expenses, with the goal of operating SB on a "revenue-neutral" basis; provided, that Annual Operating Expenses will initially consist of the following:

- (a) Personnel Costs and Related Operating Expenses. Actual costs of SB Personnel salaries, fringe benefits, and related expenses such as technology infrastructure fees, and actual cost of Support Services.
- (b) Standard Costs. Calculated based on SB expenditures, and consisting of an annual administrative fee (which is currently 1.5%) to UCLA's Graduate School of Education, and an annual administrative fee (which is currently 1.23%) to UC's Office of the President.
- (c) Support Services. Currently estimated at approximately \$1 million per year.
- (d) CRESST Expenses. Currently anticipated to be \$3.5 million per year for psychometric and validity analysis services.
- (e) Pass-Through Costs. Actual costs of goods or services that UC procures for SB through the purchasing support provided under Section 5.5(e) below.
- (f) Capital Expenditures. Actual costs of capital improvements and other projects undertaken by SB based upon recommendations and other input from UC and the Governing Board regarding the needs of SB and the Members, such as systems upgrades, software revisions and other improvements to SB's systems and resources.
- (g) Non-routine Services. Actual costs of any Non-routine Services that UC determines are needed to provide the Products and Services.

5.3. Reserve Account; Recoupment of Shortfall.

- (a) Reserve Account. Consistent with UC policies and procedures, UC will establish and maintain a means of holding any Annual Fees that are not expended on Annual Operating Expenses (a “**Reserve Account**”), such that funds in the Reserve Account are available for SB use in subsequent years, subject to the provisions of Section 5.3(b). To the extent permitted by UC policies and procedures, amounts held in the Reserve Account will accrue monthly interest at the STIP Rate.
- (b) Recoupment of Shortfall In the event that, for any fiscal year, the total revenue that UC receives for SB is less than the Annual Operating Expenses, then UC may advance the amount of such shortfall (to the extent not covered by the Reserve Account, the “**Shortfall**”) to SB. The Shortfall will accrue interest monthly at the STIP Rate until recouped. Interest will begin to accrue on the last day of the calendar month in which the Shortfall occurs, and UC will be entitled to recoup the Shortfall plus accrued interest either from any positive Reserve Account balance, or directly from SB revenue in any subsequent fiscal year(s) in which such revenue exceeds the Annual Operating Expenses.

5.4. Confidentiality.

- (a) Protection of Confidential Information of Member. To the extent that UC receives or is provided with access under this MOU to any Confidential Information of Member: UC will not disclose such information to any unauthorized third party without Member’s consent; UC will make no use of such Confidential Information except to the extent required for UC to perform this MOU and to comply with any applicable Governing Board Procedures; and (subject to any requirements or limitations that may be imposed by applicable laws) UC will only make such Confidential Information available to its employees, subcontractors and agents that have a need to know such Confidential Information and that are bound by obligations of confidentiality at least as restrictive as those set forth in this Section 5.4(a).
- (b) Protection of Confidential Information of SB. To the extent that Member receives or is provided with access to any Confidential Information of SB: Member will not disclose such information to any unauthorized third party without the Governing Board’s consent; Member will make no use of such Confidential Information except to the extent required for Member to perform this MOU, to participate in SB, or to administer assessments consistent with the Assessment System and any applicable Governing Board Procedures; and Member will only make such Confidential Information available to its employees and contractors that have a need to know such Confidential Information and that are bound by obligations of confidentiality at least as restrictive as those set forth in this Section 5.4(b).
- (c) Exceptions. The obligations of a party that receives Confidential Information (a “receiving party”) from the other party (the “disclosing party”) under this MOU will not apply to any information that the receiving party can demonstrate (i) was developed by the receiving party independently of the disclosing party and of this MOU and without reference to Confidential Information of the disclosing party, (ii) was rightfully obtained without restriction by the receiving party from a third party not having any obligation of confidentiality, (iii) was or became publicly available other than through the fault or negligence of the receiving party, or (iv) was released without restriction by the disclosing party. In addition, a receiving party’s obligations under this Section 5.4 are expressly limited by applicable public records laws, such as (by way of example only) the California Public Records Act.
- (d) Personally Identifiable Information. The protections and other terms of this Section 5.4 notwithstanding, no confidential student information, student-level data, or other

personally identifiable information will be disclosed by either party or otherwise shared under this MOU.

- (e) Data Management and Data Security. UC will comply with any reasonable data management and data security provisions adopted by the Governing Board from time-to-time, subject to Sections 3.2 and 3.3 above.

5.5. Obligations of UC. In establishing SB at UCLA/CRESST to continue the work of the Consortium, and in addition to the parties' obligations set forth elsewhere in this Section 5, UC will have the following obligations, to be performed in accordance with the Governing Board Procedures and in compliance with all applicable law:

- (a) Products and Services. Provided that Member timely pays its Annual Fees when due, UC will provide Member with Products and Services as determined by the Governing Board and as described on Exhibit B. Exhibit B attached hereto describes the Products and Services available as of the Effective Date. Exhibit B and the specific Products and Services set forth therein may be amended by UC for any upcoming fiscal year during the Term of this MOU as long as the Governing Board has approved the amendments, and UC provides Member with at least ninety (90) days prior written notice of such amendments, which written notice may be provided by sending Member an updated Exhibit B. In addition, any time the Governing Board should approve a material change in the Products and Services made available by SB, UC will send Member an updated Exhibit B that reflects such approved change in the Products and Services, which Exhibit B will supersede and replace the then-current Exhibit B at the date specified in the updated Exhibit B. Member may also refer to the SB Website at any time in order to review all Products and Services then available from UC, as well as information on the fees charged by SB to its Members.
- (b) Project Management. SB will prepare and present drafts of all annual and amended Planning Documents to the Governing Board or the Executive Committee (as required by the Governing Board Procedures) for approval, and UC will manage SB in compliance with the approved Planning Documents. UC's Project Manager will have primary responsibility for day-to-day communications between UC and Member on operational matters related to this MOU, and on such other matters as UC may assign to its Project Manager from time to time. UC may notify Member and other Members of any change to UC's Project Manager and/or the operational matters for which the Project Manager is responsible by posting such information on the SB Website.
- (c) Fiscal Responsibility. UC will be responsible for collecting fees from Members, for expending those fees on the Annual Operating Expenses and, if applicable, allocating any excess amounts to the Reserve Account, for supporting SB in identifying vendors and subcontractors (including, where necessary, via a competitive bidding or other selection process) and in negotiating and entering into contractual relationships with selected vendors and subcontractors, for providing SB with accounting, auditing and financial reporting support, for assisting SB with routine legal advice regarding UCLA, California and Federal regulations, polices, and laws related to SB and its finances, and for supporting the administrative, human resources, and operational needs of SB as required by the laws of the State of California and the policies and procedures of UC.
- (d) SB Staffing. UC will seek input and evaluate recommendations from the Executive Committee regarding the recruitment and hiring of key employees, and will make offers of employment or otherwise engage such individuals on such terms as UC determines to be appropriate in light of all relevant circumstances, and in a manner consistent with applicable Governing Board Procedures and with how UC hires employees in comparable UC divisions or units.

- (e) Support Services. UC will support the SB Personnel by providing the following day-to-day administrative and other support services (the “**Support Services**”), in a manner consistent with how such support is provided to comparable UC divisions or units (in terms of budget, number of personnel, and other considerations deemed relevant by UC); provided, however, that administrative or other support services outside the scope of the following will be made available as Non-routine Services:
  - (i) Administrative services, including IT and information practices, and financial and legal support;
  - (ii) Payroll;
  - (iii) Office space appropriate for SB’s operations and research;
  - (iv) Accounts payable services;
  - (v) Travel accounting services;
  - (vi) Purchasing support, as needed, for purchasing goods and services;
  - (vii) Human resources support;
  - (viii) Advice and consultation regarding logistical, measurement and development issues; and
  - (ix) Basic compliance support, including standard monitoring of compliance with legislative policies and monitoring of legislative and legal developments.
- (f) Financial Information. Within a reasonable time after the end of each calendar quarter during the Term, UC will provide Member with a quarterly financial report that is consistent with the form and content of financial reports that the Consortium provided to its members. For clarity, Members will receive the same quarterly report; reports will not be customized or otherwise targeted in any way to Member or to any Other Member.

5.6. Obligations of Member. As a participant in SB, Member will have the following obligations to UC and to the other Members, in addition to the parties’ obligations set forth elsewhere in this Section 5, and together with such other obligations as UC and Member may agree in writing from time to time:

- (a) State Lead. Member’s State Lead will serve as its principal point of contact for high-level communications with UC under this MOU, and will also be responsible for managing communications between the Governing Board and Member’s state.
- (b) Communication Regarding Needs. Member will provide SB with meaningful input and consultation on Member’s specific product and services needs under this MOU, so that SB (in consultation with the Governing Board) can accurately set Member’s Fees.
- (c) Projected Testing Numbers for Fees Calculation. Member will indicate on Exhibit A attached hereto (i) the student grade levels to which the Assessment System will be applied during the initial fiscal year of the Term, (ii) for each such student grade level, whether Member desires a “basic” or a “complete” package (as described in more detail on Exhibit B), and (iii) the projected number of students to be tested for each such grade level, and Member will use this information and Exhibit C attached hereto to calculate Member’s Annual Fees. Thereafter, Member will continue to provide its selection of grade levels, election of Assessment System packages, and identification of projected student testing numbers by submitting an updated Exhibit A for subsequent fiscal years during the Term. Any Member-requested change to student grade levels or package selection at any time other than the start of a fiscal year will only be made if and to the extent permitted by the Governing Board

Procedures; actual student testing numbers, together with any required adjustment to Annual Fees, will be determined as set forth in Section 5.1(b) above.

- (d) Vendor Selection. SB will provide Member with a Vendor Specification Package, which Member may use to ensure that each vendor selected by Member is able to implement, operate, and/or deliver (as applicable) the Assessment System for Member. Member will indicate on Exhibit A attached hereto its chosen vendor(s) for the implementation, operation and delivery of the Assessment System, and Exhibit A will be updated and amended as necessary to reflect any addition of or other changes to Member's chosen vendors. Member understands and agrees that SB will not interact with any vendor on behalf of Member unless and until such vendor has been identified on Exhibit A.
- (e) Payment of Fees. Member will make timely payment of all Annual Fees due under this MOU, and will promptly notify UC of any expected delay or other difficulty in making payments when due hereunder.
- (f) Governing Board Participation. Member will appoint an individual to serve as its Member Representative and will at all times during the Term uphold its obligations to the Governing Board and to any committees or subcommittees thereof on which Member agrees or is appointed to participate. As provided hereunder, Member will notify UC of any changes to its Member Representative, State Lead, and/or Project Manager.
- (g) Coordination with State Agencies. Member will coordinate with its state and local education agencies in order to ensure that materials developed and provided to Member under this MOU are being properly delivered, administered, scored, reported and otherwise used by users in Member's state.
- (h) Participation in Field Testing. Member will participate in field tests embedded in the Computer Adaptive Test, and will consider in good faith participating in additional field testing of assessment items and tasks for the purpose of maintaining and improving Member's Products and Services, as approved by Member. Consistent with applicable state and federal laws, and with each party's confidentiality obligations under Section 5.4, Member will allow SB to use the data collected from such field testing to:
  - (i) Conduct technical studies as required to improve the Products and Services that SB offers to Members;
  - (ii) Ensure consistent scoring of constructed responses across all Members; provided, that any data used across all Members in this way will be used only on an anonymous, non-personally-identifiable basis, stripped of any and all state, district, school, or student identifiers, and of any names, dates of birth or other information that could potentially allow data to be traced to a specific student or otherwise lead to the discovery of a student's identity; and
  - (iii) Develop templates and exemplars for use in connection with parent education and teacher training and professional development.

Other than as expressly set forth on Exhibit B or as approved by the Governing Board, UC and SB will make no use for research purposes of any testing data received from Member or otherwise obtained by UC or SB as a result of Member's participation in SB under this MOU, including, without limitation, for any publication.

**6. Representations and Warranties.** Each party represents, warrants and covenants to the other party hereto as follows:

- 6.1. By Member. Member has full power and authority to enter into this MOU and to perform its obligations hereunder; Member's entry into this MOU is permissible under the laws of Member's state and has been authorized by all necessary legislative, administrative or other governmental authority; the person signing this MOU on behalf of Member is authorized to do so, and has the power and authority to bind Member to all of the terms hereof; Member's entry into and performance of this MOU do not and will not violate any other agreements to which Member is a party or under which Member is otherwise bound, and Member will not enter into any agreements that violate this MOU during the Term; and there are no claims or lawsuits pending or, to Member's knowledge, threatened against Member, Member's state or the Consortium related to or arising out of any of the products and services that the Consortium has provided to its member states.
- 6.2. By UC. UC has full power and authority to enter into this MOU and to perform its obligations hereunder; UC's entry into this MOU has been authorized by The Regents of the University of California (as such authority has been delegated to the President and her designees); and, the person signing this MOU on behalf of UC is authorized to do so, and has the power and authority to bind UC to all of the terms hereof.

**7. Disclaimer and Limitation of Liability.**

- 7.1. Disclaimer of Warranties. EXCEPT AS EXPRESSLY PROVIDED IN THIS MOU OR AS UC MAY EXPRESSLY AGREE IN WRITING, AND ONLY TO THE EXTENT PERMITTED BY LAW, UC AND SB DISCLAIM ANY AND ALL WARRANTIES (EXPRESS OR IMPLIED) REGARDING THE PRODUCTS AND SERVICES, INCLUDING, WITHOUT LIMITATION, ANY IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE OR NON-INFRINGEMENT.
- 7.2. Limitation of Liability. TO THE MAXIMUM EXTENT PERMITTED BY LAW, NEITHER PARTY WILL BE LIABLE FOR ANY INDIRECT, EXEMPLARY, PUNITIVE, SPECIAL, OR CONSEQUENTIAL DAMAGES ARISING OUT OF THIS MOU OR THE TRANSACTIONS IT CONTEMPLATES, INCLUDING BUT NOT LIMITED TO DAMAGES FOR LOSS OF PROFITS, DATA OR OTHER INTANGIBLE LOSSES (EVEN IF SUCH PARTY HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES). IN ADDITION, IN NO EVENT WILL EITHER PARTY'S LIABILITY TO THE OTHER PARTY UNDER THIS MOU EXCEED THE AGGREGATE OF (A) THE ANNUAL FEES PAID OR PAYABLE BY MEMBER FOR THE FISCAL YEAR IN WHICH THE CLAIM GIVING RISE TO THE LIABILITY OCCURRED, AND (B) THE PROCEEDS RECEIVED FROM ANY INSURANCE COVERAGE THAT APPLIES TO THE LIABILITY INCURRED. Notwithstanding anything to the contrary in this MOU, this Section 7.2 will not apply to damages arising out of or relating to any breach by a party of its confidentiality obligations under Section 5.4.
- 7.3. State Law Conflicts. To the extent that any laws of Member's state expressly prohibit or limit the enforcement of this Section 7 or its application to Member, this Section 7 will be applied and enforced only to the extent permissible under the laws of Member's state.

**8. Audit Right.**

- 8.1. Audit Request. UC will maintain, and Member will have the right to examine and audit those books and records of UC and SB containing financial information relevant to UC's operation of SB and SB's use of the Fees collected from Members, as follows:

- (a) Member will make any request for an audit under this Section 8 in writing and will deliver such request to UC's Project Manager and the Governing Board Representative.
  - (b) Following receipt of Member's request for an audit, the Governing Board Representative will notify the Governing Board and all other Members of the request, and other Members will have the option to participate in the audit, by notifying UC's Project Manager and the Governing Board Representative within 10 days after receiving notice of Member's audit request from the Governing Board Representative.
  - (c) The expense of the audit will be shared equally by all Members participating in the audit, and once an audit request has been made in accordance with this MOU (whether by Member or by any Other Member, and whether or not Member participates in the audit), Member will not be entitled to request an audit under this Section 8 until six months after the date that the requested audit concludes.
- 8.2. Audit Process. UC will make the books and records described above available to the audit participant(s) for review at SB's office or another UC location agreed upon by UC and the audit participant(s) within a reasonable time after the expiration of the 10-day notice period described in Section 8.1(b) above. In the event that any audit participant identifies any discrepancies or other concerns with books and records audited under this Section 8, such the audit participant will so notify UC in writing, UC will respond to such questions or concerns within 30 days after receipt of such notice.
- 8.3. Record Retention. UC will keep and preserve all books and records of UC and SB containing financial information relevant to UC's operation of SB and SB's use of the Fees collected from Members for a period of at least five years, including after termination of this MOU, subject to any different requirements that may be imposed by UC's record retention policies or by applicable law.

## 9. Miscellaneous Terms

- 9.1. Entire Agreement. This MOU (including its exhibits and any other attachments identified for inclusion here, and further including the Products and Services, UC Project Manager, and addresses for notices to UC hereunder, as the foregoing are identified from time to time on the SB Website) constitutes the entire understanding and agreement between Member and UC concerning the subject matter set forth herein and supersedes all prior and contemporaneous agreements, understandings, negotiations and discussions, whether oral or written, of the parties pertaining to the subject matter hereof. This MOU may be executed in multiple counterparts, each of which will constitute an original and all of which together will constitute one instrument.
- 9.2. "Most Favored Nations."
- (a) Right to Request Inclusion of More Favorable Provisions. Subject to Section 9.2(c) below, in the event that any Other Member should, subsequent to the date that Member executes this MOU, execute a version of this MOU having any Most Favored Nations Provisions that are more favorable than the Most Favored Nations Provisions of this MOU, then UC will provide Member with written notice of such more favorable Most Favored Nations Provisions, and Member will have the right (but not the obligation) to request inclusion of such Most Favored Nations Provisions in this MOU.
  - (b) Request for Inclusion. Member will have thirty (30) days after receipt of written notice from UC under Section 9.2(a) above to notify UC in writing that it wants such Most Favored Nations Provisions included in this MOU, which inclusion will be automatic upon UC's receipt of timely notice from Member as set forth herein;

provided, that upon Member's written request to UC during such 30-day period for an extension under this Section 9.2(b), Member will automatically receive a further thirty (30) days in request inclusion of such Most Favored Nations Provisions in this MOU. After expiration of the aforementioned 30-day period (or 60-day period, if Member has timely requested an extension hereunder), Member will no longer have the right to request inclusion of such Most Favored Nations Provisions in this MOU; provided, that the process set forth in this paragraph will be repeated any time any Other Member executes an MOU containing more favorable Most Favored Nations Provisions.

- (c) Limitations. For avoidance of doubt, any Other Member that exercises its right under the "Most Favored Nations" clause in its MOU will not be deemed to have "obtained more favorable Most Favored Nations Provisions" or "executed an MOU containing more favorable Most Favored Nations Provisions" for purposes of Member's rights to request inclusion under this Section 9.2. In addition, UC will not be obligated to provide notice of, or offer Member the right to include, any change made to a Most Favored Nations Provision for any Other Member that was made in order to accommodate the specific requirements of that Other Member's state laws.
- 9.3. Severability. If any provision of this MOU is determined or adjudicated to be invalid or unenforceable, such provision will be interpreted to the maximum extent to which it is valid and enforceable, and the remaining provisions of this MOU will, nevertheless, continue in full force and effect without being impaired or invalidated in any way.
- 9.4. No Waiver. No terms or provisions of this MOU will be deemed waived and no breach excused, unless such waiver or consent will be in writing and signed by the party claimed to have waived or consented. Any consent by any party to, or waiver of, a breach by the other, whether express or implied, will not constitute a consent to, waiver of, or excuse for any other different or subsequent breach. The failure by any party to execute any right provided for under this MOU will not be deemed a waiver of that right or of any other right hereunder.
- 9.5. Notices. All notices required or permitted hereunder will be in writing and addressed, if to Member, to its address as set forth on Exhibit A (or such other address as Member may specify by notice given pursuant to this Section 9.5), and if to UC, to its address as set forth on the SB Website (as such address may be updated on the SB Website from time to time). Notices hereunder will be deemed effectively given: (a) upon personal delivery to the party to be notified; (b) five business days after having been sent by registered or certified mail, return receipt requested, postage prepaid; or (c) one business day after deposit with a nationally recognized overnight courier, specifying next day delivery, with written verification of receipt.
- 9.6. Section Headings, Days. The descriptive headings in this MOU are intended for reference only and will not affect the construction or interpretation of this MOU. As used in this MOU, "days" refers to calendar days, unless otherwise specified as business days. "Business days" means all weekdays, except for Saturdays, Sundays, and any holidays as defined by California Code of Civil Procedure Sections 12a and 12b.
- 9.7. Modifications and Amendments. This MOU may be amended or modified only in a writing agreed to and signed by authorized representatives of Member and UC.
- 9.8. Non-Exclusive Remedies. The remedies provided for in this MOU will not be exclusive but are in addition to all other remedies available under law.
- 9.9. Authority to Bind. The signatories to this MOU represent that they have the authority to bind their respective organizations to this MOU.

***[SIGNATURE PAGE FOLLOWS]***

*In Witness Whereof*, the parties are executing this MOU as of the Execution Date, with the intention of having it take effect as of the Effective Date.

<p><b>"MEMBER"</b></p> <p><u>CA Iifornia</u> Member Name (i.e., name of state, commonwealth, territory, etc.)</p> <p><u></u> Signature</p> <p><u>Richard Zeiger, chief Deputy</u> Print Name and Title</p> <p><u>7/25/14</u> Date</p>	<p><b>"UC"</b></p> <p><b>The Regents of the University of California</b></p> <p>_____ Signature</p> <p>_____ Print Name and Title</p> <p>_____ Date</p>
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**EXHIBIT A TO MOU**

**Member Information**

**Member Information**

**Member Name:** California

**Member Address for Notice Purposes**

Any notices required under Section 9.5 of the Memorandum of Understanding to which this Exhibit A is attached (the "MOU") will be delivered to Member at the following address:

**Assessment Development and Administration Division**  
**1430 N Street, Suite 4409**  
**Sacramento, CA 95814**

**Member Contacts:**

**State Lead:** **Diane Hernandez, Director**  
**Assessment Development and Administration Division**  
**916-319-0602, dhernand@cde.ca.gov**  
Name, Title, Phone Number and Email Address

**Member Representative:** **Diane Hernandez, Director**  
**Assessment Development and Administration Division**  
**916-319-0602, dhernand@cde.ca.gov**

**Project Manager:** \_\_\_\_\_  
Name, Title, Phone Number and Email Address

**Member Vendor(s):**

Member has chosen the following vendor(s) for the implementation, operation and delivery of the Assessment System (list each vendor's name, and include name, title, phone and email information for at least one contact at each vendor):

**Educational Testing Service**  
**Jean Shipos, Contract Manager**  
**609-734-5652, jshipos@ets.org**

## **EXHIBIT A TO MOU (continued)**

### **Annual Fees**

Member's Annual Fees have been calculated on Exhibit C to the Agreement, and the total amount of Member's Annual Fees for the fiscal year to which this Exhibit A applies (subject to any adjustment required under Section 5.1(b) of the MOU) is as follows: **\$9.55 million**.

Payments of Annual Fees must be made by check or by Electronic Funds Transfer and in strict accordance with UCLA's payment instructions, which are available upon request.

### **Initial Payment and Monthly Fee Amount**

At the beginning of each fiscal year during the Term (i.e., by no later than July 1), as described in Section 5.1, Member will make an initial payment equal to two times the Monthly Fee Amount (the "**Initial Payment**"); provided, that if the Execution Date for the MOU occurs after July 31, then in addition to the Initial Payment, Member will also be required to pay the Monthly Fee Amount for the first day of each additional calendar month after July 1 that occurred prior to the Execution Date. By way of example, if the Execution Date of this MOU is September 2, then Member's first payment will equal four times the Monthly Fee Amount – the Initial Payment (equal to two times the Monthly Fee Amount) plus an additional Monthly Fee Amount for each of August and September.

### **Fee Discount**

**For fiscal year 2014-2015 only:**

If Member's Execution Date is on or before July 31, 2014, then Member will receive a 1% discount on Member's Initial Payment (i.e., two times the Monthly Fee Amount, or 1/6 of Member's Annual Fee). Member's other payments for the 2014-2015 fiscal year will not be affected.

### **Invoice Information for Member:**

The following information must be on any Invoices UC provides to Member under this MOU:

**Diane Hernandez, Director**

**Assessment Development and Administration Division**

**1430 N Street, Suite 4409**

**Sacramento, CA 95814**

## EXHIBIT B TO MOU

### **Products and Services; Additional Member Benefits**

The Products and Services (as defined in the Memorandum of Understanding to which this Exhibit B is attached) available to Member for fiscal year 2014-2015 consist of the following, in addition to those obligations of UC described in the MOU. Any capitalized terms used but not defined in this Exhibit B will have the meanings given to them in the MOU.

#### Assessment Packages

**Basic:** SB's "basic" assessment package includes summative assessments only, and does not include any interim or formative assessments.

**Complete:** SB offers two versions of its "complete" assessment package, as follows:

Only Gr. 3-8 Tested: this version of the "complete" package includes summative assessments for grades 3 – 8, and formative and interim assessments for grades K – 12.

All Grades Tested: this version of the "complete" package includes summative assessments for grades 3 – 8 and grade 11, and formative and interim assessments for grades K – 12.

#### General Operations and Membership Services

- SB will provide oversight of the maintenance and operations of the Assessment System.
- SB will provide technical support services for the Assessment System.
- SB will provide project management, including detailed project timelines, for the delivery of the Assessment System and the Products and Services described herein.
- SB will provide general communication tools and templates and communication materials translated into additional languages supported by the Assessment System.
- SB will establish, operate, maintain and update the SB Website.
- SB will provide "Tier-1" help desk support for State Assessment Directors and Chiefs or their designees.

#### Assessment and Item Design

- SB will maintain and enhance the assessment design by facilitating expert reviews consistent with the Association of Test Publishers (ATP)/Council of Chief State School Officers (CCSSO) best practices and the joint National Council on Measurement in Education (NCME), the American Educational Research Association (AERA) and the American Psychological Association (APA) standards for educational testing.
- SB will compile, submit and revise as necessary, for the standard SB products and services, documentation sufficient to address the requirements of the U.S. Department of Education standards and assessment peer review or equivalent large-scale assessment technical review.
- SB will design and conduct validity studies based on the priority order established by the Governing Board.
- SB will maintain and facilitate approved changes to test blueprints that describe the attributes of the assessment for each grade and content area.
- SB will maintain documentation regarding the item development process, including but not limited to, an external, independent review of item specifications, and external, independent reviews of items including content, sensitivity and bias, and accessibility reviews.

- SB will obtain and maintain permissions and copyrights for passages, written materials, graphics, photos, and other related stimuli.
- SB will maintain a research-based list of accommodations and publish annually a set of accommodations guidelines that support valid test results for all students including students with disabilities and English language learners.
- For fiscal years 2014-2015, 2015-2016 and 2016-2017, SB will develop blueline test booklets in accordance with specifications provided by the Governing Board. These blueline forms will be available for each of the grades 3-8 and grade 11 summative assessments in English language arts/literacy and Mathematics, as follows:
  - For English language arts/literacy, the forms will be available in English; and
  - For Mathematics, the forms will be available in English and also in an English/Spanish side-by-side format.
- SB will maintain specifications for an adaptive algorithm.

#### Interoperability and Certification Assistance

- SB will maintain interoperability standards for items, test registration, and student results for the Assessment System.
- SB will provide a certification process and implementation of certification services to verify each Member State has followed the processes for administering and processing the assessments as established by SB.
- SB will provide a certification process to affirm that Members have followed SB procedures.

#### Applications Development and Maintenance

- SB will maintain an item banking/item authoring tool, test administration application, digital library and data warehouse/reporting application.
- SB will facilitate an annual membership review of applications to prioritize enhancements.
- SB will sponsor application enhancements based on Members' priorities.
- SB will provide expert consultation to Members regarding the assessment delivery application.

#### Reporting Services

- SB will produce standardized reports for assessment results.
- SB will provide aggregate reporting at the SB, local education agency, school, and grade level, disaggregated by standard categories.
- SB will publish an annual technical report regarding the Assessment System on a state-by-state basis.

#### Optional Services

- SB will offer hosting for a digital library that supports formative assessment practices and tools.
- SB will offer access to an interim assessment item bank developed using procedures approved by SB.

#### Additional Member Benefits

In addition to the Products and Services described above, Member's payment of Annual Fees will entitle Member to the following:

- SB will pay the travel expenses for Member's State Lead and another representative of Member's state to attend up to two collaboration conferences per fiscal year, such payment to be made consistent with the applicable travel and expense policies of Member's state and of UC.

- SB will support the Governing Board and Member's participation thereon with appropriate infrastructure (e.g., conference lines, web conferencing, and meeting management services)

**EXHIBIT C to MOU**

**[See attached worksheet for Annual Fees]**

California opts for the "All Grades Tested" version of the "complete" package that includes summative assessments for grades 3 – 8 and grade 11, and formative and interim assessments for grades K – 12.

<b>Complete Package "All Grades Tested"</b>	<b>Per Pupil Rate</b>	<b>Pupil Population</b>	<b>Annual Cost</b>
Summative assessments for grades 3 – 8 and 11	\$6.20 per pupil	1 million (cap)	\$6.20 million
Interim/Formative (Digital Library)	\$3.35 per pupil	1 million (cap)	\$3.35 million
<b>Total</b>	<b>\$9.55 per pupil</b>	<b>1 million (cap)</b>	<b>\$9.55 million</b>

**SCHEDULE 1 TO MOU**

**CONSORTIUM CONTRACTS AND CONSORTIUM ASSETS**

**[TO BE FINALIZED FOLLOWING REVIEW OF AGREEMENTS WITH FISCAL AGENT]**

**Consortium Contracts**

[None]

**Consortium Assets**

The Consortium assets currently owned by or otherwise in the possession of the Fiscal Agent consist of the following categories of materials (a detailed list of Consortium Assets will be provided upon request):

Items

Psychometric attributes of items

Test administration and training materials

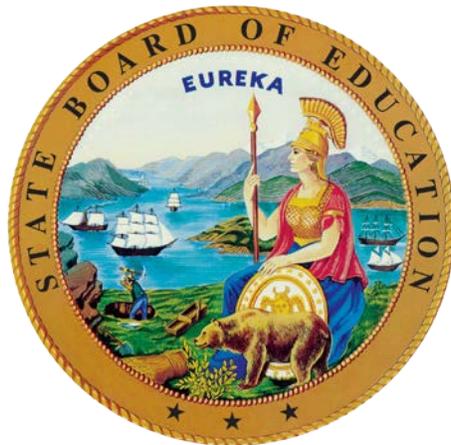
Item development specifications and guidelines

Permissions contracts for stimuli

Commissioned passages and stimuli

Responsibility for the sponsorship of open source applications developed under the grant SB Marks, comprising the Smarter Balanced name and the logos included below





# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 04**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b>	
Renewal Petition for the Establishment of a Charter School Under the Oversight of the State Board of Education: Consideration of the Opportunities Unlimited Charter High School which was denied by Los Angeles County Office of Education.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input checked="" type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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Opportunities Unlimited Charter High School (OUCHS) was a Los Angeles County Office of Education (LACOE) authorized charter school approved on appeal after being denied renewal by the Los Angeles Unified School District (LAUSD) in 2009. OUCHS was authorized to operate by LACOE in 2009 for a five-year term.

On May 6, 2014, LACOE unanimously voted to deny the OUCHS charter petition renewal and on June 24, 2014, sent a letter to the petitioner to initiate school closure procedures.

Pursuant to California *Education Code (EC)* Section 47605(j), petitioners for a charter school that has been denied at the local level may petition the State Board of Education (SBE) for approval of the charter, subject to certain conditions.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the SBE hold a public hearing to consider the CDE's recommendation to deny the charter petition renewal to establish the OUCHS under the oversight of the SBE based on the CDE's finding pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5), as well as *California Code of Regulations*, Title 5 (Title 5 *CCR*) Section 11967.5, that the petitioners are unlikely to successfully implement the program set forth in the petition.

#### **BRIEF HISTORY OF KEY ISSUES**

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OUCHS, located in Los Angeles County, is a Title I, classroom-based charter school in operation since 2005. As a Title I funded school, OUCHS is in Program Improvement year four.

OUCHS proposes to continue to serve pupils in the South Central Los Angeles area. The mission statement in the petition states OUCHS is to provide Los Angeles pupils who have been historically academically low achieving, with leadership, scholarly discourse and academic resources so that graduates are successful adults who are college prepared in science, mathematics, technical or related media, as well as political science, multiculturalism, and good citizenship. The OUCHS petition outlines the instructional process to support pupils in grades nine through twelve as follows:

- 2014–15 120 pupils
- 2015–16 160 pupils
- 2016–17 200 pupils
- 2017–18 240 pupils
- 2018–19 300 pupils

On May 6, 2014, LACOE denied the petition based on the following findings:

- The petition provides an unsound educational program for pupils to be enrolled in the school.
- The petitioners are demonstrably unlikely to successfully implement the program.
- The petition does not contain a reasonably comprehensive description of all required elements.
- The petition does not satisfy all of the required assurances of *EC* Section 47605 (c), (e) through (h), (l), and (m).

The CDE agrees with the LACOE that the petitioner describes an educational program that is not likely to be of educational benefit to the pupils who attend and that the petitioners are demonstrably unlikely to successfully implement the program. In addition, the CDE finds the financial plan for OUCHS is neither fiscally balanced nor sustainable with a projected negative balance for 2014–15.

In considering the OUCHS petition, the CDE reviewed the following:

- OUCHS petition and appendices (Attachment 3, Attachment 5);
- Educational and demographic data of schools where pupils would otherwise be required to attend (Attachment 2);
- OUCHS budget and financial projections (Attachment 4); and
- Board agendas, minutes, findings, and staff report from the LACOE regarding denial of the OUCHS charter petition renewal (Attachment 7).

OUCHS was required to comply with *EC* Section 47605(b)(ii), which requires a charter petition renewal to state the annual goals for all pupil subgroups identified pursuant to

*EC* Section 52052, to be achieved in the state priorities, as described in *EC* Section 52060, because the petition was submitted to the local school district March 2014 after the effective date of July 1, 2013. The OUCHS petition addresses the state priorities and aligns them with Elements 1–6 on pp.18–19 of the petition in Attachment 3. However, the petition does not include a description of annual goals for the unduplicated pupil count identified as a significant subgroup as measured on the 2013–14 API. OUCHS has confirmed there is no Local Control and Accountability Plan.

For a charter school renewal, *EC* 47607 states that renewals are governed by the standards and criteria in Section 47605, which is the section that establishes what is required in a petition, including the 16 elements. Effective January 1, 2013, *EC* 47607(a) states a charter authorizer shall consider increases in pupil academic performance for all sub groups as the most important factor for renewal. The LACOE board meeting minutes state the county board evaluated the charter school’s academic performance pursuant to *EC* 47607(b) and made written factual findings that OUCHS does not meet the academic criteria to be considered for renewal. (Attachment 7, p. 2)

In addition, *EC* 47607(b) states that a charter school that has been in operation for at least four years shall meet at least one of four criteria related to academic performance. OUCHS did not meet any of the five criteria as follows:

Requirement 1:       Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years both schoolwide and for all groups of pupils served by the charter school.

**Not Met:** OUCHS has not attained its API growth target for the prior three years.

Requirement 2:       Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

**Not Met** OUCHS has ranked one consecutively for the prior three years.

Requirement 3:       Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school API in the prior year or in two of the last three years.

**Not Met:** API Similar Schools Rank is not available for schools with an annual enrollment that is less than one hundred students. OUCHS was not eligible to receive a 2013 similar schools rank because it did not have at least 100 valid STAR scores in 2013 reporting year.

Requirement 4:       The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the

academic performance of the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school.

**Not Met:** The schools in the community of Los Angeles generally perform better than OUCHS as indicated in Attachment 2.

Requirement 5: Qualified for an alternative accountability system pursuant to subdivision (h) of *EC* Section 52052.

**Not Applicable:** OUCHS does not qualify for an alternative accountability system.

*EC* Section 47607(a)(3)(A) states that increases in academic achievement is considered the most important factor in determining whether to grant a charter renewal. In addition, 5 *CCR* Section 11967.5.1 requires a review of financial administration. The CDE has reviewed the charter renewal petition relative to the requirements set forth in statute and finds several areas of deficiencies in the OUCHS charter renewal petition, which include the following:

### **Educational Program**

- OUCHS does not have a history of academic achievement as indicated by the API in 2013 of 579, dropping 55 points from the prior two years.
- OUCHS has not met Adequate Yearly Progress for proficiency levels in English-language arts and mathematics from 2009–2013. After five years, pupils are not considered proficient in subject matters considered essential for a high school graduate.
- Based on criteria identified in 5 *CCR* Section 11968.5, OUCHS was identified as a persistently low performing school and was considered for revocation at the March 2014 SBE meeting.
- During the 2012–13 school year, English learners (ELs) comprised 44 percent of the pupil population. The proposed program for EL pupils is inadequate and does not include a comprehensive description of English language development instruction and does not address a process for re-designating ELs or the two-year monitoring of redesignated fluent English proficient pupils.

## Financial Capacity

- For three of the past four fiscal years, OUCHS ended with an increasing operating deficit (expenditures exceed revenues):
  - 2010–11 (\$7,433)
  - 2011–12 (\$27,278)
  - 2013–14 (\$107,102)
- The CDE projects deficit spending continuing for the 2014–15 fiscal year in the amount of \$30,622.
- Actual P-2 Average Daily Attendance shows the following decline:
  - 2011–12: 150 pupils
  - 2012–13: 136 pupils
  - 2013–14: 86 pupils
- The CDE projects a negative fund balance of \$23,122 with no reserves for fiscal year 2014–15 and concludes that revenues may be overstated with ADA assumptions based on recent enrollment in fiscal year 2013–14 projected as follows:
  - 2013–14 86 pupils
  - 2014–15 114 pupils
  - 2015–16 152 pupils
  - 2016–17 190 pupils

Based on the academic deficiencies, program deficiencies, limited fiscal capacity noted above, and those issues identified in the CDE petition review and analysis in Attachment 1, the CDE finds that the OUCHS charter petitioners are demonstrably unlikely to successfully implement the intended program and the petition does not contain reasonably comprehensive descriptions of the 16 charter elements pursuant to *EC* sections 47605(b)(1), 47605(b)(2), 47605(b)(5), and 5 *CCR* Section 11967.5.1.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Currently, 24 charter schools operate under SBE authorization as follows:

- Two statewide benefit charters, operating a total of six sites
- One countywide benefit charter
- Eight all district charters, operating a total of 18 sites
- Thirteen charter schools, authorized on appeal after local or county denial

The SBE delegates oversight duties of these schools to the CDE.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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If approved as an SBE-authorized charter school, the CDE would receive approximately one percent of the revenue of the charter school for the CDE's oversight activities. However, no additional resources are allocated to the CDE for oversight.

## **ATTACHMENT(S)**

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- Attachment 1: California Department of Education Charter School Petition Review Form: Opportunities Unlimited Charter High School (33 Pages)
- Attachment 2: Opportunities Unlimited Charter High School Data Tables (8 pages)
- Attachment 3: Opportunities Unlimited Charter High School Appeal Petition (120 pages) (This item is not available for online viewing. Please contact the Charter Schools Division at 916-322-6029 or by e-mail at [Charters@cde.ca.gov](mailto:Charters@cde.ca.gov) for more information.)
- Attachment 4: Opportunities Unlimited Charter High School Budget and Financial Projections (24 pages)
- Attachment 5: Opportunities Unlimited Charter High School Appendices and Attachments (189 pages) (This item is not available for online viewing. Please contact the Charter Schools Division at 916-322-6029 or by e-mail at [Charters@cde.ca.gov](mailto:Charters@cde.ca.gov) for more information.)
- Attachment 6: Letter Describing Changes to Petition Necessary to Reflect the State Board of Education as the Authorizing Entity (2 pages)
- Attachment 7: Los Angeles County Office of Education Findings for Denial (30 pages) (This item is not available for online viewing. Please contact the Charter Schools Division at 916-322-6029 or by e-mail at [Charters@cde.ca.gov](mailto:Charters@cde.ca.gov) for more information.)
- Attachment 8: State Board of Education Standard Conditions on Opening and Operation (3 pages)

**California Department of Education  
 Charter School Petition Review Form:  
 Opportunities Unlimited Charter High School**

<b>Key Information Regarding Opportunities Unlimited Charter High School (OUCHS)</b>																																					
<b>Proposed Grade Span and Buildout Plan</b>	<p>Table 1</p> <p align="center">OUCHS 2014–19 Projected Enrollment</p> <table border="1"> <thead> <tr> <th>Grade</th> <th>Year 1</th> <th>Year 2</th> <th>Year 3</th> <th>Year 4</th> <th>Year 5</th> </tr> </thead> <tbody> <tr> <td>9</td> <td>30</td> <td>40</td> <td>50</td> <td>60</td> <td>75</td> </tr> <tr> <td>10</td> <td>30</td> <td>40</td> <td>50</td> <td>60</td> <td>75</td> </tr> <tr> <td>11</td> <td>30</td> <td>40</td> <td>50</td> <td>60</td> <td>75</td> </tr> <tr> <td>12</td> <td>30</td> <td>40</td> <td>50</td> <td>60</td> <td>75</td> </tr> <tr> <td>Total</td> <td>120</td> <td>160</td> <td>200</td> <td>240</td> <td>300</td> </tr> </tbody> </table>	Grade	Year 1	Year 2	Year 3	Year 4	Year 5	9	30	40	50	60	75	10	30	40	50	60	75	11	30	40	50	60	75	12	30	40	50	60	75	Total	120	160	200	240	300
Grade	Year 1	Year 2	Year 3	Year 4	Year 5																																
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11	30	40	50	60	75																																
12	30	40	50	60	75																																
Total	120	160	200	240	300																																
<b>Proposed Location</b>	<p>OUCHS is currently located at 5100 South Broadway in Los Angeles, a low socioeconomic area of South Central Los Angeles. The school resides in the vicinity of the infamous 1992 Los Angeles riots. However, the petition states that the school has an agreement to return to its previous location at 10513 South Vermont in Los Angeles, which is in close proximity to the 5100 South Broadway location.</p>																																				
<b>Brief History</b>	<p>OUCHS has been authorized to operate by the Los Angeles County Office of Education (LACOE) since 2009. LACOE approved OUCHS on appeal after the charter renewal was denied by the Los Angeles Unified School District (LAUSD). The charter school was initially authorized by LAUSD in 2005.</p> <p>On May 6, 2014, LACOE unanimously voted to deny the OUCHS charter renewal petition and on June 24, 2014, sent a letter to the petitioner to initiate school closure procedures.</p>																																				
<b>Lead Petitioner</b>	<p>Kevin Simmons, Executive Director</p>																																				

<b>Summary of Required Charter Elements Pursuant to California Education Code (EC) Section 47605(b)</b>		
	<b>Charter Elements Required Pursuant to EC Section 47605(b)</b>	<b>Meets Requirements</b>
	Sound Educational Practice	No
	Ability to Successfully Implement the Intended Program	No
	Required Number of Signatures	NA
	Affirmation of Specified Conditions	*Yes
1	Description of Educational Program	No
2	Measurable Pupil Outcomes	Yes
3	Method for Measuring Pupil Progress	No
4	Governance Structure	No
5	Employee Qualifications	No
6	Health and Safety Procedures	No
7	Racial and Ethnic Balance	Yes
8	Admission Requirements	*Yes
9	Annual Independent Financial Audits	Yes
10	Suspension and Expulsion Procedures	*Yes
11	Retirement Coverage	*Yes
12	Public School Attendance Alternatives	Yes
13	Post-employment Rights of Employees	Yes
14	Dispute Resolution Procedures	*Yes
15	Exclusive Public School Employer	Yes
16	Closure Procedures	Yes
	Standards, Assessments, and Parent Consultation	Yes
	Employment is Voluntary	Yes
	Pupil Attendance is Voluntary	Yes
	Effect on Authorizer and Financial Projections	Yes
	Academically Low Achieving Pupils	NA
	Teacher Credentialing	Yes
	Transmission of Audit Report	Yes
	Goals to Address the Eight State Priorities	No

\*If approved as a State Board of Education (SBE)-authorized charter school, petition will require amendments pursuant to *California Code of Regulations*, Title 5 (Title 5 CCR), Section 11967.5.1.

\*\*If approved as an SBE-authorized charter school, suggested technical amendments are provided with changes to strengthen the petition and clarify for monitoring and accountability purposes.

**Requirements for State Board of Education-Authorized Charter Schools**

<b>Sound Educational Practice</b>	<b>EC Section 47605(b) Title 5 CCR Section 11967.5.1(a) and (b)</b>
<p><b>Evaluation Criteria</b></p> <p>For purposes of <i>EC</i> Section 47605(b), a charter petition shall be “consistent with sound educational practice” if, in the SBE’s judgment, it is likely to be of educational benefit to pupils who attend. A charter school need not be designed or intended to meet the educational needs of every student who might possibly seek to enroll in order for the charter to be granted by the SBE.</p> <p>For purposes of <i>EC</i> Section 47605(b)(1), a charter petition shall be “an unsound educational program” if it is either of the following:</p> <ul style="list-style-type: none"> <li>(1) A program that involves activities that the SBE determines would present the likelihood of physical, educational, or psychological harm to the affected pupils.</li> <li>(2) A program that the SBE determines not likely to be of educational benefit to the pupils who attend.</li> </ul>	
<b>Is the charter petition “consistent with sound educational practice?”</b>	<b>No</b>

**Comments:**

The OUCHS petition is not consistent with sound educational practice. The OUCHS charter petition proposes to serve pupils in grade nine through grade twelve in Los Angeles in a population where the majority of the students are socio-economically disadvantaged and considered “at risk” of failing in school or dropping out. Although the petition states on p. 5 of Attachment 3 that “each student can realize his or her full academic potential when engaged in an academically rigorous, culturally responsive curriculum”, OUCHS has made minimal academic growth over its ten years of operation. Currently, the school is in Program Improvement year four due to not meeting Adequate Yearly Progress goals for numerically significant subgroups.

The California Department of Education (CDE) finds that the OUCHS charter petition does not describe an educational program that is likely to be of educational benefit to all pupils who attend. OUCHS has been identified as a persistently low performing school under Title 5 CCR 11968.5 and subsequently was considered for revocation for being identified as a persistently low performing school at the March 2014 SBE meeting.

Furthermore, the petition outlines how English Learners (EL) will be identified but does not include a description of specific program placement for students who score within levels 1 through 3 on the California English Language Development Test (CELDT).

Additionally, the petition does not include a description of how and when EL students will receive English Language Development (ELD) instruction aligned to ELD standards.

<b>Ability to Successfully Implement the Intended Program</b>	<b>EC Section 47605(b)(2) Title 5 CCR Section 11967.5.1(c)</b>
<p><b>Evaluation Criteria</b>            For purposes of <i>EC</i> Section 47605(b)(2), the SBE shall take the following factors into consideration in determining whether charter petitioners are "demonstrably unlikely to successfully implement the program:"</p> <ol style="list-style-type: none"> <li>1. If the petitioners have a past history of involvement in charter schools or other education agencies (public or private), the history is one that the SBE regards as unsuccessful, e.g., the petitioners have been associated with a charter school of which the charter has been revoked or a private school that has ceased operation for reasons within the petitioners' control.</li> <li>2. The petitioners are unfamiliar in the SBE's judgment with the content of the petition or the requirements of law that would apply to the proposed charter school.</li> <li>3. The petitioners have presented an unrealistic financial and operational plan for the proposed charter school (as specified).</li> <li>4. The petitioners personally lack the necessary background in the following areas critical to the charter school's success, and the petitioners do not have a plan to secure the services of individuals who have the necessary background in curriculum, instruction, assessment, and finance and business management.</li> </ol>	
<b>Are the petitioners able to successfully implement the intended program?</b>	<b>No</b>

**Comments:**

The CDE finds that the OUCHS petitioners are not able to successfully implement the intended program. The school's schoolwide 2013 Academic Performance Index (API) is 579, well below the state's expectation of 800. OUCHS did not meet its growth targets for English language arts and math for its numerically significant subgroup socioeconomically disadvantaged in 2011, 2012, and 2013. In addition, OUCHS is in Program Improvement year 4, which requires the charter school to undergo major restructuring.

The petitioners have presented an unrealistic financial and operational plan for the charter school. For three of the four prior years the school has ended in an operating deficit (expenditures exceed revenues) as follows:

- 2010–11 (\$7,433)
- 2011–12 (\$27,278)
- 2013–14 (\$107,102)

CDE projects deficit spending continuing for the 2014–15 fiscal year resulting in a negative ending fund balance in the amount of \$30,622 with a negative fund balance of \$23,122 with no reserves. CDE believes OUCHS has overstated ADA assumption projections based on the following decline in enrollment:

- 2011–12: 150 pupils
- 2012–13: 136 pupils
- 2013–14: 86 pupils
- 

<b>Required Number of Signatures</b>	<b>EC Section 47605(b)(3) Title 5 CCR Section 11967.5.1(d)</b>
<b>Evaluation Criteria</b> For purposes of <i>EC</i> Section 47605(b)(3), a charter petition that “does not contain the number of signatures required by [law]” ..., shall be a petition that did not contain the requisite number of signatures at the time of its submission ...	
<b>Does the petition contain the required number of signatures at the time of its submission?</b>	<b>NA</b>

**Comments:**

A renewal petition does not require signatures.

Affirmation of Specified Conditions	<p style="text-align: right;"><b>EC Section 47605(b)(4)</b>  <b>EC Section 47605(d)</b>  <b>Title 5 CCR Section 11967.5.1(e)</b></p>
<p><b>Evaluation Criteria</b>  For purposes of <i>EC</i> Section 47605(b)(4), a charter petition that "does not contain an affirmation of each of the conditions described in [<i>EC</i> Section 47605(d)]" ..., shall be a petition that fails to include a clear, unequivocal affirmation of each such condition. Neither the charter nor any of the supporting documents shall include any evidence that the charter will fail to comply with the conditions described in <i>EC</i> Section 47605(d).</p>	
<p>(1) [A] charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations, shall not charge tuition, and shall not discriminate against any pupil on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other characteristic that is contained in the definition of hate crimes set forth in Section 422.55 of the California <i>Penal Code</i>. Except as provided in paragraph (2), admission to a charter school shall not be determined according to the place of residence of the pupil, or of his or her parent or guardian, within this state, except that any existing public school converting partially or entirely to a charter school under this part shall adopt and maintain a policy giving admission preference to pupils who reside within the former attendance area of that public school.</p>	<p style="text-align: center;">*Yes</p>
<p>(2) (A) A charter school shall admit all pupils who wish to attend the school.</p> <p>(B) However, if the number of pupils who wish to attend the charter school exceeds the school's capacity, attendance, except for existing pupils of the charter school, shall be determined by a public random drawing. Preference shall be extended to pupils currently attending the charter school and pupils who reside in the district except as provided for in <i>EC</i> Section 47614.5. Other preferences may be permitted by the chartering authority on an individual school basis and only if consistent with the law.</p> <p>(C) In the event of a drawing, the chartering authority shall make reasonable efforts to accommodate the growth of the charter school and, in no event, shall take any action to impede the charter school from expanding enrollment to meet pupil demand.</p>	<p style="text-align: center;">Yes</p>
<p>(3) If a pupil is expelled or leaves the charter school without graduating or completing the school year for any reason, the charter school shall notify the superintendent of the school district of the pupil's last known address within 30 days, and shall, upon request, provide that school district with a copy of the cumulative record of the pupil, including a transcript of grades or report card, and health information. This paragraph applies only to pupils subject to compulsory full-time education pursuant to [<i>EC</i>] Section 48200.</p>	<p style="text-align: center;">Yes</p>

<b>Affirmation of Specified Conditions</b>	<b>EC Section 47605(b)(4)</b> <b>EC Section 47605(d)</b> <b>Title 5 CCR Section 11967.5.1(e)</b>
<b>Does the charter petition contain the required affirmations?</b>	<b>*Yes</b>

**Comments:**

The OUCHS petition does contain the required signed affirmations as noted on p. 3 of the petition.

**Technical Amendment:**

The CDE recommends a technical amendment to include a signed copy of affirmations listed on p. 3 of the petition.

**The 16 Charter Elements**

1. Description of Educational Program	<i>EC Section 47605(b)(5)(A)</i> <i>Title 5 CCR Section 11967.5.1(f)(1)</i>
<p><b>Evaluation Criteria</b>  The description of the educational program ..., as required by <i>EC Section 47605(b)(5)(A)</i>, at a minimum:</p>	
(A) Indicates the proposed charter school’s target student population, including, at a minimum, grade levels, approximate numbers of pupils, and specific educational interests, backgrounds, or challenges.	Yes
(B) Specifies a clear, concise school mission statement with which all elements and programs of the school are in alignment and which conveys the petitioners' definition of an "educated person" in the 21 <sup>st</sup> century, belief of how learning best occurs, and goals consistent with enabling pupils to become or remain self-motivated, competent, and lifelong learners.	Yes
(C) Includes a framework for instructional design that is aligned with the needs of the pupils that the charter school has identified as its target student population.	Yes
(D) Indicates the basic learning environment or environments (e.g., site-based matriculation, independent study, community-based education, technology-based education).	Yes
(E) Indicates the instructional approach or approaches the charter school will utilize, including, but not limited to, the curriculum and teaching methods (or a process for developing the curriculum and teaching methods) that will enable the school’s pupils to master the content standards for the four core curriculum areas adopted by the SBE pursuant to <i>EC Section 60605</i> and to achieve the objectives specified in the charter.	Yes
(F) Indicates how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.	No
(G) Indicates how the charter school will meet the needs of students with disabilities, EL, students achieving substantially above or below grade level expectations, and other special student populations.	No
(H) Specifies the charter school’s special education plan, including, but not limited to, the means by which the charter school will comply with the provisions of <i>EC Section 47641</i> , the process to be used to identify students who qualify for special education programs and services, how the school will provide or access special education programs and services, the school’s understanding of its responsibilities under law for special education pupils, and how the school intends to meet those responsibilities.	No
<b>Does the petition overall present a reasonably comprehensive description of the educational program?</b>	<b>No</b>

## **Comments:**

The OUCHS petition does not indicate how the school will meet the needs of EL students. The petition does not indicate any targeted ELD instruction for students who require instruction beyond the proposed full inclusion model. In addition, the OUCHS petition does not adequately indicate how the charter school will identify and respond to the needs of pupils who are achieving beyond expected levels.

## **Educational Program**

### **Plan for Low-Achieving Students**

The OUCHS petition provides intervention support as noted on p. 46 for students who have not mastered academic skills. OUCHS will use assessments, set learning goals, and provide intensive instruction to individuals as well as modify instruction in core classes provided and in small groups during the school day and after school. In addition, additional academic support and enrichment as referenced on pp. 42–43 is provided through daily advisory sessions, California High School Exit Exam and Early Assessment Program tutoring, and academic tutoring. The OUCHS petition outlines the Student Study Team process, professional development, and instructional strategies to support student learning.

### **Plan for High-Achieving Students**

OUCHS does not adequately describe an instructional program or identification process for high-achieving students beyond differentiating instruction for all students.

### **Plan for English Language Learners**

The petition lacks a clear description of an EL program. Although on p. 40 the petition states standards based ELD curriculum and access to the core curriculum through Specially Designed Academic Instruction in English and opportunities for additional and extended learning, the petition does not outline a description of specific program placement for students who score within levels 1 through 3 on the CELDT. Additionally, the petition does not include a description of how and when EL students will receive ELD instruction aligned to ELD standards.

### **Plan for Special Education**

While the OUCHS petition has included a plan for special education on pp. 49–55, however; it fails to address the wide range of services and supports that may be necessary to serve a potentially diverse population. The petitioners use inconsistent terminology and lack of detail describing how the plan will meet the needs of the full continuum of students with disabilities. In order to properly assess the school's ability and capacity for meeting the needs of the wide range of students with disabilities, more information describing how the school plans to meet the needs of all students would need to be present. In addition, the CDE notes the following deficiencies:

- The petition states on p. 49 that a resource specialist will provide instruction to students with an Individualized Education Program (IEP). The petition is not clear on how it will serve students with disabilities other than mild/moderate.
- The petition states on p. 49 that “no student otherwise eligible to enroll in our school will be denied enrollment...” this language implies that there could be eligibility requirements before a student may enroll in the school.
- In Attachment 5, Section A of the 2013–14 enrollment application packet, the following question is asked of the parent: Has the student ever had an IEP? Parents are required to answer yes or no. However, beneath the question is the following disclosure: If an IEP is later discovered your child will be dis-enrolled. This language suggests that the petitioners do not understand the law.
- The petition on p. 51 states the following language: “When a child has been referred for assessment by parents, guardians, teachers or other school personnel, the parent or guardian will receive written response from the school...If the school determines that an assessment of a student is not appropriate, the parent will receive written notice of this decision”.
- It is not clear, as noted on p. 54, that the petitioners understand the role of the Special Education Local Plan Area.

2. Measurable Pupil Outcomes	<b>EC Section 47605(b)(5)(B) Title 5 CCR Section 11967.5.1(f)(2)</b>	
<b>Evaluation Criteria</b> Measurable pupil outcomes, as required by <i>EC</i> Section 47605(b)(5)(B), at a minimum:		
(A) Specify skills, knowledge, and attitudes that reflect the school’s educational objectives and can be assessed, at a minimum, by objective means that are frequent and sufficiently detailed enough to determine whether pupils are making satisfactory progress. It is intended that the frequency of objective means of measuring pupil outcomes vary according to such factors as grade level, subject matter, the outcome of previous objective measurements, and information that may be collected from anecdotal sources. To be sufficiently detailed, objective means of measuring pupil outcomes must be capable of being used readily to evaluate the effectiveness of and to modify instruction for individual students and for groups of students.	Yes	
(B) Include the school’s API growth target, if applicable.	Yes	
<b>Does the petition present a reasonably comprehensive description of measurable pupil outcomes?</b>		<b>Yes</b>

**Comments:**

The OUCHS petition does present a reasonably comprehensive description of measurable pupil outcomes. On pp. 60–62 of the petition measurable pupil outcomes are based on state priorities 4, 5, and 6.

3. Method for Measuring Pupil Progress	<b>EC Section 47605(b)(5)(C) Title 5 CCR Section 11967.5.1(f)(3)</b>	
<b>Evaluation Criteria</b> The method for measuring pupil progress, as required by <i>EC</i> Section 47605(b)(5)(C), at a minimum:		
(A) Utilizes a variety of assessment tools that are appropriate to the skills, knowledge, or attitudes being assessed, including, at minimum, tools that employ objective means of assessment consistent with the measurable pupil outcomes.		Yes
(B) Includes the annual assessment results from the Standardized Testing and Reporting (STAR) program.		Yes
(C) Outlines a plan for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing the data continuously to monitor and improve the charter school's educational program.		No
<b>Does the petition present a reasonably comprehensive description of the method for measuring pupil progress?</b>		<b>No</b>

**Comments:**

The OUCHS petition does not present a reasonably comprehensive description of the methods to be used for measuring student progress. The OUCHS petition does not include a detailed outline for collecting, analyzing, and reporting data on pupil achievement to school staff and to pupils' parents and guardians, and for utilizing data to continuously monitor and improve the charter school's educational program.

4. Governance Structure	<b>EC Section 47605(b)(5)(D) Title 5 CCR Section 11967.5.1(f)(4)</b>	
<p><b>Evaluation Criteria</b> The governance structure of the school, including, but not limited to, the process ... to ensure parental involvement ..., as required by EC Section 47605(b)(5)(D), at a minimum:</p>		
(A) Includes evidence of the charter school's incorporation as a non-profit public benefit corporation, if applicable.		Yes
<p>(B) Includes evidence that the organizational and technical designs of the governance structure reflect a seriousness of purpose necessary to ensure that:</p> <ol style="list-style-type: none"> <li>1. The charter school will become and remain a viable enterprise.</li> <li>2. There will be active and effective representation of interested parties, including, but not limited to parents (guardians).</li> <li>3. The educational program will be successful.</li> </ol>		No
<b>Does the petition present a reasonably comprehensive description of the school's governance structure?</b>		<b>No</b>

**Comments:**

The OUCHS petition does not present a reasonably comprehensive description of the school's governance structure as outlined on pp. 67–73. The petition states that OUCHS has undergone a complete structural change based on the requirements of Program Improvement year 4. OUCHS has chosen to replace all or most of their staff, including the Director and reorganize its internal structure with the staff necessary to improve the schools overall performance.

The petition does not provide a clear outline to ensure active and effective representation of interested parties, including, but not limited to parents as it pertains to their governance structure.

5. Employee Qualifications	<b>EC Section 47605(b)(5)(E) Title 5 CCR Section 11967.5.1(f)(5)</b>	
<b>Evaluation Criteria</b> The qualifications (of the school's employees), as required by EC Section 47605(b)(5)(E), at a minimum:		
(A) Identify general qualifications for the various categories of employees the school anticipates (e.g., administrative, instructional, instructional support, non-instructional support). The qualifications shall be sufficient to ensure the health and safety of the school's faculty, staff, and pupils.		No
(B) Identify those positions that the charter school regards as key in each category and specify the additional qualifications expected of individuals assigned to those positions.		No
(C) Specify that all requirements for employment set forth in applicable provisions of law will be met, including, but not limited to, credentials as necessary.		Yes
<b>Does the petition present a reasonably comprehensive description of employee qualifications?</b>		<b>No</b>

**Comments:**

The OUCHS petition does not present a reasonably comprehensive description of employee qualifications. The petition does not include job descriptions and qualifications for the counselor, resource specialist, or additional classified staff personnel who may be employed at the charter.

6. Health and Safety Procedures	<i>EC Section 47605(b)(5)(F)</i> Title 5 CCR Section 11967.5.1(f)(6)	
<p><b>Evaluation Criteria</b> The procedures ..., to ensure the health and safety of pupils and staff, as required by <i>EC Section 47605(b)(5)(F)</i>, at a minimum:</p>		
(A) Require that each employee of the school furnish the school with a criminal record summary as described in <i>EC Section 44237</i> and comply with <i>EC Section 44830.1</i> .		Yes
(B) Include the examination of faculty and staff for tuberculosis as described in <i>EC Section 49406</i> .		Yes
(C) Require immunization of pupils as a condition of school attendance to the same extent as would apply if the pupils attended a non-charter public school.		Yes
(D) Provide for the screening of pupils' vision and hearing and the screening of pupils for scoliosis to the same extent as would be required if the pupils attended a non-charter public school.		No
<b>Does the petition present a reasonably comprehensive description of health and safety procedures?</b>		<b>No</b>

**Comments:**

The OUCHS petition does not present a reasonably comprehensive description of health and safety procedures.

7. Racial and Ethnic Balance	<i>EC Section 47605(b)(5)(G)</i> Title 5 CCR Section 11967.5.1(f)(7)	
<p><b>Evaluation Criteria</b> Recognizing the limitations on admissions to charter schools imposed by <i>EC Section 47605(d)</i>, the means by which the school(s) will achieve a racial and ethnic balance among its pupils that is reflective of the general population residing within the territorial jurisdiction of the school district ..., as required by <i>EC Section 47605(b)(5)(G)</i>, shall be presumed to have been met, absent specific information to the contrary.</p>		
<b>Does the petition present a reasonably comprehensive description of means for achieving racial and ethnic balance?</b>		<b>Yes</b>

**Comments:**

The OUCHS petition presents a reasonably comprehensive description of means for achieving racial and ethnic balance.

<b>8. Admission Requirements, If Applicable</b>	<b>EC Section 47605(b)(5)(H) Title 5 CCR Section 11967.5.1(f)(8)</b>
<p><b>Evaluation Criteria</b>  To the extent admission requirements are included in keeping with <i>EC</i> Section 47605(b)(5)(H), the requirements shall be in compliance with the requirements of <i>EC</i> Section 47605(d) and any other applicable provision of law.</p>	
<b>Does the petition present a reasonably comprehensive description of admission requirements?</b>	<b>*Yes; Technical Amendment</b>

**Comments:**

Although the OUCHS petition presents a reasonably comprehensive description of admission requirements, the petition outlines preferences that do not follow *EC* Section 47605(d)(2)(B), which states preference shall be extended to pupils currently attending the charter school and pupils who reside in the district. On p. 94 the petition states preference shall be extended to pupils who reside within the attendance area, students currently attending the school, and their siblings. OUCHS meets the requirement of a public drawing.

**Technical Amendment:**

The CDE recommends a technical amendment to change the proposed order of admission preferences to align with *EC* Section 47605(d)(2)(B) to state preference in the following order: 1) pupils currently attending the charter school, and 2) students who reside within the boundaries of the district.

<b>9. Annual Independent Financial Audits</b>	<b>EC Section 47605(b)(5)(I) Title 5 CCR Section 11967.5.1(f)(9)</b>
<p><b>Evaluation Criteria</b>  The manner in which annual independent financial audits shall be conducted using generally accepted accounting principles, and the manner in which audit exceptions and deficiencies shall be resolved to the SBE's satisfaction, as required by <i>EC</i> Section 47605(b)(5)(I), at a minimum:</p>	
(A) Specify who is responsible for contracting and overseeing the independent audit.	Yes
(B) Specify that the auditor will have experience in education finance.	Yes
(C) Outline the process of providing audit reports to the SBE, CDE, or other agency as the SBE may direct, and specifying the timeline in which audit exceptions will typically be addressed.	Yes

<b>9. Annual Independent Financial Audits</b>	<b>EC Section 47605(b)(5)(I) Title 5 CCR Section 11967.5.1(f)(9)</b>
(D) Indicate the process that the charter school(s) will follow to address any audit findings and/or resolve any audit exceptions.	Yes
<b>Does the petition present a reasonably comprehensive description of annual independent financial audits?</b>	<b>Yes</b>

**Comments:**

The OUCHS petition presents a reasonably comprehensive description of annual independent financial audits.

<b>10. Suspension and Expulsion Procedures</b>	<b>EC Section 47605(b)(5)(J) Title 5 CCR Section 11967.5.1(f)(10)</b>
<b>Evaluation Criteria</b> The procedures by which pupils can be suspended or expelled, as required by EC Section 47605(b)(5)(J), at a minimum:	
(A) Identify a preliminary list, subject to later revision pursuant to subparagraph (E), of the offenses for which students in the charter school must (where non-discretionary) and may (where discretionary) be suspended and, separately, the offenses for which students in the charter school must (where non-discretionary) or may (where discretionary) be expelled, providing evidence that the petitioners' reviewed the offenses for which students must or may be suspended or expelled in non-charter public schools.	Yes
(B) Identify the procedures by which pupils can be suspended or expelled.	Yes
(C) Identify the procedures by which parents, guardians, and pupils will be informed about reasons for suspension or expulsion and of their due process rights in regard to suspension or expulsion.	Yes
(D) Provide evidence that in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C), the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school's pupils and their parents (guardians).	*Yes
(E) If not otherwise covered under subparagraphs (A), (B), (C),	Yes

<p><b>10. Suspension and Expulsion Procedures</b></p>	<p><b>EC Section          47605(b)(5)(J)          Title 5 CCR          Section          11967.5.1(f)(10)</b></p>
<p>and (D):</p> <ol style="list-style-type: none"> <li>1. Provide for due process for all pupils and demonstrate an understanding of the rights of pupils with disabilities in...regard to suspension and expulsion.</li> <li>2. Outline how detailed policies and procedures regarding suspension and expulsion will be developed and periodically reviewed, including, but not limited to, periodic review and (as necessary) modification of the lists of offenses for which students are subject to suspension or expulsion.</li> </ol>	
<p><b>Does the petition present a reasonably comprehensive description of suspension and expulsion procedures?</b></p>	<p><b>*Yes;          Technical          Amendment</b></p>

**Comments:**

The OUCHS petition does present a reasonably comprehensive description of suspension and expulsion procedures.

**Technical Amendment:**

The CDE recommends a technical amendment to include language in the petition providing evidence that the petitioners, “in preparing the lists of offenses specified in subparagraph (A) and the procedures specified in subparagraphs (B) and (C)...reviewed the lists of offenses and procedures that apply to students attending non-charter public schools, and provide evidence that the charter petitioners believe their proposed lists of offenses and procedures provide adequate safety for students, staff, and visitors to the school and serve the best interests the school’s pupils and their parents (guardians).”

<b>11. California State Teachers' Retirement System, California Public Employees Retirement System, and Social Security Coverage</b>	<b><i>EC Section 47605(b)(5)(K)</i></b> <b>Title 5 CCR Section 11967.5.1(f)(11)</b>
<b>Evaluation Criteria</b> The manner by which staff members of the charter schools will be covered by California State Teachers' Retirement System (CALSTRS), California Public Employees Retirement System (CALPERS), or federal social security, as required by <i>EC Section 47605(b)(5)(K)</i> , at a minimum, specifies the positions to be covered under each system and the staff who will be responsible for ensuring that appropriate arrangements for that coverage have been made.	
<b>Does the petition present a reasonably comprehensive description of CalSTRS, CalPERS, and social security coverage?</b>	<b>*Yes;          Technical          Amendment</b>

**Comments:**

The OUCHS petition does present a reasonably comprehensive description of staff retirement systems.

**Technical Amendment:**

The CDE recommends a technical amendment to specify the staff responsible for ensuring that appropriate arrangements for that coverage have been made.

<b>12. Public School Attendance Alternatives</b>	<b><i>EC</i> Section 47605(b)(5)(L) Title 5 <i>CCR</i> Section 11967.5.1(f)(12)</b>
<p><b>Evaluation Criteria</b> The public school attendance alternatives for pupils residing within the school district who choose not to attend charter schools, as required by <i>EC</i> Section 47605(b)(5)(L), at a minimum, specify that the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.</p>	
<b>Does the petition present a reasonably comprehensive description of public school attendance alternatives?</b>	<b>Yes</b>

**Comments:**

The OUCHS petition presents a reasonably comprehensive description of public school attendance alternatives.

<b>13. Post-employment Rights of Employees</b>	<b>EC Section 47605(b)(5)(M) Title 5 CCR Section 11967.5.1(f)(13)</b>	
<p><b>Evaluation Criteria</b>  The description of the rights of any employees of the school district upon leaving the employment of the school district to work in a charter school, and of any rights of return to the school district after employment at a charter school, as required by <i>EC</i> Section 47605(b)(5)(M), at a minimum, specifies that an employee of the charter school shall have the following rights:</p>		
(A) Any rights upon leaving the employment of an LEA to work in the charter school that the LEA may specify.		Yes
(B) Any rights of return to employment in an LEA after employment in the charter school as the LEA may specify.		Yes
(C) Any other rights upon leaving employment to work in the charter school and any rights to return to a previous employer after working in the charter school that the SBE determines to be reasonable and not in conflict with any provisions of law that apply to the charter school or to the employer from which the employee comes to the charter school or to which the employee returns from the charter school.		Yes
<b>Does the petition present a reasonably comprehensive description of post-employment rights of employees?</b>		<b>Yes</b>

**Comments:**

The OUCHS petition presents a reasonably comprehensive description of post-employment rights of employees.

<b>14. Dispute Resolution Procedures</b>	<b>EC Section 47605(b)(5)(N) Title 5 CCR Section 11967.5.1(f)(14)</b>	
<p><b>Evaluation Criteria</b>  The procedures to be followed by the charter school and the entity granting the charter to resolve disputes relating to the provisions of the charter, as required by <i>EC</i> Section 47605(b)(5)(N), at a minimum:</p>		
(A) Include any specific provisions relating to dispute resolution that the SBE determines necessary and appropriate in recognition of the fact that the SBE is not a LEA.		Yes
(B) Describe how the costs of the dispute resolution process, if needed, would be funded.		Yes

14. Dispute Resolution Procedures	<b>EC Section 47605(b)(5)(N) Title 5 CCR Section 11967.5.1(f)(14)</b>	
(C) Recognize that, because it is not a LEA, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, provided that if the SBE intends to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.	Yes	
(D) Recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with <i>EC</i> Section 47604.5, the matter will be addressed at the SBE’s discretion in accordance with that provision of law and any regulations pertaining thereto.	*Yes	
<b>Does the petition present a reasonably comprehensive description of dispute resolution procedures?</b>	<b>*Yes; Technical Amendment</b>	

**Comments:**

The OUCHS petition presents a reasonably comprehensive description of dispute resolution procedures.

**Technical Amendment:**

The CDE recommends a technical amendment so that the dispute resolution process in the petition will “recognize that if the substance of a dispute is a matter that could result in the taking of appropriate action, including, but not limited to, revocation of the charter in accordance with *EC* Section 47604.5, the matter will be addressed at the SBE’s discretion in accordance with that provision of law and any regulations pertaining thereto.”

<b>15. Exclusive Public School Employer</b>	<b><i>EC Section 47605(b)(5)(O)</i></b> <b>Title 5 CCR Section 11967.5.1(f)(15)</b>
<p><b>Evaluation Criteria</b>          The declaration of whether or not the district shall be deemed the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (Chapter 10.7 [commencing with Section 3540] of Division 4 of Title 1 of the <i>Government Code</i>), as required by <i>EC Section 47605(b)(5)(O)</i>, recognizes that the SBE is not an exclusive public school employer and that, therefore, the charter school must be the exclusive public school employer of the employees of the charter school for the purposes of the Educational Employment Relations Act (EERA).</p>	
<b>Does the petition include the necessary declaration?</b>	<b>Yes</b>

**Comments:**

The OUCHS petition includes the necessary declaration.

<b>16. Closure Procedures</b>	<b><i>EC Section 47605(b)(5)(P)</i></b> <b>Title 5 CCR Section 11967.5.1(f)(15)(g)</b>
<p><b>Evaluation Criteria</b>          A description of the procedures to be used if the charter school closes, in keeping with <i>EC Section 47605(b)(5)(P)</i>. The procedures shall ensure a final audit of the school to determine the disposition of all assets and liabilities of the charter school, including plans for disposing of any net assets and for the maintenance and transfer of pupil records.</p>	
<b>Does the petition include a reasonably comprehensive description of closure procedures?</b>	<b>Yes</b>

**Comments:**

The OUCHS petition presents a reasonably comprehensive description of closure procedures.

**ADDITIONAL REQUIREMENTS UNDER EC SECTION 47605**

<b>Standards, Assessments, and Parent Consultation</b>	<b>EC Section 47605(c) Title 5 CCR Section 11967.5.1(f)(3)</b>	
<b>Evaluation Criteria</b> Evidence is provided that:		
(1) The school shall meet all statewide standards and conduct the pupil assessments required pursuant to EC sections 60605, 60851, and any other statewide standards authorized in statute or pupil assessments applicable to pupils in non-charter public schools.	Yes	
(2) The school shall, on a regular basis, consult with their parents and teachers regarding the school's educational programs.	Yes	
<b>Does the petition provide evidence addressing the requirements regarding standards, assessments, and parent consultation?</b>	<b>Yes</b>	

**Comments:**

The OUCHS petition does provide evidence addressing the requirements regarding standards, assessments, and parent consultation.

<b>Employment is Voluntary</b>	<b>EC Section 47605(e) Title 5 CCR Section 11967.5.1(f)(13)</b>	
<b>Evaluation Criteria</b> The governing board...shall not require any employee ... to be employed in a charter school.		
<b>Does the petition meet this criterion?</b>	<b>Yes</b>	

**Comments:**

The OUCHS petition meets this criterion.

<b>Pupil Attendance is Voluntary</b>	<b>EC Section 47605(f) Title 5 CCR Section 11967.5.1(f)(12)</b>	
<b>Evaluation Criteria</b> The governing board ... shall not require any pupil ... to attend a charter school.		
<b>Does the petition meet this criterion?</b>	<b>Yes</b>	

**Comments:**

The OUCHS petition meets this criterion.

<b>Effect on Authorizer and Financial Projections</b>	<b>EC Section 47605(g) Title 5 CCR Section 11967.5.1(c)(3)(A–C)</b>	
<b>Evaluation Criteria</b> ... [T]he petitioners [shall] provide information regarding the proposed operation and potential effects of the school, including, but not limited to:		
• The facilities to be utilized by the school. The description of the facilities to be used by the charter school shall specify where the school intends to locate.		Yes
• The manner in which administrative services of the school are to be provided.		Yes
• Potential civil liability effects, if any, upon the school and the SBE.		Yes
The petitioners shall also provide financial statements that include a proposed first-year operational budget, including startup costs, and cash-flow and financial projections for the first three years of operation.		Yes
<b>Does the petition provide the required information and financial projections?</b>		<b>Yes</b>

**Comments:**

The OUCHS petition provides the required information and financial projections.

<b>Academically Low Achieving Pupils</b>	<b>EC Section 47605(h) Title 5 CCR Section 11967.5.1(f)(1)(F–G)</b>	
<b>Evaluation Criteria</b> In reviewing petitions, the charter authorizer shall give preference to petitions that demonstrate the capability to provide comprehensive learning experiences to pupils identified by the petitioners as academically low achieving pursuant to the standards established by the California State Department of Education under Section 54032 as it read prior to July 19, 2006.		
<b>Does the petition merit preference by the SBE under this criterion?</b>		<b>NA</b>

<b>Teacher Credentialing</b>	<b>EC Section 47605(l) Title 5 CCR Section 11967.5.1(f)(5)</b>
<b>Evaluation Criteria</b> Teachers in charter schools shall be required to hold a California Commission on Teacher Credentialing certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold ...It is the intent of the Legislature that charter schools be given flexibility with regard to noncore, non-college preparatory courses.	
<b>Does the petition meet this requirement?</b>	<b>Yes</b>

**Comments:**

The OUCHS petition meets this requirement.

<b>Transmission of Audit Report</b>	<b>EC Section 47605(m) Title 5 CCR Section 11967.5.1(f)(9)</b>
<b>Evaluation Criteria</b> A charter school shall transmit a copy of its annual independent financial audit report for the preceding fiscal year ... to the chartering entity, the Controller, the county superintendent of schools of the county in which the charter is sited ..., and the CDE by December 15 of each year.	
<b>Does the petition address this requirement?</b>	<b>Yes</b>

**Comments:**

The OUCHS charter petition provides a reasonable description of the transmission of the annual audit report.

<b>Goals to Address the Eight State Priorities</b>	<b>EC Section 47605(b)(5)(A)(ii)</b>
<p><b>Evaluation Criteria</b>            A charter school shall provide a description of annual goals for all pupils and for each subgroup of pupils identified pursuant to Section 52052, to be achieved in the state priorities, as described in subdivision (d) of Section 52060, that apply for the grade levels served, or the nature of the program operated, by the charter school, and specific annual actions to achieve those goals. A charter petition may identify additional school priorities, the goals for the school priorities, and the specific annual actions to achieve those goals.</p>	
<b>Does the petition address this requirement?</b>	<b>No</b>

**Comments:**

The OUCHS petition addresses the state priorities and aligns them with Elements 1–6 on pp.18–19 of the petition. However, the petition does not include a description of annual goals for the unduplicated pupil count identified as significant subgroups as measured on the 2013–14 API. OUCHS has confirmed there is no Local Control and Accountability Plan.

## **Summary of Findings to Deny the Opportunities Unlimited Charter High School Petition from the Los Angeles County Office of Education**

**Finding #1:** The petition provides an unsound educational program for students to be enrolled in the school.

- Did not meet the statutory criteria of *EC 47607(b)* necessary to be considered for renewal.
- Did not demonstrate progress toward meeting the measurable pupil outcomes as stated in its charter.
- Is identified as a persistently low performing school under 5 *CCR 11968.5*.

**Finding #2:** The petitioners are demonstrably unlikely to successfully implement the program.

- The petitioners are unfamiliar with the requirements of law that would apply to the proposed charter school.
- The petitioners lack the necessary background in curriculum, instruction, and assessment critical to the school's success, and do not plan to secure the services of individuals who have the necessary background.
- The petitioners have had difficulty recruiting and retaining a special education teacher. In addition the school requires multiple reminders to submit mandated reporting data.

**Finding #3:** The petition contains the required number of signatures.

- This criterion is not applicable for renewal petition.

**Finding #4:** The petition contains an affirmation of all specified assurances.

- LACOE provided no other information.

**Finding #5:** The petition does not contain a reasonably comprehensive description of all required elements.

- Element 1 – Description of the Educational Program
  - The petition lacks sufficient description of the target student population, and specific educational interests, backgrounds, or challenges of the student population the school proposes to serve.

- The petition does not sufficiently indicate how the charter school will identify and respond to the needs of pupils who are not achieving at or above expected levels.
- The petition lacks a framework for instructional design that is aligned with the needs of the pupils that the school has identified.
- The petition lacks an adequate description of how the charter school will meet the needs of students with disabilities, ELs, students achieving below grade level and other special populations.
- Element 2 – Measurable Pupil Outcomes
  - The petition does include the school's API growth target, but fails to give a complete picture of how the school performed over the course of its charter term. The petition states that the school's API increased from 378 to 579 from 2006 to 2013. However, it fails to acknowledge the 62 point decline between 2011 (API 641) and 2013 (API 579). The petition also does not acknowledge that its scores for 2010 were invalidated by CDE.
- Element 3 – Method for Measuring Pupil Progress
  - The petition does not explain how the assessment tools will be used to monitor progress and fails to outline an adequate plan for collecting, analyzing, and reporting data on pupil achievement to school staff and parents. The petition fails to indicate how the staff will utilize the data.
- Element 4 – Governance Structure
  - The Governing Board is not effectively engaged in policy making and fiscal and administrative oversight and compliance with laws applicable to charter school governance.
- Element 5 – Employee Qualifications
  - The petition does not include job descriptions and qualifications for the counselor, resource specialist, tutor, teacher assistant, office technician or data entry technician.
- Element 6 – Health and Safety Procedures
  - The petition fails to provide for the screening of vision, hearing, and scoliosis to the same extent as would be required if the pupils attended a non-charter public school.
- Element 7 – Means to Achieve and Reflective Racial and Ethnic Balance

- The petition does not provide benchmarks that measure whether the applicant pool is reflective of the racial and ethnic composition of the general population residing within the geographic boundaries of LAUSD. In addition, the petition states insufficient outreach strategies.
- Element 8 –Admission Requirements
  - The order and description of the school's state preferences are not clearly defined and there is no percentage allocated to preference categories. The process for conducting the lottery is not clearly defined and/or observable.
- Element 9 –Annual Independent Financial Audits
  - The element is reasonably comprehensive
- Element 10 –Suspension and Expulsion Procedures
  - The petition fails to differentiate the lists of offenses for which students in the charter school must and may be suspended and/or expelled.
  - The petition lacks specificity on procedures by which pupils can be suspended or expelled.
  - The petition lacks evidence that in preparing the lists of offenses the petitioners reviewed the lists of offenses and procedures that apply to students attending non-charter public schools.
  - The petition does not differentiate between the Individuals with Disabilities ACT and Section 504. It does not provide for due process for all pupils.
  - The petition does not describe how the school will comply with AB 1610.
- Element 11 – STRS, PERS, and Social Security
  - The petition fails to specify which staff member will be responsible for ensuring that appropriate coverage is made.
- Element 12 – Public School Attendance Alternatives
  - The element does not contain the statement that specifies that at a minimum the parent or guardian of each pupil enrolled in the charter school shall be informed that the pupil has no right to admission in a particular school of any local educational agency (LEA) (or program of any LEA) as a consequence of enrollment in the charter school, except to the extent that such a right is extended by the LEA.

- Element 13 – Post-Employment Rights of Employees
  - The element is reasonably comprehensive.
- Element 14 – Dispute Resolution Procedures
  - The process does not clearly state that if a dispute relates to an issue that could lead to revocation of the charter school, both parties will no longer be subject to this process. In addition, the extended timeline of 120 days is unreasonable.
- Element 15 – Exclusive Public Employer
  - The element is reasonably comprehensive.
- Element 16 – Closure Procedures
  - The petition fails to designate a responsible entity to conduct closure-related activities
  - The petition fails to provide a complete description of how the school will transfer personnel records.
  - The disposal of net assets is not provided in the corporate bylaws as stated in the petition.

**Finding #6:** The petition does not satisfy all of the required assurances of *EC* Section 47605(c), (e) through (h), (l), and (m).

- Standards, Assessments and Parent Consultation: Does not meet the condition.
- Employment is Voluntary: Meets the condition.
- Pupil Attendance is Voluntary: Meets the condition.
- Effect on the Authorizer and Financial Projections: Provides the necessary evidence.
- Preference to Academically Low Performing Students: Does not qualify for the preference.
- Teacher Credentialing Requirement: Meets the condition.
- Transmission of Audit Report: Meets the condition.

## **Petitioners Response**

**Finding #1:** The petition provides an unsound educational program for students to be enrolled in the school.

- The petitioner did not provide a response to the finding.

**Finding #2:** The petitioners are demonstrably unlikely to successfully implement the program.

- The petitioner did not provide a response to the finding.

**Finding #3:** The petition contains the required number of signatures.

- The petitioner did not provide a response to the finding.

**Finding #4:** The petition contains an affirmation of all specified assurances.

- The petitioner did not provide a response to the finding.

**Finding #5:** The petition does not contain a reasonably comprehensive description of all required elements.

- The petitioner did not provide a response to the finding.

**Finding #6:** The petition does not satisfy all of the required assurances of Education Code 47605(c),(e) through (h), (l), and (m).

- The petitioner did not provide a response to the finding.

## **CDE Response**

**Finding #1:** The petition provides an unsound educational program for students to be enrolled in the school.

- CDE concurs with Finding #1.

**Finding #2:** The petitioners are demonstrably unlikely to successfully implement the program.

- The CDE concurs with the findings of LACOE. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

**Finding #3:** The petition contains the required number of signatures.

- The CDE concurs with this finding. A renewal petition is not required to have signatures.

**Finding #4:** The petition contains an affirmation of all specified assurances.

- The CDE does not concur with this finding. The petitioners did not include a required signature attesting to these affirmations.

**Finding #5:** The petition does not contain a reasonably comprehensive description of all required elements.

- The CDE concurs with Finding #5. However, the CDE recommends a technical amendment for four (Admission Requirements, Suspension and Expulsion Procedures, Retirement Coverage, and Dispute Resolution Procedures) of the sixteen required elements.

**Finding #6:** The petition does not satisfy all of the required assurances of *EC* Section 47605(c), (e) through (h), (l), and (m).

- The CDE does not concur with Finding #6.

**Table 1: 2013 Demographic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend**

School Name	Opportunities Unlimited Charter High	Wallis Annenberg High	Alliance College-Ready Academy High No. 5	Synergy Quantum Academy	Manual Arts Senior High
CDS Code	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
Student Enrollment	148	359	608	537	1867
% Black or African American	43.9	7.5	13.5	5.8	18.2
% American Indian or Alaska Native	0.0	3.3	0.0	0.0	0.2
% Asian	0.0	0.3	0.0	0.0	0.0
% Filipino	0.0	0.3	0.0	0.0	0.2
% Hispanic or Latino	49.3	88.3	86.2	94.2	80.6
% Native Hawaiian or Pacific Islander	0.0	0.0	0.0	0.0	0.2
% White	3.4	0.0	0.0	0.0	0.3
% Two or More Races	0.0	0.0	0.3	0.0	0.0
% Socioeconomically Disadvantaged	85.1	97.8	98.2	93.5	73.8
% English Learners	26.4	13.6	23.2	32.2	30.3
% Students with Disabilities	6.1	0.6	7.7	9.1	14.7

Data source used "SQL5.SSIDAggregates.SSIDenroll"

Prepared by California Department of Education, September 2014

**Table 2: 2013 Truancy, Suspension, and Expulsion Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend**

School Name	Opportunities Unlimited Charter High	Wallis Annenberg High	Alliance College-Ready Academy High No. 5	Synergy Quantum Academy	Manual Arts Senior High
CDS Code	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
Enrollment	174	373	712	538	2188
Truancy Number (Rate)	0 ( 0.0 )	0 ( 0.0 )	0 ( 0.0 )	0 ( 0.0 )	0 ( 0.0 )
Suspension Number (Rate)	0 ( 0 )	1 ( 0.3 )	5 ( 0.7 )	0 ( 0 )	25 ( 1.1 )
Expulsion Number (Rate)	0 ( 0.0 )	1 ( 0.3 )	0 ( 0.0 )	0 ( 0.0 )	0 ( 0.0 )

Data source used "SQL5.UMIRS.StudentDisciplineRates"

Prepared by California Department of Education, September 2014

<b>Table 3. Academic Performance Index (API) Growth for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend</b>					
<b>School Name</b>	<b>Opportunities Unlimited Charter High</b>	<b>Wallis Annenberg High</b>	<b>Alliance College-Ready Academy High No. 5</b>	<b>Synergy Quantum Academy</b>	<b>Manual Arts Senior High</b>
<b>CDS Code</b>	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
API Growth for 2012-13	-9	-5	33	68	34
API Growth for 2011-12	-46	-8	-9	B	20
API Growth for 2010-11	B	10	56		33
API Growth for 2009-10	API Invalidated	25	66		3

**Data sources used:**  
[SQL5.Accountability.grth2010](#)  
[SQL5.Accountability.grth2011](#)  
[SQL5.Accountability.grth2012](#)  
[SQL5.Accountability.grth2013](#)

B - The school did not have Base API and will not have any growth information

Prepared by California Department of Education, September 2014

<b>Table 4: 2013 Growth Academic Performance Index (API) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend</b>					
<b>School Name</b>	<b>Opportunities Unlimited Charter High</b>	<b>Wallis Annenberg High</b>	<b>Alliance College-Ready Academy High No. 5</b>	<b>Synergy Quantum Academy</b>	<b>Manual Arts Senior High</b>
<b>CDS Code</b>	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
Valid Scores Schoolwide	86	352	424	451	1030
Schoolwide	579 ( -9 )	737 ( -5 )	798 ( 33 )	731 ( 68 )	627 ( 34 )
Black or African American	545 ( - )	780 ( - )	764 ( - )	668 ( - )	568 ( 34 )
American Indian or Alaska Native	- ( - )	732 ( - )	- ( - )	- ( - )	- ( - )
Asian	- ( - )	- ( - )	- ( - )	- ( - )	- ( - )
Filipino	- ( - )	- ( - )	- ( - )	- ( - )	- ( - )
Hispanic or Latino	608 ( - )	736 ( -12 )	803 ( 36 )	734 ( 67 )	638 ( 35 )
Native Hawaiian or Pacific Islander	- ( - )	- ( - )	- ( - )	- ( - )	- ( - )
White	- ( - )	- ( - )	- ( - )	- ( - )	- ( - )
Two or More Races	- ( - )	- ( - )	- ( - )	- ( - )	- ( - )
Socioeconomically Disadvantaged	581 ( -6 )	737 ( -3 )	797 ( 32 )	731 ( 71 )	630 ( 38 )
English Learners	549 ( - )	676 ( 9 )	792 ( 32 )	656 ( 53 )	515 ( -47 )
Students with Disabilities	- ( - )	452 ( - )	589 ( - )	484 ( - )	418 ( 70 )
2013 Statewide/Similar Schools Rank	1/NA	4/7	7/10	4/7	1/5

**Data sources used:**  
**SQL5.Accountabilty.grth2013**  
**SQL5.Accountabilty.APIB2012**

- The Growth API is not displayed when there are less than 11 valid scores  
 (-) The student group is not numerically significant, therefore no growth determination was made  
 NA - Schools with less than 100 valid test scores do not receive a Similar Schools Rank

Prepared by California Department of Education, September 2014

<b>Table 5: 2013 Adequate Yearly Progress (AYP) Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend</b>					
<b>School Name</b>	<b>Opportunities Unlimited Charter High</b>	<b>Wallis Annenberg High</b>	<b>Alliance College-Ready Academy High No. 5</b>	<b>Synergy Quantum Academy</b>	<b>Manual Arts Senior High</b>
<b>CDS Code</b>	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
Met AYP Criteria	No	No	Yes	Yes	No
# Criteria Met/# Criteria Applicable	2 / 5	8 / 11	18 / 18	17 / 17	9 / 20
2013-14 Program Improvement (PI) Status	In PI	In PI	In PI	Not in PI	Not in PI
2013-14 Program Improvement (PI) Year	Year 4	Year 3	Year 3	NA	NA

Data sources used:  
[SQL5.Accountability.apr13pi\\_sch](#)  
[SQL5.Accountability.apr13a](#)

Prepared by California Department of Education, September 2014

<b>Table 6: 2013 Adequate Yearly Progress (AYP) Data: Percent Proficient in English-Language Arts (ELA) for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend</b>					
<b>School Name</b>	<b>Opportunities Unlimited Charter High</b>	<b>Wallis Annenberg High</b>	<b>Alliance College-Ready Academy High No. 5</b>	<b>Synergy Quantum Academy</b>	<b>Manual Arts Senior High</b>
<b>CDS Code</b>	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
Number of Valid Scores Schoolwide	32	98	164	186	234
Schoolwide (Met AYP)	31.3 ( No )	44.9 ( No )	61.6 ( Yes )	50.0 ( Yes )	41.5 ( No )
Black or African American (Met AYP)	36.4 ( -- )	-- ( -- )	57.9 ( -- )	28.6 ( -- )	34.3 ( -- )
American Indian or Alaska Native (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Asian (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Filipino (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Hispanic or Latino (Met AYP)	30.0 ( -- )	43.5 ( -- )	62.2 ( Yes )	51.7 ( Yes )	42.6 ( No )
Native Hawaiian or Pacific Islander (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
White (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Two or More Races (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Socioeconomically Disadvantaged (Met AYP)	32.3 ( -- )	44.3 ( -- )	61.3 ( Yes )	50.3 ( Yes )	41.0 ( No )
English Learners (Met AYP)	7.1 ( -- )	30.6 ( -- )	61.5 ( Yes )	26.5 ( Yes )	10.8 ( No )
Students with Disabilities (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	12.5 ( -- )	28.6 ( -- )

**Data sources used:**  
**SQL5.Accountability.apr13a**

-- Percent proficient is not displayed when there are less than 11 valid scores  
 (--) The student group is not numerically significant, therefore no AYP determination was made

Prepared by California Department of Education, September 2014

<b>Table 7: 2013 Adequate Yearly Progress (AYP) Data: Percent Proficient in Mathematics for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend</b>					
<b>School Name</b>	<b>Opportunities Unlimited Charter High</b>	<b>Wallis Annenberg High</b>	<b>Alliance College-Ready Academy High No. 5</b>	<b>Synergy Quantum Academy</b>	<b>Manual Arts Senior High</b>
<b>CDS Code</b>	19101990109918	19647330100750	19647330111492	19647330124560	19647331935519
Number of Valid Scores Schoolwide	33	99	164	186	252
Schoolwide (Met AYP)	33.3 ( No )	54.5 ( No )	76.2 ( Yes )	52.7 ( Yes )	40.1 ( Yes )
Black or African American (Met AYP)	27.3 ( -- )	-- ( -- )	68.4 ( -- )	28.6 ( -- )	20.5 ( -- )
American Indian or Alaska Native (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Asian (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Filipino (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Hispanic or Latino (Met AYP)	38.1 ( -- )	55.3 ( -- )	77.6 ( Yes )	54.7 ( Yes )	43.5 ( Yes )
Native Hawaiian or Pacific Islander (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
White (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Two or More Races (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )	-- ( -- )
Socioeconomically Disadvantaged (Met AYP)	34.4 ( -- )	55.1 ( -- )	76.3 ( Yes )	53.1 ( Yes )	41.4 ( Yes )
English Learners (Met AYP)	26.7 ( -- )	45.8 ( -- )	76.1 ( Yes )	34.3 ( Yes )	18.8 ( No )
Students with Disabilities (Met AYP)	-- ( -- )	-- ( -- )	-- ( -- )	12.5 ( -- )	18.2 ( -- )

**Data sources used:**  
**SQL5.Accountability.apr13a**

-- Percent proficient is not displayed when there are less than 11 valid scores  
(--) The student group is not numerically significant, therefore no AYP determination was made

Prepared by California Department of Education, September 2014

<b>Table 8: High School Academic Data for the Surrounding Schools Where Pupils Would Otherwise be Required to Attend</b>					
<b>Grade Ten CAHSEE Passage Rates</b>					
<b>School Name</b>	<b>Opportunities Unlimited</b>	<b>Wallis Annenberg High</b>	<b>Alliance College-Ready Acad No. 5</b>	<b>Synergy Quantum Academy</b>	<b>Manual Arts Senior High</b>
<b>CDS Code</b>	<b>19101990109918</b>	<b>19647330100750</b>	<b>19647330111492</b>	<b>19647330124560</b>	<b>19647331935519</b>
ELA/Math Number Tested	37 / 38	98 / 99	179 / 179	184 / 186	248 / 242
School wide ELA/Math	68.0 / 53.0	82.0 / 87.0	92.0 / 95.0	83.0 / 85.0	72.0 / 70.0
Black or African American ELA/Math	64.0 / 42.0	0 / 0	90.0 / 86.0	77.0 / 86.0	67.0 / 60.0
American Indian or Alaska Native ELA/Math	- / -	- / -	- / -	- / -	- / -
Asian ELA/Math	- / -	- / -	- / -	- / -	- / -
Filipino ELA/Math	- / -	0 / 0	- / -	- / -	0 / 0
Hispanic or Latino ELA/Math	67.0 / 59.0	80.0 / 87.0	92.0 / 96.0	84.0 / 85.0	73.0 / 72.0
Native Hawaiian or Pacific Islander ELA/Math	- / -	- / -	- / -	- / -	0 / 0
White ELA/Math	- / -	- / -	- / -	- / -	0 / 0
Two or More Races ELA/Math	0 / 0	0 / 0	0 / 0	- / -	- / -
Socioeconomically Disadvantaged ELA/Math	68.0 / 53.0	84.0 / 89.0	92.0 / 95.0	83.0 / 85.0	73.0 / 71.0
English Learners ELA/Math	56.0 / 47.0	26.0 / 60.0	58.0 / 79.0	58.0 / 66.0	20.0 / 31.0
Students with Disabilities ELA/Math	0 / 0	0 / 0	0 / 0	33.0 / 47.0	0 / 0
2012-13 Cohort Graduation Rate	58.54	99.07	91.43	66.67	74.76
2012-13 Cohort Dropout Rate	36.60	0.90	4.30	19.00	18.60

Data sources used:  
[SQL5.CAHSEE.cahsee13](#)  
[SQL5.SSIDAggregates.cohortaggregates](#)

English Language Arts (ELA)

Prepared by California Department of Education, September 2014

	2012-13	2013-14	2014-15	2015-16	2016-17
<b>Annual COLA</b> <i>(prefilled as calculated by the Department of Finance, DOF)</i>		1.57%	0.86%	2.12%	2.30%
<b>LCFF Gap Closed Percentage</b> <i>(prefilled as calculated by the Department of Finance, DOF)</i>		11.78%	28.05%	33.95%	21.67%
<b>Statewide 90th percentile rate</b>	\$ 14,500	\$ 14,500	\$ 14,500	\$ 14,500	\$ 14,500
<b>Base Grants</b> <i>(calculated)</i>					
Grades K-3	\$ 6,952	\$ 7,012	\$ 7,161	\$ 7,326	\$ 7,326
Grades 4-6	\$ 7,056	\$ 7,117	\$ 7,268	\$ 7,435	\$ 7,435
Grades 7-8	\$ 7,266	\$ 7,328	\$ 7,483	\$ 7,655	\$ 7,655
Grades 9-12	\$ 8,419	\$ 8,491	\$ 8,671	\$ 8,870	\$ 8,870
<b>Grade Span Adjustment</b> <i>(calculated)</i>					
Grades K-3	\$ 723	\$ 729	\$ 745	\$ 762	\$ 762
Grades 9-12	\$ 219	\$ 221	\$ 225	\$ 231	\$ 231
<b>Supplemental Grant</b>		20.00%	20.00%	20.00%	20.00%
<b>Concentration Grant</b>		50.00%	50.00%	50.00%	50.00%
<b>EPA Entitlement as % of statewide adjusted Revenue Limit</b>	21.39%	17.92%	17.92%	17.92%	17.92%

Prepared by the Opportunities Unlimited Charter School for the California State Board of Education, September 2014.

# School Assumptions Worksheet

School Name: Opportunities Unlimited Charter School  
5100 Broadway  
Los Angeles, CA 90032

### General School Information

Is this budget for a new charter school (in first year of operations)?	No
Do you plan on offering staff CalPERS?	No
If not PERS, please estimate the % of salary for Employer Matching Contribution Rate for Retirement:	5.00%
Please estimate your District's Oversight Fee (generally 1-3%):	1.00%
Do you plan on applying for Title I funding?	Yes

### Enrollment

Enter Target ADA %:	95.00%
Estimate % of English Language Learners (EL):	30.00%
Estimate % of Economically Disadvantaged (ED) [i.e. below federal poverty line]:	98.00%
Estimate % of Free/Reduced Lunch Students (FRL):	98.00%
District/Authorizer Encroachment Rate:	\$ -

#### 2014-2015

	Enrollment	ADA #	Unduplicated EL	Unduplicated Foster	FRL #
Grades K-3	-	0.00	0	0	0
Grades 4-6	-	0.00	0	0	0
Grades 7-8	-	0.00	0	0	0
Grades 9-12	120	114.00	36	118	118
<b>TOTAL</b>	<b>120</b>	<b>114.00</b>	<b>36</b>	<b>118</b>	<b>118</b>

Students Per Teacher	0.00 Grades K-3
	15.00 Grades 4-12

#### 2015-2016

	Enrollment	ADA #	Unduplicated EL	Unduplicated Foster	FRL #
Grades K-3	-	0.00	0	0	0
Grades 4-6	-	0.00	0	0	0
Grades 7-8	-	0.00	0	0	0
Grades 9-12	160	152.00	48	157	157
<b>TOTAL</b>	<b>160</b>	<b>152.00</b>	<b>48</b>	<b>157</b>	<b>157</b>

Students Per Teacher	0.00 Grades K-3
	20.00 Grades 4-12

#### 2016-2017

	Enrollment	ADA #	Unduplicated EL	Unduplicated Foster	FRL #
Grades K-3	-	0.00	0	0	0
Grades 4-6	-	0.00	0	0	0
Grades 7-8	-	0.00	0	0	0
Grades 9-12	200	190.00	60	196	196
<b>TOTAL</b>	<b>200</b>	<b>190.00</b>	<b>60</b>	<b>196</b>	<b>196</b>

Students Per Teacher	0.00 Grades K-3
	20.00 Grades 4-12

### Salaries

COLA 1.0%

#### Certificated Staff Salaries

1000	Teachers			Aides			Administrators			Total Certificated
	# Teachers	Avg. Salary	Teacher Total	# Aides	Avg. Salary	Aides Total	# Admin	Avg. Salary	Admin Total	
2014-2015	8	\$ 45,000	\$ 360,000	1.0	\$ 40,000	\$ 40,000	1.0	\$ 69,000	\$ 69,000	\$ 469,000
2015-2016	8	\$ 45,450	\$ 363,600	2.0	\$ 40,400	\$ 80,800	1.0	\$ 69,690	\$ 69,690	\$ 514,090
2016-2017	10	\$ 45,905	\$ 459,045	2.0	\$ 40,804	\$ 81,608	1.0	\$ 70,387	\$ 70,387	\$ 611,040

#### Classified Staff Salaries

2000	Aides (Classified)			Support		
	# Aides	Avg. Salary	Aides Total	# Support	Avg. Salary	Support Total
2014-2015	-	\$ -	\$ -	1.0	\$ 25,000	\$ 25,000
2015-2016	-	\$ -	\$ -	1.0	\$ 25,250	\$ 25,250
2016-2017	-	\$ -	\$ -	1.0	\$ 25,503	\$ 25,503

2000	Administrators			Clerical/Office			Other (e.g. IT)			Total Classified
	# Admin	Avg. Salary	Admin Total	# Office	Avg. Salary	Office Total	# Other	Avg. Salary	Other Total	
2014-2015	1.0	\$ 72,000	\$ 72,000	1.5	\$ 25,000	\$ 37,500	1.0	\$ 25,000	\$ 25,000	\$ 159,500
2015-2016	1.0	\$ 72,720	\$ 72,720	2.0	\$ 25,250	\$ 50,500	1.0	\$ 25,250	\$ 25,250	\$ 173,720
2016-2017	1.0	\$ 73,447	\$ 73,447	2.0	\$ 25,503	\$ 51,006	1.0	\$ 25,503	\$ 25,503	\$ 175,457

### Benefits

#### Staff Benefits and Health Plan

3000	Benefits	Health Plan Cost (\$/Person)	# employees	Health Plan Total	Total Benefits
2014-2015	\$ 63,708	\$ 4,272	15	\$ 61,940	\$ 125,648
2015-2016	\$ 69,722	\$ 4,217	16	\$ 67,470	\$ 137,193
2016-2017	\$ 79,784	\$ 4,281	18	\$ 77,064	\$ 156,848

#### Books & Supplies (\$ Per Student)

4000	Textbooks	Other Books	Supplies	Equipment
2014-2015	\$ 150.00	\$ -	\$ 50.00	\$ -
2015-2016	\$ 150.00	\$ -	\$ 50.00	\$ 600.00
2016-2017	\$ 250.00	\$ -	\$ 50.00	\$ 400.00

**5000 Series Breakdown**  
**Services and Other Operating Expense**

<b>Line Item</b>	<b>Renew Y1</b>	<b>Renew Y2</b>	<b>Renew Y3</b>
<b>Travel and Conferences</b>			
Teacher Conference Fees	\$ 2,000	\$ 2,000	\$ 2,000
Teacher Travel	\$ -	\$ -	\$ -
Administration Conference Fees	\$ -	\$ -	\$ -
Adminstration Travel	\$ -	\$ -	\$ -
<b>TOTAL 5200</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>	<b>\$ 2,000</b>
<b>Dues and Membership</b>			
California Charter Schools Assoc Membership	\$ 800	\$ 1,000	\$ 1,050
Other Membership Dues	\$ -	\$ -	\$ -
<b>TOTAL 5300</b>	<b>\$ 800</b>	<b>\$ 1,000</b>	<b>\$ 1,050</b>
<b>Insurance</b>			
General Liability Insurance (Including D & O)	\$ 12,000	\$ 12,000	\$ 12,000
Other Insurance	\$ -	\$ -	\$ -
<b>TOTAL 5400</b>	<b>\$ 12,000</b>	<b>\$ 12,000</b>	<b>\$ 12,000</b>
<b>Utilites and Housekeeping</b>			
Power/Electricity	\$ 35,000	\$ 37,500	\$ 40,000
Water	\$ -	\$ -	\$ -
Sewer Hookup	\$ -	\$ -	\$ -
Trash/Recyclinig	\$ 3,000	\$ 3,000	\$ 3,000
Custodial Service	\$ -	\$ -	\$ -
<b>TOTAL 5500</b>	<b>\$ 38,000</b>	<b>\$ 40,500</b>	<b>\$ 43,000</b>
<b>Rentals, Leases, Repairs</b>			
Facility Lease	\$ 150,896	\$ 188,620	\$ 226,344
Facility Repairs	\$ -	\$ -	\$ -
Copier Lease & Repair Contract	\$ -	\$ -	\$ -
Phone System	\$ 6,000	\$ 6,000	\$ 6,000
Other Leases/Contracts	\$ -	\$ -	\$ -
<b>TOTAL 5600</b>	<b>\$ 156,896</b>	<b>\$ 194,620</b>	<b>\$ 232,344</b>
<b>Professional/Consulting Services</b>			
Third Party Certification (e.g. WASC)	\$ 600	\$ 600	\$ 600
Advertising	\$ -	\$ -	\$ -
Legal Expenses	\$ 5,000	\$ 5,000	\$ 5,000
Education Consulting Services	\$ 5,000	\$ 10,000	\$ 10,000
Fundraising/Marketing Consulting Services	\$ -	\$ -	\$ -
Business Services	\$ 30,000	\$ 30,000	\$ 30,000
IT Services	\$ 2,000	\$ 7,000	\$ 7,000
Website Development	\$ -	\$ -	\$ -
Workshops for Teacher Development	\$ 4,000	\$ 5,000	\$ 5,000
Workshops for Students	\$ -	\$ -	\$ -
Student Field Trips	\$ 1,500	\$ 1,500	\$ 1,500
Athletics Fees/Use Contracts	\$ -	\$ -	\$ -
Short Term Loan Service Fees	\$ -	\$ -	\$ -
Other Services	\$ 15,000	\$ 15,000	\$ 15,000
<b>TOTAL 5800</b>	<b>\$ 63,100</b>	<b>\$ 74,100</b>	<b>\$ 74,100</b>
<b>Communications</b>			
Postage & Postage Meter Rental	\$ -	\$ -	\$ -
Landline Phone Service and Long Distance	\$ 7,500	\$ 7,500	\$ 7,500
Cell Phone Service	\$ -	\$ -	\$ -
Website Hosting	\$ 12,000	\$ 12,000	\$ 12,000
Internet Service Provider	\$ -	\$ -	\$ -
<b>TOTAL 5900</b>	<b>\$ 19,500</b>	<b>\$ 19,500</b>	<b>\$ 19,500</b>

Opportunities Unlimited Charter High School  
Multi-Year Budget

Object Code	Description	2014-2015	2015-2016	2016-2017	
<b>REVENUES</b>					
<b>LCFF State revenues</b>					
8012	Education Protection Act	\$ 126,413	\$ 158,016	\$ 189,619	
8015	General Purpose Entitlement Block Grant	\$ 722,467	#####	\$ 1,347,318	
8097	Property Tax In-Lieu	\$ 176,908	\$ 221,127	\$ 265,353	
<b>LCFF State revenues</b>					
		#####	#####	\$ 1,802,290	
<b>Federal Revenues</b>					
8290	No Child Left Behind (Title I) (assumes school will appl)	\$ 50,803	\$ 50,803	\$ 50,803	
8110	CDE PCS Grant	\$ -	\$ -	\$ -	
8190	EESA/Math & Science	\$ -	\$ -	\$ -	
8220	Child Nutrition - Federal	\$ 100,000	\$ 100,000	\$ 100,000	
8260-8299	Other Federal Revenues	\$ -	\$ -	\$ -	
<b>Total, Federal Revenues</b>					
		\$ 150,803	\$ 150,803	\$ 150,803	
<b>Other State Revenue</b>					
8321	Special Education	\$ 24,000	\$ 24,000	\$ 24,000	
8556	State Lottery	\$ 10,890	\$ 13,794	\$ 18,392	
8545	SB 740 Facility Grant (see facilities tab)	\$ 85,500	\$ 113,172	\$ 141,465	
	Mandate Block Grant K-8	\$ 24	\$ -	\$ -	
	Mandate Block Grant 9-12	\$ 42	\$ 4,788	\$ 6,384	
8536	All Other State Revenues	\$ -	\$ -	\$ -	
<b>Total, Other State Revenues</b>					
		\$ 125,178	\$ 157,350	\$ 191,837	
<b>Other Local Revenue</b>					
8600	Transfers from Sponsoring LEA	\$ -	\$ -	\$ -	
8660	Interest	\$ -	\$ -	\$ -	
8699	Fundraising	\$ -	\$ -	\$ -	
8700	Other Grants	\$ -	\$ -	\$ -	
8710	All Other Local Revenues	\$ -	\$ -	\$ -	
8979	Loan Financing (e.g. Charter School Revolving Loan)	\$ -	\$ -	\$ -	
<b>Total, Local Revenues</b>					
		\$ -	\$ -	\$ -	
<b>TOTAL REVENUES</b>					
		#####	#####	\$ 2,144,930	
<b>EXPENDITURES</b>					
<b>Certificated Salaries</b>					
1100	Teacher Salaries	\$ 360,000	\$ 363,600	\$ 459,045	28%
1170	Substitute Teacher Salaries (4% of Teacher Salaries)	\$ 14,400	\$ 14,544	\$ 18,362	1%
1200	Certificated Pupil Support/Teacher Aide Salaries	\$ 40,000	\$ 80,800	\$ 81,608	3%
1300	Certificated Supervisor and Administrator Salaries	\$ 69,000	\$ 69,690	\$ 70,387	5%
1900	Other Certificated Salaries	\$ -	\$ -	\$ -	0%
<b>Total, Certificated Salaries</b>					
		\$ 483,400	\$ 528,634	\$ 629,402	37%
<b>Classified (non-certificated) Salaries</b>					
2100	Instructional Aide Salaries	\$ -	\$ -	\$ -	0%
2200	Non-certificated Support Salaries	\$ 25,000	\$ 25,260	\$ 25,503	2%
2300	Non-certificated Supervisor and Administrator Salaries	\$ 72,000	\$ 72,720	\$ 73,447	6%
2400	Clerical and Office Salaries	\$ 37,500	\$ 50,500	\$ 51,005	3%
2900	Other Non-certificated Salaries (IT support, etc.)	\$ 25,000	\$ 25,250	\$ 25,503	2%
<b>Total, Non-certificated Salaries</b>					
		\$ 159,500	\$ 173,720	\$ 175,457	12%
<b>Employee Benefits</b>					
3101-3302	STRS/PERS/OASDI/Medicare (8.25%-STRS, 10.92%	\$ 63,708	\$ 69,722	\$ 79,784	5%
3401-3402	Health and Welfare Benefits	\$ 61,940	\$ 67,470	\$ 77,064	5%
3501-3502	Unemployment Insurance	\$ 10,351	\$ 11,308	\$ 12,958	1%
3601-3602	Workers' Compensation Insurance	\$ 25,716	\$ 28,094	\$ 32,194	2%
3701-3702	Other Retiree Benefits	\$ 7,975	\$ 8,686	\$ 8,773	1%
3901-3902	Other Employee Benefits	\$ -	\$ -	\$ -	0%
<b>Total, Employee Benefits</b>					
		\$ 169,690	\$ 185,281	\$ 210,773	13%
<b>Books and Supplies</b>					
4100	Approved Textbooks and Core Curricula Materials	\$ 6,000	\$ 6,000	\$ 50,000	0%
4200	Books and Other Reference Materials	\$ -	\$ -	\$ -	0%
4300	Materials and Supplies	\$ 6,000	\$ 8,000	\$ 10,000	0%
4400	Non-capitalized Equipment(computers, printers, server	\$ -	\$ 96,000	\$ 80,000	0%
4700	Food	\$ 100,000	\$ 100,000	\$ 100,000	8%
<b>Total, Books and Supplies</b>					
		\$ 112,000	\$ 210,000	\$ 240,000	9%
<b>Services and Other Operating Expenditures</b>					
5200	Travel and Conferences	\$ -	\$ 2,000	\$ 2,000	0%
5300	Dues and Memberships	\$ 600	\$ 800	\$ 1,000	0%
5400	Insurance	\$ 12,000	\$ 12,000	\$ 12,000	1%
5500	Utilities and Housekeeping Services	\$ 36,624	\$ 38,000	\$ 40,500	3%
5600	Rentals, Leases, Repairs, and Noncap. Improvements	\$ 156,896	\$ 156,896	\$ 194,620	12%
5800	Professional/Consulting Services and Operating Expen	\$ 73,600	\$ 63,100	\$ 74,100	6%
5900	Communications (Phones, ISP, Internet)	\$ 19,500	\$ 19,500	\$ 19,500	1%
<b>Total, Services/Other Operating</b>					
		\$ 299,220	\$ 292,296	\$ 343,720	23%
<b>Capital Outlay</b>					
6100-6170	Land and Land Improvements	\$ -	\$ -	\$ -	0%
6200	Buildings and Improvements of Buildings	\$ -	\$ -	\$ -	0%
6300	Books and Media for New Libraries	\$ -	\$ -	\$ -	0%
6400	Equipment (computers, servers, etc. over \$5,000)	\$ -	\$ -	\$ -	0%
6490	Furniture	\$ -	\$ -	\$ -	0%
6500	Equipment Replacement	\$ -	\$ -	\$ -	0%
<b>Total, Capital Outlay</b>					
		\$ -	\$ -	\$ -	0%
<b>Other Outgo</b>					
7110-7143	Tuition to Other Schools	\$ -	\$ -	\$ -	0%
7221-7223SE	Transfers of Apportionment to Other LEAs (except SPED)	\$ -	\$ -	\$ -	0%
7221	Transfers of Apportionment to LEAs (Special Ed)	\$ -	\$ -	\$ -	0%
7221-7223AC	All Other Transfers of Apportionments to Other LEAs	\$ -	\$ -	\$ -	0%
7281	All Other Transfers	\$ -	\$ -	\$ -	0%
7350	District Oversight (currently set to 1.00%)	\$ 10,258	\$ 14,310	\$ 18,023	1%
7430	Loan Repayment	\$ -	\$ -	\$ -	0%
7438	Debt Interest	\$ -	\$ -	\$ -	0%
<b>Total, Other Outgo</b>					
		\$ 10,258	\$ 14,310	\$ 18,023	1%
<b>TOTAL EXPENDITURES</b>					
		#####	#####	\$ 1,617,375	95%
<b>Cash Reserve Requirement ( 5% Operating Expenses)</b>					
		\$ 61,703	\$ 15,530	\$ 19,809	
<b>Excess of Revenues over Expenditures and Reser</b>					
		\$ 5,999	\$ 319,419	\$ 507,746	
<b>Beginning Cash Balance (less reserves)</b>					
		\$ 7,500	\$ 13,499	\$ 332,918	
<b>Net Cash Balance</b>					
		\$ 13,499	\$ 332,918	\$ 840,664	
<b>Cumulative Reserve Total</b>					
		\$ 61,703	\$ 77,233	\$ 97,042	
<b>Total Cash Balance Including Reserves</b>					
		\$ 75,202	\$ 410,151	\$ 937,707	

Expenses  
as % of  
Revenue

School Name: Opportunities Unlimited Charter School  
 Operating Years: 2014-2017  
 Time Period: July 1 - June 30

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Received in Current Year	Accrued, But Deferred	In Current Year
<b>2014-2015 - Year of Operations</b>															
Opportunities Unlimited Charter School															
<b>BEGINNING CASH</b>	\$ 7,500	\$ 60,349	\$ 48,836	\$ 30,350	\$ 31,239	\$ (447)	\$ (8,000)	\$ (17,153)	\$ (14,919)	\$ 232	\$ 13,424	\$ (47,364)	\$ (133,554)		
<b>REVENUE</b>															
<b>Revenue Limit Sources</b>															
General Purpose Entitlement Block Grant - State Aid Portion	\$ 42,262	\$ 42,262	\$ 76,072	\$ 76,072	\$ 76,072	\$ 76,072	\$ 76,072	\$ 76,072	\$ 76,072	\$ 56,632	\$ -	\$ -	\$ 673,664	\$ 171,586	\$ 845,249
General Purpose Entitlement - Local Revenue (In Lieu of Prop)	\$ 10,596	\$ 21,172	\$ 14,115	\$ 14,115	\$ 14,115	\$ 14,115	\$ 14,115	\$ 24,701	\$ 12,350	\$ 12,350	\$ 12,350	\$ -	\$ 178,436	\$ -	\$ 176,436
Revenue Received from Prior Year Deferrals - State Aid Portion	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Revenue Received from Prior Year Deferrals - Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Federal Revenue</b>															
Child Nutrition	\$ -	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 90,000	\$ 10,000	\$ 100,000
CDE PCS Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Federal Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,402	\$ -	\$ 25,402	\$ -	\$ 50,803	\$ -	\$ 50,803
<b>Other State Revenue</b>															
Special Education Local Plan Area (SELPA)	\$ -	\$ -	\$ 12,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000.00	\$ -	\$ -	\$ -	\$ 24,000	\$ -	\$ 24,000
California Lottery (quarterly)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 10,890
SB740 Facility Grant	\$ -	\$ -	\$ -	\$ 21,375	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 42,750	\$ -	\$ 64,125	\$ 21,375	\$ 85,500
All Other State Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Other Local Revenue</b>															
Transfers from LEAS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fundraising (\$00.00 in budget)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grants (\$00.00 in budget)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue (\$00.00 in budget)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Loan Financing/Receivable Factoring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUE</b>	\$ 52,849	\$ 63,435	\$ 102,187	\$ 121,562	\$ 100,187	\$ 100,187	\$ 100,187	\$ 110,773	\$ 135,825	\$ 121,732	\$ 47,752	\$ 22,350	\$ 1,079,027	\$ 202,961	\$ 1,292,878
<b>DISBURSEMENTS</b>															
1000 Certificated Salaries	\$ -	\$ 21,753	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 41,968	\$ 441,432	\$ 41,968	\$ -
2000 Classified Salaries	\$ -	\$ 7,176	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 13,848	\$ 145,653	\$ 13,848	\$ -
3000 Employee Benefits	\$ -	\$ 7,636	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 14,732	\$ 154,957	\$ 14,732	\$ -
4000 Books and Supplies	\$ -	\$ 5,000	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 16,800	\$ 112,000	\$ -	\$ -
5000 Services and Other Operating Expenditures	\$ -	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 27,202	\$ 299,220	\$ -	\$ -
6000 Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7000 Other Outgo	\$ -	\$ 437	\$ 982	\$ 982	\$ 982	\$ 982	\$ 982	\$ 982	\$ 982	\$ 982	\$ 982	\$ 982	\$ 10,258	\$ -	\$ -
7000 Short Term Loan Repayment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL EXPENDITURES</b>	\$ -	\$ 69,805	\$ 115,531	\$ 115,531	\$ 126,731	\$ 103,398	\$ 103,398	\$ 103,398	\$ 115,531	\$ 103,398	\$ 103,398	\$ 103,398	\$ 1,163,520	\$ 70,548	\$ -
<b>REVENUE LESS EXPENDITURES</b>															
Reserve Requirement	\$ 52,849	\$ (6,370)	\$ (13,344)	\$ 6,031	\$ (26,544)	\$ (3,211)	\$ (3,211)	\$ (7,375)	\$ 20,293	\$ 18,334	\$ (55,646)	\$ (81,048)	\$ (84,492)	\$ 132,413	\$ -
NET INCREASE (DECREASE)	\$ 52,849	\$ (11,512)	\$ (18,466)	\$ 889	\$ (31,686)	\$ (8,353)	\$ (6,353)	\$ 2,233	\$ 15,151	\$ 13,192	\$ (60,788)	\$ (86,190)	\$ (141,054)	\$ 127,271	\$ -
<b>CASH BALANCE</b>															
CASH BALANCE WITH RESERVES	\$ 60,349	\$ 48,836	\$ 30,350	\$ 31,239	\$ (447)	\$ (8,000)	\$ (17,153)	\$ (14,919)	\$ 232	\$ 13,424	\$ (47,364)	\$ (133,554)	\$ -	\$ -	\$ -
CASH BALANCE	\$ 60,349	\$ 53,978	\$ 40,634	\$ 46,665	\$ 20,121	\$ 16,910	\$ 13,699	\$ 21,074	\$ 41,367	\$ 59,701	\$ 4,055	\$ (76,992)	\$ -	\$ -	\$ -
<b>2015-2016 Year of Operations</b>															
Opportunities Unlimited Charter School															
<b>BEGINNING CASH</b>	\$ (76,992)	\$ 85,739	\$ 36,228	\$ 7,158	\$ 22,307	\$ (33,212)	\$ (41,532)	\$ (53,301)	\$ 35,535	\$ 118,504	\$ 203,451	\$ 150,864	\$ 76,324		
<b>REVENUE</b>															
<b>Revenue Limit Sources</b>															
General Purpose Entitlement Block Grant - State Aid Portion	\$ 42,262	\$ 42,262	\$ 76,072	\$ 76,072	\$ 76,072	\$ 76,072	\$ 76,072	\$ 142,857	\$ 106,349	\$ 106,349	\$ -	\$ -	\$ 856,952	\$ 322,223	\$ 1,179,174
General Purpose Entitlement - Local Revenue (In Lieu of Prop)	\$ 10,596	\$ 21,172	\$ 14,115	\$ 14,115	\$ 14,115	\$ 14,115	\$ 14,115	\$ 47,935	\$ 23,968	\$ 23,968	\$ 23,968	\$ 23,968	\$ 246,138	\$ -	\$ 246,138
Revenue Received from Prior Year Deferrals - State Aid Portion	\$ 177,986	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 171,586	\$ -	\$ -
Revenue Received from Prior Year Deferrals - Local Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Federal Revenue</b>															
Child Nutrition	\$ -	\$ -	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 10,000	\$ 90,000	\$ 10,000	\$ 100,000
CDE PCS Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Other Federal Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25,402	\$ -	\$ 25,402	\$ -	\$ 50,803	\$ -	\$ 50,803
<b>Other State Revenue</b>															
Special Education Local Plan Area (SELPA)	\$ -	\$ -	\$ 12,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 12,000.00	\$ -	\$ -	\$ -	\$ 24,000	\$ -	\$ 24,000
California Lottery (quarterly)	\$ -	\$ -	\$ 3,449	\$ -	\$ -	\$ 3,449	\$ -	\$ -	\$ 3,449	\$ -	\$ -	\$ -	\$ 13,794	\$ -	\$ 13,794
SB740 Facility Grant	\$ -	\$ -	\$ 49,668	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 56,586	\$ -	\$ -	\$ 106,254	\$ 28,293	\$ 113,172
All Other State Revenues	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Other Local Revenue</b>															
Transfers from LEAS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Fundraising (\$00.00 in budget)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Grants (\$00.00 in budget)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
All Other Local Revenue (\$00.00 in budget)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Loan Financing/Receivable Factoring	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL REVENUE</b>	\$ 224,434	\$ 63,435	\$ 105,636	\$ 149,855	\$ 100,187	\$ 103,636	\$ 100,187	\$ 200,793	\$ 217,675	\$ 196,903	\$ 59,369	\$ 37,416	\$ 1,559,527	\$ 360,516	\$ 1,727,082
<b>DISBURSEMENTS</b>															
1000 Certificated Salaries	\$ -	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 44,053	\$ 484,581	\$ 44,053	\$ -
2000 Classified Salaries	\$ -	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 14,477	\$ 159,243	\$ 14,477	\$ -
3000 Employee Benefits	\$ -	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 15,440	\$ 169,841	\$ 15,440	\$ -
4000 Books and Supplies	\$ -	\$ 10,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 31,500	\$ 210,000	\$ -	\$ -
5000 Services and Other Operating Expenditures	\$ -	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 26,972	\$ 292,296	\$ -	\$ -
6000 Capital Outlay	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7000 Other Outgo	\$ -	\$ 609	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 1,370	\$ 14,310	\$ -	\$ -
7000 Short Term Loan Repayment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTAL EXPENDITURES</b>	\$ -	\$ 111,651	\$ 133,412	\$ 133,412	\$ 154,412	\$ 110,662	\$ 110,662	\$ 110,662	\$ 133,412	\$ 110,662	\$ 110,662	\$ 110,662	\$ 1,330,271	\$ 73,970	\$ -
<b>REVENUE LESS EXPENDITURES</b>															
Reserve Requirement	\$ 224,434	\$ (48,216)	\$ (27,776)	\$ 16,443	\$ (54,225)	\$ (7,026)	\$ (10,475)	\$ 90,131	\$ 84,263	\$ 86,241	\$ (51,293)	\$ (73,246)	\$ 229,255	\$ 286,548	\$ -
NET INCREASE (DECREASE)	\$ 162,731	\$ (49,511)	\$ (29,070)	\$ 15,149	\$ (55,519)	\$ (8,320)	\$ (11,769)	\$ 88,837	\$ 82,969	\$ 84,947	\$ (52,587)	\$ (74,540)	\$ 153,316	\$ 285,252	\$ -
<b>CASH BALANCE</b>															
CASH BALANCE WITH RESERVES	\$ 85,739	\$ 36,228	\$ 7,158	\$ 22,307	\$ (33,212)	\$ (41,532)	\$ (53,301)	\$ 35,535	\$ 118,504	\$ 203,451	\$ 150,864	\$ 76,324	\$ -	\$ -	\$ -
CASH BALANCE	\$ 147,442	\$ 99,226	\$ 71,449	\$ 87,893	\$ 33,668	\$ 26,642	\$ 16,167	\$ 106,298	\$ 190,561	\$ 276,802	\$ 225,509	\$ 152,263	\$ -	\$ -	\$ -
<b>2016-2017 Year of Operations</b>															
Opportunities Unlimited Charter School															
<b>BEGINNING CASH</b>	\$ 152,263	\$ 470,980	\$ 429,941	\$ 417,020	\$ 461,159	\$ 417,640	\$ 428,718	\$ 435,199	\$ 538,915	\$ 630,759	\$ 734,579	\$ 668,516	\$ 581,650		
<b>REVENUE</b>															
<b>Revenue Limit Sources</b>															

CHARTER SCHOOL SALARY WORKSHEET

School Name: Opportunities Unlimited Charter School  
 Operating Years: 2014-2017  
 Time Period:

This worksheet allows you to list your specific staff members, rather than just the general numbers on the Assumptions worksheet. Please note that the salaries and benefits calculated on this page will not automatically populate your Planning Budget. However, at the bottom of this worksheet is the summary information for you to cut and paste.

Certificated Staff Salaries

COLA

1100 Teachers				Salary (by year of School Operation)		
Name (may wish to leave blank)	Subject	Grade		2014-2015	2015-2016	2016-2017
1	Teacher A	English	9,10,11,1	\$ 45,000	\$ 45,450	\$ 45,905
2	Teacher B	Math	9,10,11,1	\$ 50,000	\$ 50,500	\$ 51,005
3	Teacher C	Science	9,10,11,1	\$ 45,000	\$ 45,450	\$ 45,905
4	Teacher D	History	9,10,11,1	\$ 45,000	\$ 45,450	\$ 45,905
5	Teacher E	English	9,10,11,1	\$ 45,000	\$ 45,450	\$ 45,905
6	Teacher F	Spanish	9,10,11,1	\$ 45,000	\$ 45,450	\$ 45,905
7				\$ -	\$ -	\$ -
8				\$ -	\$ -	\$ -
9				\$ -	\$ -	\$ -
10				\$ -	\$ -	\$ -
11				\$ -	\$ -	\$ -
12				\$ -	\$ -	\$ -
13				\$ -	\$ -	\$ -
14				\$ -	\$ -	\$ -
15				\$ -	\$ -	\$ -
16				\$ -	\$ -	\$ -
17				\$ -	\$ -	\$ -
18				\$ -	\$ -	\$ -
19				\$ -	\$ -	\$ -
20				\$ -	\$ -	\$ -
21				\$ -	\$ -	\$ -
22				\$ -	\$ -	\$ -
23				\$ -	\$ -	\$ -
24				\$ -	\$ -	\$ -
25				\$ -	\$ -	\$ -
26				\$ -	\$ -	\$ -
27				\$ -	\$ -	\$ -
28				\$ -	\$ -	\$ -
29				\$ -	\$ -	\$ -
				\$ 275,000	\$ 277,750	\$ 280,528

1200 Pupil Support/Teacher Aides						
Name	Subject	Grade	Year 1	Year 2	Year 3	TOTAL
1			\$ -	\$ -	\$ -	\$ -
2			\$ -	\$ -	\$ -	\$ -
3			\$ -	\$ -	\$ -	\$ -
4			\$ -	\$ -	\$ -	\$ -
5			\$ -	\$ -	\$ -	\$ -
TOTAL						

1300 Supervisors and Administrators					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -	\$ -
TOTAL					

1900 Other Certificated					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
TOTAL					

Classified (Non-certificated) Staff Salaries

2100 Instructional Aides					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -	\$ -
TOTAL					

2200 Non-certificated Support					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -	\$ -
TOTAL					

2300 Non-certificated Supervisor and Administrator					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -	\$ -
TOTAL					

2400 Clerical and Office					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -	\$ -
TOTAL					

2900 Other Non-certificated (IT support, etc.)					
Name	Position	Year 1	Year 2	Year 3	TOTAL
1		\$ -	\$ -	\$ -	\$ -
2		\$ -	\$ -	\$ -	\$ -
3		\$ -	\$ -	\$ -	\$ -
TOTAL					

Summary Information for Planning Budget Worksheet

Certificated Salaries	Year 1	Year 2	Year 3
1100 Teacher Salaries	\$ 275,000	\$ 277,750	\$ 280,528
1170 Substitute Teacher Salaries (4% of Teacher Salaries)	\$ 11,000	\$ 11,110	\$ 11,221
1200 Certificated Pupil Support/Teacher Aide Salaries	\$ -	\$ -	\$ -
1300 Certificated Supervisor and Administrator Salaries	\$ -	\$ -	\$ -
1900 Other Certificated Salaries	\$ -	\$ -	\$ -
<b>Total, Certificated Salaries</b>	<b>\$ 286,000</b>	<b>\$ 288,860</b>	<b>\$ 291,749</b>

Classified (non-certificated) Salaries	Year 1	Year 2	Year 3
2100 Instructional Aide Salaries	\$ -	\$ -	\$ -
2200 Non-certificated Support Salaries	\$ -	\$ -	\$ -
2300 Non-certificated Supervisor and Administrator Salaries	\$ -	\$ -	\$ -
2400 Clerical and Office Salaries	\$ -	\$ -	\$ -
2900 Other Non-certificated Salaries (IT support, etc.)	\$ -	\$ -	\$ -
<b>Total, Non-certificated Salaries</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

Employee Benefits	Year 1	Year 2	Year 3
3101-3302 STRS/PERS/OASDI/Medicare (10.2%-Certificated,16.87%-Class)	\$ 29,172	\$ 29,464	\$ 29,758
3401-3402 Health and Welfare Benefits	\$ -	\$ -	\$ -



Charter School Facilities Worksheet

The facilities needs of each charter school are unique and vary widely based on the mission of the school and the students that the school serves. However, many charter developers and operators have asked for some rules of thumb as they begin their search. This template will provide general guidelines on size of building and what you may be able to afford to pay in rent or in mortgage payments.

Before you begin the facilities search, the Association recommends you speak with experts in your area. NCB Capital Impact has also created a helpful guide on charter school facilities entitled *The Answer Key*.

**Lease Payments**

**Determine How Much Space You Need and Anticipated Lease Payments**

Contact Local Brokers to Get an Estimate on Commercial Prices in Your Target Neighborhood  
 \$ 1.13 \$ Sq./Ft. per month

	Year 1	Year 2	Year 3	Year 4	Year 5
Enrollment (From Assumptions Tab)					
Grades K-3	-	-	-	-	-
Grades 4-6	-	-	-	-	-
Grades 7-8	-	-	-	-	-
Grades 9-12	120	160	200	210	250
<b>Total</b>	<b>120</b>	<b>160</b>	<b>200</b>	<b>210</b>	<b>250</b>

Classroom Count (based on Student:Teacher ratio entered on Assumptions tab)					
Grades K-3	-	-	-	-	-
Grades 4-6	-	-	-	-	-
Grades 7-8	-	-	-	-	-
Grades 9-12	8	8	10	12	12
<b>Total</b>	<b>8</b>	<b>8</b>	<b>10</b>	<b>12</b>	<b>12</b>

	Recommended Sq. Ft per Class
Grades K-3	1,000
Grades 4-6	750
Grades 7-8	750
Grades 9-12	1,070

Building Square Footage					
Classroom Square Footage	8,560	8,560	10,700	12,840	12,840
Circulation and Support Areas	2,568	2,568	3,210	3,852	3,852
Specialty Rooms	-	-	-	-	-
<b>Total Square Footage Needed</b>	<b>11,128</b>	<b>11,128</b>	<b>13,910</b>	<b>16,692</b>	<b>16,692</b>

Circulation and Support 30%

Cost Estimates					
Cost Per Year	150,896	150,896	188,620	226,344	226,344
Monthly Lease Amount	12,588	12,575	15,718	18,862	18,862
Cost Per Student Per Year	\$ 1,257	\$ 943	\$ 943	\$ 1,078	\$ 905
% of Budget on Facilities	12%	9%	9%	11%	11%

**SB740 Facilities Funding**

Determine your school's eligibility for SB740 facilities funding and see an estimate for the amount of this funding based on the above facilities assumptions. NOTE: This tool is intended for initial planning purposes only. You should consult a charter advisor to determine your school's actual eligibility. To qualify for SB740 facilities funding, your school must have at least 100 full-time equivalent students, be physically located in an elementary school attendance area where at least 70% of students enrolled are eligible for FRL, and have a maximum of 100 full-time equivalent students. Charter schools are limited to 100 per year, up to 100 on the initial business plan and lease costs for the school.

	Year 1	Year 2	Year 3	Year 4	Year 5
% FRL Population (from [Assumptions] tab)	98%	98%	98%	98%	98%
Does school qualify based on enrollment?	Yes	Yes	Yes	Yes	Yes
Does school qualify based on attendance area?	No				
Estimated Lease Cost Per Year	150,896	150,896	188,620	226,344	226,344
Estimated SB740 Funding	\$ 85,500	\$ 113,172	\$ 141,465	\$ 149,625	\$ 169,758

**Mortgage Payments**

After two years of operations, a charter school may be able to borrow funds to acquire or renovate a facility. Please fill out the model below based on your long term strategic plan. This will provide you with a ballpark figure on what you may be able to borrow and what the total project size you could afford.

**School Information**

Number of Students (ADA)	-	How many students will you have in your permanent facility?
Revenue Per ADA	\$ -	
Budget % to Pay for Facilities Loan Debt	0%	Association recommends between 12% and 15% for debt service
Cash Available for Down Payment	\$ -	

**Loan Terms**

Interest Rate (Annual)	0.00%	Call lenders for current figures
Amortization (Years)	-	20 - 25 years for acquisition loans; 10 - 20 years for tenant improvements
Loan to Value	0%	80 - 90% is common for charter schools

**Loan Amount**

Annual Affordable Loan Payments	\$ -
Loan Amount	\$ -
Cash Needed	#DIV/0!
<b>TOTAL POSSIBLE PROJECT SIZE</b>	<b>#DIV/0!</b>

## Staff Benefits Percentages

	2013-2014	2014-15	2015-16	2015-17	2017-18
STRS	8.250%	8.250%	8.250%	8.250%	8.250%
PERS	10.923%	12.107%	14.207%	14.507%	14.507%

Medicare/OASDI 1.950% *Rate is set by federal government; constant each year*

Social Security 8.000% *Rate is set by federal government; constant each year*

Unemployment Insurance in your area: 1.610% *of salary expense*

Workers Compensation Insurance: 4.000% *of salary expense*

## Other Revenue Assumptions

Title I FRL threshold	45%
Title I conversion factor	0.36
Title I funding level (per student)	\$1,200

General Purpose Entitlement Block Grant	
Grades K - 3	\$5,084
Grades 4 - 6	\$5,161
Grades 7 - 8	\$5,315
Grades 9 - 12	\$6,149

Categorical Block Grant	\$ 400
New School Block Grant	\$ 127
Special Education	n/a
State Lottery	\$ 121
Class Size Reduction	\$1,070
SB 740 - % of eligible lease:	75%
Economic Impact Aid (EIA)	\$ 326

Include? or \$ 750 per ADA



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Apportionment Payment Schedules



General Purpose Entitlement Block Grant - STATE Aid Portion <b>ADVANCED APPORTIONMENT</b> Schedule <i>Year 1 for <b>New</b> Schools in 1st Year</i>		General Purpose Entitlement Block Grant - STATE Aid Portion <b>1ST YEAR</b> Deferral Schedule <i>Year 1 for <b>Existing</b> Schools</i>		General Purpose Entitlement Block Grant - STATE Aid Portion <b>PERMANENT</b> Deferral Schedule <i>Years 2-5 for all schools</i>		General Purpose Entitlement Block Grant - LOCAL Revenue (In Lieu of Property Tax) Payment Schedule	
Jul	0.0%	Jul	5.0%	Jul	5.0%	Jul	6.0%
Aug	0.0%	Aug	5.0%	Aug	5.0%	Aug	12.0%
Sep	37.0%	Sep	9.0%	Sep	9.0%	Sep	8.0%
Oct	0.0%	Oct	9.0%	Oct	9.0%	Oct	8.0%
Nov	0.0%	Nov	9.0%	Nov	9.0%	Nov	8.0%
Dec	18.0%	Dec	9.0%	Dec	9.0%	Dec	8.0%
Jan	0.0%	Jan	9.0%	Jan	9.0%	Jan	8.0%
Feb	8.0%	Feb	9.0%	Feb	9.0%	Feb	14.0%
Mar	8.0%	Mar	9.0%	Mar	9.0%	Mar	7.0%
Apr	5.7%	Apr	6.7%	Apr	6.7%	Apr	7.0%
May	2.0%	May	0.0%	May	0.0%	May	7.0%
Jun	0.0%	Jun	0.0%	Jun	0.0%	Jun	7.0%
<b>Deferred to following year</b>		<b>Deferred to following year</b>		<b>Deferred to following year</b>		<b>Deferred to following year</b>	
Jul	21.3%	Jul	20.3%	Jul	20.3%	Jul	0.0%
Aug	0.0%	Aug	0.0%	Aug	0.0%	Aug	0.0%
Sep	0.0%	Sep	0.0%	Sep	0.0%	Sep	0.0%
Oct	0.0%	Oct	0.0%	Oct	0.0%	Oct	0.0%
Nov	0.0%	Nov	0.0%	Nov	0.0%	Nov	0.0%
Dec	0.0%	Dec	0.0%	Dec	0.0%	Dec	0.0%
Jan	0.0%	Jan	0.0%	Jan	0.0%	Jan	0.0%
Feb	0.0%	Feb	0.0%	Feb	0.0%	Feb	0.0%
Mar	0.0%	Mar	0.0%	Mar	0.0%	Mar	0.0%
Apr	0.0%	Apr	0.0%	Apr	0.0%	Apr	0.0%
May	0.0%	May	0.0%	May	0.0%	May	0.0%
Jun	0.0%	Jun	0.0%	Jun	0.0%	Jun	0.0%
<b>TOTAL</b>	<b>100.00%</b>	<b>TOTAL</b>	<b>100.00%</b>	<b>TOTAL</b>	<b>100.00%</b>	<b>TOTAL</b>	<b>100.00%</b>

# Start-Up Budget



California  
Charter Schools  
Association

School Name: **Opportunities Unlimited Charter School**  
 Operating Year: **Start-up Year (i.e. Prior to School Opening)**  
 Time Period:

Enter Data in Yellow Boxes
Automatically Generated
Leave White Boxes Empty

Category	Startup Cost	Guidelines
<b>Enrollment Projections by Grade Level</b>		
Projected Enrollment K-3	0	
Projected Enrollment 4-6	0	
Projected Enrollment 7-8	0	
Projected Enrollment 9-12	120	
<b>Total Projected Enrollment</b>	<b>120</b>	
<b>Certificated Salaries:</b>		
Certificated Teachers FTE	\$ -	
Certificated Instructional Aides	\$ -	
Certificated Administrations and Management	\$ -	
<b>Total Certificated Staffing Startup</b>	<b>\$ -</b>	
<b>Classified Salaries</b>		
Director	\$ -	2-6 months Admin Salary
Admin Support	\$ -	2-6 months Admin support
<b>Sub-total</b>	<b>\$ -</b>	
<b>Benefits</b>		
STRS/PERS/OASDI/Medicare (16.5% salaries)	\$ -	
Health and Welfare Benefits	\$ -	
Unemployment Insurance	\$ -	1% of total salaries
Workers' Compensation Insurance	\$ -	6% of total salaries
Retiree Benefits	\$ -	
Other Employee Benefits	\$ -	
<b>Sub-total</b>	<b>\$ -</b>	
<b>Facilities</b>		
Lease Deposit, prepaid rent & rent	\$ -	Contingent on lease plus 2-3 months occupancy
Site preparation, Tenant Improvement	\$ -	Contingent on lease, may be incorporated into lease.
Interior Decorating	\$ -	Contingent on lease, may be incorporated into lease.
Network Wiring	\$ -	Contingent on lease, may be incorporated into lease.
Power & ventilation for Computer Server	\$ -	Contingent on lease, may be incorporated into lease.
<b>Sub-total</b>	<b>\$ -</b>	
<b>Initial Staff Development</b>		
Staff Orientation	\$ -	Contingent on grades and classes, 5-10 teacher days per class grade @ \$150
Instructional Consultation	\$ -	
<b>Sub-total</b>	<b>\$ -</b>	
<b>Furniture, Fixtures &amp; Equipment</b>		
Student Work Stations, Desks & Tables	\$ -	Single Student Desk/Chair: \$100 each Multistudent Tables \$125 each
Students Chairs	\$ -	Individual Chairs \$35 each
Staff Workstations, Desks & Chairs	\$ -	Teacher/Staff Workstation & Chair \$400 each
Book shelves	\$ -	One - Two per certificated teacher Mgmt/classified staff @ \$100
File Cabinets	\$ -	One per certificated teacher & classified staff \$350 each
Fire Proof Storage Student Records & MIS Backup	\$ -	One \$1000
Bulletin Boards, Dry Erase Boards	\$ -	One - Two per certificated teacher \$150 each
Storage Cabinets	\$ -	As needed..... \$75-\$100 each
<b>Sub-total</b>	<b>\$ -</b>	
<b>Instructional Materials &amp; Equipment</b>		
Textbook(s) & Curriculum	\$ -	\$200-300 per student (If not already allocated in the Planning Budget
Teacher/Students Computer(s)	\$ -	One per every 5-20 students, one per teacher \$500-1,000 each (PC)
Classroom Printer(s)	\$ -	One per classroom \$150-\$350 each
Classroom Software License(s)	\$ -	As needed: \$50-\$150 per computer
Classroom Fax Machine(s)	\$ -	If needed
Television(s)	\$ -	If needed
VCR(s)/DVD(s)	\$ -	If needed
Overhead Projector(s)	\$ -	If needed, \$150-\$300 each
Video Display Projection System(s)	\$ -	One per classroom \$500-\$1500 each
Projection Screen(s)	\$ -	One for each classroom @ \$150
Public Address System	\$ -	If needed \$750-1500
<b>Sub-total</b>	<b>\$ -</b>	
<b>Office Equipment &amp; Supplies</b>		
First Aid Kit(s)	\$ -	One per classroom and office \$25-\$50 each
Copier Lease or Purchase?	\$ -	If leasing, likely to be covered in 5000 Series Breakdown
Initial Office Supplies & Equipment	\$ -	Amount needed to start school year \$1,000-\$3000
Fire Extinguishers	\$ -	As required by occupancy - assume one per classroom @ \$50
Cleaning Equipment/Supplies	\$ -	Amount needed to start school year \$500-1,000
Telephone System	\$ -	\$750-\$1,500 if purchasing up front, or may be leased and covered in 5000 Series Breakdown
Admin Computer(s)	\$ -	One per admin staff \$500-\$1200 (PC)
Admin Printer(s)	\$ -	One public & one secure printer @ \$350-500 (Copier may also serve as printer)
Admin Software License(s)	\$ -	As needed per computer (likley \$100-\$300 each)
Admin Fax Machine(s)	\$ -	\$350 if needed. (Copier may also serve as fax machine)
Tool Kit	\$ -	One for the school @ \$150-\$350
Misc	\$ -	Estimate \$1,000-\$5000)
<b>Sub-total</b>	<b>\$ -</b>	
<b>Professional Services &amp; Consultants</b>		
Legal	\$ -	Assumes contracts @ \$2500-\$7500 (If needed)
Testing, Accountability & Assessment	\$ -	Assumes contracts @ \$2500-\$7500 (If needed)
Finance & Operations	\$ -	Assumes contracts @ \$2500-\$7500 (If needed)
Special Education	\$ -	Assumes contracts @ \$2500-\$7500 (If needed)
Technology	\$ -	Assumes contracts @ \$2500-\$7500 (If needed)
<b>Sub-total</b>	<b>\$ -</b>	
<b>TOTAL</b>	<b>\$ -</b>	



Charter School Budget Workbook  
Line Item Description and Methodology

California  
Charter Schools  
Association

Code	Name	Description	Methodology
0015	Charter Schools General Purpose Entitlement	Base-level portion of the general purpose entitlement funding for charter schools. Includes both state-funded portion of entitlement and local revenue property taxes. If the cash flow worksheet, the state and local portions are separated out in Year 1 due to differences in revenue timing.	Set by state budget and grade specific amount listed in column D, rows 14-17 of the Budget
8290	No Child Left Behind Title I	Includes EDWEEA/ASA	LEAs apply through the consolidated funding process. Eligibility is based on percentage of free and reduced lunch qualified students. Calculator is as follows: Schools with greater than 40% of students that qualify for Free/Reduced Lunch, multiply the FRL number by .41 and the resulting product by \$1200.
8110	CDE Public Charter School Grant Program	CDE start-up and implementation grants	Download RFP from CDE website at <a href="http://www.cde.ca.gov/h2/h0/">www.cde.ca.gov/h2/h0/</a>
8190	IE&M/MS & Science	Education for Economic Security Act (TITLE II)	Information form and funding rates are available at <a href="http://www.cde.ca.gov/h2/h0/h010/h010_b.asp">www.cde.ca.gov/h2/h0/h010/h010_b.asp</a>
8220	Child Nutrition - Federal	Federally funded for food programs	LEAs apply through the consolidated funding process. Consolidated lunch application is available at <a href="http://www.cde.ca.gov/h2/h0/">www.cde.ca.gov/h2/h0/</a>
8300-8399	Other Federal Revenues	Includes TPE (Inmate use prevention educators), Title II, Title V, EETT, and others	LEAs apply through the consolidated funding process. Consolidated lunch application is available at <a href="http://www.cde.ca.gov/h2/h0/">www.cde.ca.gov/h2/h0/</a>
8480	Charter Schools Categorical Block Grant	State funding received in lieu of specific categorical aid	For 2009-10 year, schools will receive \$400 per ADA, the amount will increase by COLA in future years.
8321	Special Education - State	If you are an arm of the district for special education purposes, funds flow directly to the district. If you are your own LEA for purposes of special education, your school will receive these funds and pay for cost for special education services.	Funding levels vary widely by Special Education Local Plan Area (SELPA). Schools must contact local SELPA director for funding level. Typical SELPA funding range is between \$300 and \$400 per ADA. There is other encroachment on special education funding. This encroachment is reflected in line 104 of the budget.
8556	State Lottery	Revenue received via state lottery funds.	Lottery funds are based on prior year P-2 enrollment. First year schools will begin receiving lottery funds in the second year of operation.
8536	CSR (Class Size Reduction)	Funds received for students in grades K-3 that are in classrooms with a maximum student teacher ratio of 20:1	The Planning Budget will calculate this automatically based on K-3 enrollment/teachers. Please note that full-day students count as .5 enrollment. More information on CSR is available here: <a href="http://www.cde.ca.gov/h2/h0/h013/h013a.asp">http://www.cde.ca.gov/h2/h0/h013/h013a.asp</a>
8584	Economic Impact Aid	Aid received to provide services to students from low income and/or limited English proficiency.	Enter number of free and reduced lunch students and the English language learner or enrollment worksheet. The English Learner (EL) number from the prior year and the FRL number from the current year are multiplied by the current rate. A student who is qualified both in EL and FRL receive costs twice. Beginning in 2007-08, rather than simply use the FRL number, the CDE will rely on a similar formula to count Economically Disadvantaged (ED) students. For the purpose of planning, your FRL will be fine.
8536	Any Other State Revenues	Any state funds that do not fit in the above categories should be placed here.	For information on eligibility for FSA, go to <a href="http://www.cde.ca.gov/h2/h0/h010/h010_b.asp">www.cde.ca.gov/h2/h0/h010/h010_b.asp</a>
8600	Transfers from Sponsoring LEAs to Charter Schools	Funds from authorizing LEA based on MOUs or JPAs to pass through funds.	
8650	Interest	Interest earnings on any balances.	
8699	Fundraising	Earnings from any local fundraising efforts (e.g. bake sales, holiday wrapping paper, auctions)	
8760	Other Grants	Any local revenue not included in the above categories should be placed here.	
8710	All Other Local Revenues	Any local revenue not included in the above categories should be placed here.	
8979	Charter School Revolving Loan	Loan from CDE for up to \$500,000 for a maximum of 5 years. Please Note: As a loan, it must be repaid. Repayment will be made directly from your appropriation. 1 table detail monthly to receive approval and funds from this program, plan accordingly.	
1100	Teachers' Salaries	Certificated teachers, including part-time (but not substitute), resource specialists, counselors and others, that are eligible for STRS.	Contact local district to determine average certificated instructor salary. Input the amount into Assumptions Worksheet column C, row 60.
1170	Substitute Teacher Salaries	Estimate in your budget for substitute teacher pay.	This represents 2% - 3% of teachers' salaries on average or estimate otherwise via a local district compensation rate (average \$130/day)
1200	Certificated Pupil Support Salaries	This can include classroom aids and other support staff.	Contact local district to determine average support staff salary. Input the amount into Assumptions Worksheet column F, line 60.
1300	Certificated Supervisors' and Administrators' Salaries	Certificated administrative staff only. Please note: Charter school administrative staff are not required to be certificated.	Input this amount into Assumptions Worksheet column I, line 60
1900	Other Certificated Salaries	Any certificated employee not included in the above categories.	Input this amount into Assumptions Worksheet column C, line 79
2100	Instructional Aides' Salaries	Classified (non-certificated) instructional aides	Input this amount into Assumptions Worksheet column F, line 79
2200	Non-certificated Support Salaries	Classified (non-certificated) support staff	Input this amount into Assumptions Worksheet column F, line 79
2300	Non-certificated Supervisors' and Administrators' Sal	Classified (non-certificated) administrators. Non-certificated administrators do not qualify for STRS.	Input this amount into Assumptions Worksheet column F, line 87
2400	Clerical and Office Salaries	Non-administrative clerical salaries	Input this amount into Assumptions Worksheet column F, line 87
2500	Other Non-certificated Salaries (IT support, etc.)	Non-administrative and non-clerical employees such as IT support	Input this amount into Assumptions Worksheet column F, line 87
3101-3102	STRS	Equalized to provide certificated personnel with retirement benefits under State Teachers' Retirement System, excludes employee contribution	If school sets to use STRS, the current employer contribution rate will likely be 8.75% in 2007-08. Pay for the certificated employees that do not qualify for STRS at a certain local service hours. More information is available at <a href="http://www.cde.ca.gov/h2/h0/">www.cde.ca.gov/h2/h0/</a>
3201-3202	PERS	Expenditures to provide classified (non-certificated) personnel with retirement benefits under Public Employees' Retirement System, excludes employee contribution. PERS is open to all full-time employees that do not qualify for STRS.	The current employer contribution rate is 9.2% of employee salary. Please note: PERS does not exempt employees of employees from required Social Security payments. More information is available at <a href="http://www.cde.ca.gov/h2/h0/">www.cde.ca.gov/h2/h0/</a>
3301-3302	OASD/Medicare	Includes employer social security and Medicare contributions	Current employer contribution rate is 7.65% of employee salary. The net rate amount is required for employees receiving PERS (or no other retirement plan). For certificated employees receiving STRS, the school does not have to make a CASD (social security) contribution which is currently equal to 2%. Contact STRS for your general services for additional information.
3401-3402	Health and Welfare Benefits	All health plans (e.g. dental, vision, medical)	Schools can specify a flat rate contribution (e.g. \$6000 per FTE). It is recommended that schools look at surrounding districts' contributions and use those figures to develop for charter school contribution.
3501-3502	Unemployment Insurance	Tends to be a low percentage (<1%). However, it will increase when school has claims.	
3601-3602	Workers' Compensation Insurance	Costs average between 4% and 6% of total salary.	
3701-3702	Retiree Benefits	Other retirement benefits not included in the categories above	
3901-3902	Other Employee Benefits	Other benefits not included in the categories above (e.g. bereavement package, staff development)	
4100	Approved Textbooks and Core Curricula Materials	Charter schools do not have to purchase from approved list as instructional material funding is now included in the categorical block grant.	Contact individual Principals and districts - must reflect educational plan and mission. Average per student costs range from \$150-\$400.
4200	Books and Other Reference Materials	This includes library books, instructional manuals, teacher reference books, etc.	Average per pupil cost is low, unless new school is creating a library. (<\$1 per student)
4300	Materials and Supplies	Items that do not meet the capital expense thresholds, this includes classroom equipment such as computers or lab supplies. Should not have a value greater than \$5,000.	This item could be entered as a flat cost entry directly on the worksheet if school prefers to itemize these purchases individually. (E.g. computers and server, for example, where each item cost less than \$5000).
4400	Noncapitalized Equipment (computers, printers, servers)		
4700	Food	Cost to provide food service for students including those qualifying for Free/Reduced Lunch.	
5200	Travel and Conferences	This includes travel arrangements for interviewing candidates, for school authorized travel for the Annual Charter School Conference registrants, hotel and other travel related expenses.	Please review the staff development section in charter petition to ensure adequate budget for travel and conferences. If these are included as part of staff development activities.
5300	Dues and Memberships	All subscriptions, dues and membership fees for teachers and administrators.	Please review staff development plan to ensure adequate funding for professional development support through associations and publications.
5400	Insurance	Costs for insurance coverage such as general liability, directors and officers, and workers' compensation. The does not include employee benefits.	Schools should receive quotes for general liability, bond insurance, and workers' compensation as a minimum. Please visit the Association website for information on our insurance offerings.
5500	Operations and Housekeeping Services	Expenses for water, heating, fuel, light, power, waste disposal, pest control, laundry, etc.	Schools can request prior tenant records or use estimates based on similar sq. footage of commercial space.
5600	Repairs, Leases, Repairs, and Noncap. Improvements	Expenses for rental, leases, and repairs for maintenance buildings and sites. Include materials for costs of repairs and supplies.	
5800	Professional/Consulting Services and Operating Expenditures	Expenses for all personnel not on the payroll. Include all contractors and firms on a fee for service basis. Student fees for Community College courses and non-public school costs for exceptional needs students are included in this line item.	Include legal costs, transportation for field trips, IT support, outside business services, etc. Review the school education plan to ensure alignment with described programs and associated costs.
5900	Communications (phones, ISP, Internet)	Costs for pagers, cell phones, beepers, and telephone services. Includes fax lines and TV cables, leased services and postage.	Schools can qualify for significant savings under the federal E-rate program.
6100-6170	Land and Land Improvements	Acquisition of land, including expenses associated with location such as geological fees, search and title insurance, surveys, and other fees.	This would include sites for portable classrooms. These costs are typically included in the rental or purchase price of the facility.
6200	Buildings and Improvements of Buildings	Construction or purchase of new buildings and additions. Includes advertising, architectural and engineering fees, inspections, tests, permits, heating and ventilation installation, etc.	Schools should obtain written estimates (at least two for major work or in accordance with board's bid policies).
6300	Books and Media for New Libraries	For new and significantly expanded libraries. Considered a major capital expenditure.	For schools creating new libraries using new library funds. This will not apply to most charter schools.
6400	Equipment (computers, servers, etc. over \$5,000)	This applies to mobile property such as vehicles, machinery, computer equipment, playground equipment with an estimated use life of one year and depreciable class which exceed the capitalization threshold established by the LEA.	Most schools use capital expense thresholds of \$5,000 or \$10,000.
6500	Equipment Replacement	This is replacement costs of equipment listed above.	
7110-7143	Tuition to Other Schools	Any tuition of students fees school will pay to other LEAs, including county district schools.	Some charter schools use county or district programs on a fee for service basis. County programs to handle special students, for example, or AP science classes where it is more cost effective to use district programs rather than developing in house programs.
7221-7223EE	Transfers of Apportionments to Other LEAs (except SPED)	Special Education encroachment costs to district or county providing services	Schools may have an MOU agreement with a district or county re. other services covered for the school based on ADA.
7221	Transfers of Apportionment to LEAs (Special Education Encroachment)	Special Education encroachment costs to district or county providing services	Schools should check with their local district to determine SPED encroachment percentages. These vary considerably from district to district. 20-40% is average, although the range is considerable. District business offices will know this information.
7221-7223AK	All Other Transfers of Apportionments to Other LEAs		
7300	District Oversight (1% - 3%)	Oversight fee to chartering entity for oversight services provided. Districts can only charge for actual costs incurred to the 1% or 2% limit.	1% fee if school is providing its own facilities and no more than 2% if the school is receiving essentially rent free facilities. Most districts do not break down the actual costs of oversight, so we recommend using these figures in the budget. The percentage is taken from the total of the revenue line items and the categorical block grant (NOT just total revenues).
7438	Debt Interest	Interest on loans	

Modeling the Local Control Funding Formula for NEW Charter Schools:  
June 2013 Final Budget Act

Do NOT insert data. Fields are auto filled from School Assumptions

Year 1	Year 2	Year 3	Year 4	Year 5																																																																																																																																																																																																																							
<p><b>STEP 1: New schools use your district base rate in green cells</b></p> <p>Enter ADA by 2012-13 ADA EST. 12-13 rates</p> <table border="1"> <tr><td>K-3</td><td>0.00</td><td>\$0</td></tr> <tr><td>4-6</td><td>0.00</td><td>\$0</td></tr> <tr><td>7-8</td><td>0.00</td><td>\$0</td></tr> <tr><td>9-12</td><td>114.00</td><td>\$0</td></tr> <tr><td><b>Total estimate</b></td><td><b>\$</b></td><td><b>\$0</b></td></tr> <tr><td><b>Total 2012-13 f</b></td><td><b>\$</b></td><td><b>114</b></td></tr> </table> <p>Do not use these cell \$ -</p> <p>Do not use these cell \$ -</p> <p>*Do NOT include special education, SB 740 Facilities, ASES, Nutrition or other federal</p> <p><b>TOTAL Funding Received:</b> \$ -</p> <p><b>TOTAL Funding Received (less f):</b> \$ -</p> <p><b>Start Point Base Grant per ADJ:</b> \$ -</p> <p><b>Start Point Base Grant per ADA:</b> \$ -</p>	K-3	0.00	\$0	4-6	0.00	\$0	7-8	0.00	\$0	9-12	114.00	\$0	<b>Total estimate</b>	<b>\$</b>	<b>\$0</b>	<b>Total 2012-13 f</b>	<b>\$</b>	<b>114</b>	<p><b>STEP 1:</b></p> <p>Enter ADA by 2012-13 ADA EST. 12-13 rates</p> <table border="1"> <tr><td>K-3</td><td>0.00</td><td>\$0</td></tr> <tr><td>4-6</td><td>0.00</td><td>\$0</td></tr> <tr><td>7-8</td><td>0.00</td><td>\$0</td></tr> <tr><td>9-12</td><td>152.00</td><td>\$0</td></tr> <tr><td><b>Total estimate</b></td><td><b>\$</b></td><td><b>\$0</b></td></tr> <tr><td><b>Total 2012-13 f</b></td><td><b>\$</b></td><td><b>152</b></td></tr> </table> <p>Do not use these cell \$ -</p> <p>Do not use these cell \$ -</p> <p>*Do NOT include special education, SB 740 Facilities, ASES, Nutrition or other federal</p> <p><b>TOTAL Funding Received:</b> \$ -</p> <p><b>TOTAL Funding Received (less f):</b> \$ -</p> <p><b>Start Point Base Grant per ADJ:</b> \$ -</p> <p><b>Start Point Base Grant per ADA:</b> \$ -</p>	K-3	0.00	\$0	4-6	0.00	\$0	7-8	0.00	\$0	9-12	152.00	\$0	<b>Total estimate</b>	<b>\$</b>	<b>\$0</b>	<b>Total 2012-13 f</b>	<b>\$</b>	<b>152</b>	<p><b>STEP 1:</b></p> <p>Enter ADA by 2012-13 ADA EST. 12-13 rates</p> <table border="1"> <tr><td>K-3</td><td>0.00</td><td>\$0</td></tr> <tr><td>4-6</td><td>0.00</td><td>\$0</td></tr> <tr><td>7-8</td><td>0.00</td><td>\$0</td></tr> <tr><td>9-12</td><td>190.00</td><td>\$0</td></tr> <tr><td><b>Total estimate</b></td><td><b>\$</b></td><td><b>\$0</b></td></tr> <tr><td><b>Total 2012-13 f</b></td><td><b>\$</b></td><td><b>190</b></td></tr> </table> <p>Do not use these cell \$ -</p> <p>Do not use these cell \$ -</p> <p>*Do NOT include special education, SB 740 Facilities, ASES, Nutrition or other federal</p> <p><b>TOTAL Funding Received:</b> \$ -</p> <p><b>TOTAL Funding Received (less f):</b> \$ -</p> <p><b>Start Point Base Grant per ADJ:</b> \$ -</p> <p><b>Start Point Base Grant per ADA:</b> \$ -</p>	K-3	0.00	\$0	4-6	0.00	\$0	7-8	0.00	\$0	9-12	190.00	\$0	<b>Total estimate</b>	<b>\$</b>	<b>\$0</b>	<b>Total 2012-13 f</b>	<b>\$</b>	<b>190</b>	<p><b>STEP 1:</b></p> <p>Enter ADA by 2012-13 ADA EST. 12-13 rates</p> <table border="1"> <tr><td>K-3</td><td>0.00</td><td>\$0</td></tr> <tr><td>4-6</td><td>0.00</td><td>\$0</td></tr> <tr><td>7-8</td><td>0.00</td><td>\$0</td></tr> <tr><td>9-12</td><td>199.50</td><td>\$0</td></tr> <tr><td><b>Total estimate</b></td><td><b>\$</b></td><td><b>\$0</b></td></tr> <tr><td><b>Total 2012-13 f</b></td><td><b>\$</b></td><td><b>200</b></td></tr> </table> <p>Do not use these cell \$ -</p> <p>Do not use these cell \$ -</p> <p>*Do NOT include special education, SB 740 Facilities, ASES, Nutrition or other federal</p> <p><b>TOTAL Funding Received:</b> \$ -</p> <p><b>TOTAL Funding Received (less f):</b> \$ -</p> <p><b>Start Point Base Grant per ADJ:</b> \$ -</p> <p><b>Start Point Base Grant per ADA:</b> \$ -</p>	K-3	0.00	\$0	4-6	0.00	\$0	7-8	0.00	\$0	9-12	199.50	\$0	<b>Total estimate</b>	<b>\$</b>	<b>\$0</b>	<b>Total 2012-13 f</b>	<b>\$</b>	<b>200</b>	<p><b>STEP 1:</b></p> <p>Enter ADA by 2012-13 ADA EST. 12-13 rates</p> <table border="1"> <tr><td>K-3</td><td>0.00</td><td>\$0</td></tr> <tr><td>4-6</td><td>0.00</td><td>\$0</td></tr> <tr><td>7-8</td><td>0.00</td><td>\$0</td></tr> <tr><td>9-12</td><td>237.50</td><td>\$0</td></tr> <tr><td><b>Total estimate</b></td><td><b>\$</b></td><td><b>\$0</b></td></tr> <tr><td><b>Total 2012-13 f</b></td><td><b>\$</b></td><td><b>238</b></td></tr> </table> <p>Do not use these cell \$ -</p> <p>Do not use these cell \$ -</p> <p>*Do NOT include special education, SB 740 Facilities, ASES, Nutrition or other federal</p> <p><b>TOTAL Funding Received:</b> \$ -</p> <p><b>TOTAL Funding Received (less f):</b> \$ -</p> <p><b>Start Point Base Grant per ADJ:</b> \$ -</p> <p><b>Start Point Base Grant per ADA:</b> \$ -</p>	K-3	0.00	\$0	4-6	0.00	\$0	7-8	0.00	\$0	9-12	237.50	\$0	<b>Total estimate</b>	<b>\$</b>	<b>\$0</b>	<b>Total 2012-13 f</b>	<b>\$</b>	<b>238</b>																																																																																																																													
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California  
Charter Schools  
Association

The following three worksheets (5000 Breakdown, Salary Worksheet, Facilities Worksheet) are **optional**. If you have a desire to further flesh out any of these areas, these worksheets will assist you in doing so.

<b>5000 Breakdown</b>	Worksheet on the 5000 series expenses in SACS
<b>Salary Worksheet</b>	Detail salary expenses for specific employees
<b>Facilities Worksheet</b>	Provides ballpark figures on what you can afford to lease and what amount you may be able to borrow

VIA: HAND DELIVERY

Judie Hall, Education Administrator  
Charter Schools Division  
California Department of Education  
1430 N Street, Suite 5401  
Sacramento, CA 95814

***Re: Description of Changes to Opportunities Unlimited Charter High School  
Charter Renewal Petition on Appeal to the State Board of Education***

Dear Ms. Hall:

The Opportunities Unlimited Charter High School (the “Charter School”) charter petition was submitted to the Los Angeles County Board of Education (the “County”) for renewal, and the County Board voted to deny the charter on May 6, 2014

The Charter School respectfully submits its charter petition to the State Board of Education (the “SBE”). We have listed below the relevant and appropriate changes to the charter petition, which are necessary to reflect approval by the SBE:

1. Chartering Authority

*Any text referring to the Los Angeles County Board of Education, Los Angeles County Office of Education, LACOE, LACBE, or the County as the chartering authority would be revised to read “State Board of Education” or “SBE,” or the “California Department of Education” or “CDE” as the oversight agency.*

2. Special Education

*The Charter School shall operate as its own local educational agency (“LEA”) for purposes of special education, as described in the charter, and will not operate as a public school of the authorizer.*

3. Dispute Resolution

*The Dispute Resolution language in the charter petition will be followed by the paragraph below:*

“The Charter School recognizes that, because the SBE is not a local educational agency, the State Board of Education may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the charter, it must first hold a public hearing to consider arguments for and against the direct resolution of the dispute instead of pursuing the dispute resolution process specified in the charter.”

4. Technical Amendments

*The Charter School will comply with any and all technical amendments to its charter as required by the SBE and the California Department of Education (“CDE”).*

We will make every effort to submit any supplemental documentation that the SBE or CDE may request in a timely manner.

\* \* \*

We look forward to working with the SBE and the CDE during consideration of the charter petition. Please feel free to contact me if you have any questions.

Sincerely,

Kevin Simmons, Executive Director

## STATE BOARD OF EDUCATION STANDARD CONDITIONS ON OPENING AND OPERATION

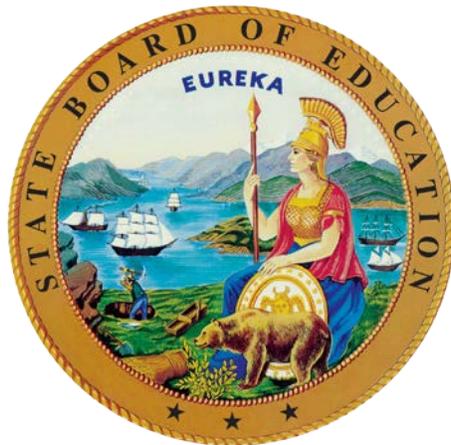
- **Insurance Coverage.** Prior to opening, (or such earlier time as school may employ individuals or acquire or lease property or facilities for which insurance would be customary), submit documentation of adequate insurance coverage, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings. Additionally, the school will provide a document stating that the District will hold harmless, defend, and indemnify the State Board of Education (SBE) and the California Department of Education (CDE), their officers and employees, from every liability, claim, or demand that may be made by reason of: (1) any injury to volunteer; and (2) any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the School, its officers, employees, or agents. In cases of such liabilities, claims, or demands, the School at its own expense and risk will defend all legal proceedings that may be brought against it and/or the SBE or the CDE, their officers and employees, and satisfy any resulting judgments up to the required amounts that may be rendered against any of the parties.
- **Memorandum of Understanding/Oversight Agreement.** Prior to opening, either (a) accept an agreement with the SBE, administered through the CDE, to be the direct oversight entity for the school, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between the charter school, the SBE (as represented by the Executive Director of the SBE), and an oversight entity, pursuant to the California *Education Code (EC)* Section 47605(k)(1), regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.
- **Special Education Local Plan Area Membership.** Prior to opening, submit written verification of having applied to a Special Education Local Plan Area (SELPA) for membership as a local educational agency and submit either written verification that the school is (or will be at the time pupils are being served) participating in the SELPA, or an agreement between a SELPA, a school district that is a member of the SELPA, and the school that describes the roles and responsibilities of each party and that explicitly states that the SELPA and the district consider the school's pupils to be pupils of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA). Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff following a review of either (1) the school's written plan for membership in the SELPA, including any proposed contracts with service providers; or (2) the agreement between a SELPA, a school district, and the school, including any proposed contracts with service providers.
- **Educational Program.** Prior to opening, submit a description of the curriculum development process the school will use and the scope and sequence for the grades

envisioned by the school; and submit the complete educational program for pupils to be served in the first year including, but not limited to, a description of the curriculum and identification of the basic instructional materials to be used; plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials; and identification of specific assessments that will be used in addition to the assessment identified in *EC* Section 60640 in evaluating student progress. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of CDE staff.

- **Student Attendance Accounting.** Prior to opening, submit for approval the specific means to be used for student attendance accounting and reporting that will be satisfactory to support state average daily attendance claims and satisfy any audits related to attendance that may be conducted. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Fiscal Services Division.
- **Facilities Agreements.** Prior to opening, present written agreements (e.g., a lease or similar document) indicating the school's right to use the principal school sites and any ancillary facilities identified by the petitioners for at least the first year of each school's operation and evidence that the facilities will be adequate for the school's needs. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- **Zoning and Occupancy.** Not less than 30 days prior to the school's opening, present evidence that each school's facility is located in an area properly zoned for operation of a school and has been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days. Satisfaction of this condition should be determined by the Executive Director of the SBE based primarily on the advice of the Director of the School Facilities Planning Division.
- **Final Charter.** Prior to opening, present a final charter that includes all provisions and/or modifications of provisions that reflect appropriately the SBE as the chartering authority and otherwise address all concerns identified by CDE and/or SBE staff, and that includes a specification that the school will not operate satellite schools, campuses, sites, resource centers or meeting spaces not identified in the charter without the prior written approval of the Executive Director of the SBE based primarily on the advice of the Charter Schools Division (CSD) staff. Satisfaction of this condition is determined by the Executive Director of the SBE based primarily on the advice of the Director of the CSD.
- **Processing of Employment Contributions.** Prior to the employment of any individuals by the school, present evidence that the school has made appropriate arrangements for the processing of the employees' retirement contributions to the California Public Employees' Retirement System (CalPERS) and the California State Teachers' Retirement System (CalSTRS).

- **Operational Date.** If any deadline specified in these conditions is not met, approval of the charter is terminated, unless the SBE deletes or extends the deadline not met. If the school is not in operation by September 30, 2014, approval of the charter is terminated.
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\* Prepared by California Department of Education, 2014



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 05**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<p><b>SUBJECT</b></p> <p>Class Size Penalties, Approval of State Board of Education Policy Regarding Waivers to <i>Education Code</i> sections 41376 and 41378.</p>	<p><input checked="" type="checkbox"/> Action</p> <p><input checked="" type="checkbox"/> Information</p> <p><input type="checkbox"/> Public Hearing</p>
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#### **SUMMARY OF THE ISSUE(S)**

The State Board of Education (SBE) has approved with conditions over 300 class size penalty waiver requests since September 2009. Most of these waivers were requested due to the districts' poor financial conditions and were approved to provide flexibility to the school districts in light of the State's budget crisis and the resulting significant reduction in funding provided to the state's local educational agencies (LEAs).

As school funding begins to be restored and requests for waivers are reviewed in light of current context, including the Local Control Funding Formula (LCFF) and a school district's Local Control and Accountability Plan (LCAP), the California Department of Education (CDE) recommends that the SBE establish a policy to set forth the kinds of information that would be important for LEAs to provide when submitting a class size penalty waiver request for fiscal years commencing with 2014–15. The information, set forth in Attachments 1 and 2, will enable the CDE to appropriately assess the school district's need for the waiver and to determine if the flexibility requested through the waiver is consistent with the school district's LCAP.

#### **RECOMMENDATION**

The CDE recommends that the SBE review and approve the class size penalty waiver policies in Attachments 1 and 2.

#### **BRIEF HISTORY OF KEY ISSUES**

Since 1964, the law requires the CDE to reduce a school district's state apportionment if the district exceeds the following class size averages:

For grades K–3, the district will receive a financial penalty if any of the following occur:

- A single kindergarten class exceeds an average enrollment of 33.

- The average enrollment of all kindergarten classes exceeds 31.
- A single class in grades 1–3 exceeds an average enrollment of 32.
- The average enrollment of all grades 1–3 exceeds 30.

For grades 4–8, the district will receive a financial penalty if the district exceeds the greater of:

- The 1964 statewide class size average of 29.9 for grades 4–8.
- The district's class size average for grades 4–8 from 1964.

Generally, the penalty is equal to a loss of all funding for enrollment above 31 in kindergarten, above 30 for grades 1–3, or above 29.9 in all grade 4–8 classes. School districts report their average class size enrollment to the CDE in the spring. If a district does not meet the requirements, the CDE is required to reduce the district's final LCFF payment for that fiscal year.

As a result of the state budget crisis, the SBE began receiving a large number of these waiver requests beginning in 2009. Since then, over 300 class size penalty waiver requests have been approved with conditions by the SBE. CDE staff has generally recommended approval with conditions after evaluating the waivers with the context that districts required flexibility as funding had been reduced by over 20 percent, yet the class size requirements were unchanged. The conditions were generally to limit the time period of the waiver and to specify an alternative class size average. As the school funding levels increase under LCFF and districts are to make decisions in line with the goals in their LCAP, the CDE is seeking direction from the SBE for purposes of evaluating the requests and making recommendations to the SBE.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE adopted a policy for evaluating requests to waive the class size penalty requirements in 1994. Among other things, the policy allowed only for retroactive waivers and only for extraordinary circumstances. The SBE rescinded the 1994 policy in January 2000, due to the addition of *Education Code (EC)* Section 41344, which established the procedures and processes for resolving apportionment significant audit exceptions. The SBE directed the CDE to return to the submitting LEA any requests to waive retroactively any statute or regulation that was the basis of an apportionment significant audit exception.

The SBE did not approve any class size penalty waivers subsequent to the rescission of the policy until September 2009, when the CDE began accepting class size penalty waiver requests from school districts. At the time, the CDE determined that moving the requests forward was not inconsistent with the SBE's direction because the class size penalties are not a component of the State Controller's Audit Guide used by school districts' independent auditors and there have been no apportionment significant audit exceptions.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The potential fiscal impact of the waiver policy cannot be quantified. Each class size penalty waiver has a fiscal impact to both the requesting district as well as the State. The impact to the district is a loss in funding if the waiver is denied. These funds would revert back to Proposition 98 and would result in an increase in Proposition 98 General Fund resources that the Legislature would allocate for other purposes.

It is not clear whether these policies will result in an increase or decrease in the number of waivers requested or approved.

## **ATTACHMENT(S)**

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Attachment 1: Class Size Penalty Policy, Kindergarten and Grades One through Three (7 pages)

Attachment 2: Class Size Penalty Policy, Grades Four through Eight (6 pages)



# California State Board of Education Policy

POLICY #
14-01
DATE
September 3, 2014

## WAIVER GUIDELINES

Class Size Penalties, Kindergarten and Grades One through Three

### REFERENCES

Authority: *Education Code* Section 41382

Purpose: To waive provisions of *Education Code* sections 41376 and 41378

### HISTORICAL NOTES

Created September 2014

## Background

The purpose of the class size penalty statute for kindergarten and grades one through three (K–3) is to reduce state funding to a school district when the average class size of an individual class exceeds 33 in kindergarten or 32 in grades one through three, or when the average of all classes exceeds 31 in kindergarten or 30 in grades one through three. The statutes were added in the 1960s and were related to an increase in the foundation grant funding that was provided at the time. The foundation grants were eliminated with the creation of the revenue limit model, which was replaced with the Local Control Funding Formula (LCFF) commencing with 2013–14.

California *Education Code (EC)* Section 41382 provides the State Board of Education (SBE) waiver authority for K–3 class size penalties if the SBE finds that the class size provisions prevent the development of more effective educational programs to improve instruction in reading and mathematics.

## Evaluation Guidelines

The purpose of a request to waive portions of *EC* sections 41376 and 41378 related to class sizes in K–3 is if the class size provisions prevent the development of more effective educational programs to improve instruction in reading and mathematics.

In order to evaluate these waiver requests and determine whether alternate means exist of developing more effective educational programs to improve instruction in reading and mathematics in class without expanding class sizes, the SBE asks that districts applying for K–3 class size penalty waivers provide the following documentation and that the California Department of Education (CDE) use this documentation in reviewing and making recommendations about the request:

1. Discussion of the extraordinary or atypical circumstances that prevent the school district from meeting the class size thresholds. If the reasons are financial, the district should explain why LCFF funds cannot be used to reduce class sizes.
2. Demonstration that the increased class size is consistent with the school district's goals and actions in its Local Control and Accountability Plan (LCAP).

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3. Explanation of how the district is addressing the educational needs of pupils to mitigate potential consequences of increased class sizes.
4. Remediation plan that describes how and when the district will return to the statutory levels.
5. Statement by the district that the class size provisions prevent the development of more effective educational programs to improve instruction in reading and mathematics.
6. An estimate of the financial impact if the class size penalty was assessed by the CDE.
7. The requested new maximum individual and overall class size averages.
8. The position of the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of the *Government Code*. If the representative is opposed, include a written summary of any objections to the request.

### **Statutory Provisions Related to K–3 Class Size Penalties**

#### **EC Section 41376**

The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district:

(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class.

For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.

(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner:

(1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board.



(2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year.

(3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above.

(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year.

(d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.

(e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance. He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.

(f) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall add to the product determined under subdivision (c) of this section, the product determined under subdivision (e) of this section and decrease the average daily attendance reported under the provisions of Section 41601 by this total amount.

The governing board of each school district maintaining elementary schools shall report for the fiscal year 1964–65 and each year thereafter the information required for the



**Class Size Penalties, Kindergarten and Grades One through Three**

determination to be made by the Superintendent of Public Instruction under the provisions of this section in accordance with instructions provided on forms furnished and prescribed by the Superintendent of Public Instruction. Such information shall be reported by the school district together with, and at the same time as, the reports required to be filed for the second principal apportionment of the State School Fund. The forms on which the data and information is reported shall include a certification by each school district superintendent or chief administrative officer that the data is correct and accurate for the period covered, according to his best information and belief.

For purposes of this section, a “full-time equivalent classroom teacher” means an employee of an elementary, high school, or unified school district, employed in a position requiring certification qualifications and whose duties require him to teach pupils in the elementary schools of that district in regular day classes for the full time for which he is employed during the regular schoolday. In reporting the total number of full-time equivalent classroom teachers, there shall be included, in addition to those employees defined above, the full-time equivalent of all fractional time for which employees in positions requiring certification qualifications are required to devote to teaching pupils in the elementary schools of the district in regular day classes during the regular schoolday.

For purposes of this section, the number of pupils enrolled in each class means the average of the active enrollment in that class on the last teaching day of each school month which ends prior to April 15th of each school year.

The provisions of this section are not applicable to school districts with less than 101 units of average daily attendance for the current fiscal year.

Although no decreases in average daily attendance shall be made for the fiscal year 1964–65, reports are required to be filed under the provisions of this section, and the Superintendent of Public Instruction shall notify each school district the amount of the decrease in state allowances which would have been effected had such decrease in average daily attendance been applied.

The Superintendent of Public Instruction shall adopt rules and regulations which he may deem necessary for the effective administration of this section. Such rules and regulations may specify that no decrease in average daily attendance reported under the provisions of Section 41601 shall be made for a school district on account of large classes due to instructional television or team teaching, which may necessarily involve class sizes at periods during the day larger than the standard set forth in this section.

**EC Section 41376.1**

(a) Commencing with the 2013–14 fiscal year, until the Superintendent determines that a school district is funded pursuant to Section 42238.02 in the prior fiscal year, and notwithstanding the requirement to decrease average daily attendance pursuant to subdivisions (d), (e), and (f) of Section 41376 and subdivision (e) of Section 41378, the Superintendent shall compute a reduction to the school district local control funding



formula entitlement pursuant to Section 42238.02, as implemented by Section 42238.03, for the specified school year by the sum of the following:

(1) (A) Multiply the sum of the products obtained in subdivision (e) of Section 41378 and subdivision (d) of Section 41376 by the grade span adjusted base grant specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(B) Multiply the product obtained in subparagraph (A) by the sum of the entitlements computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) of Section 42238.03 and paragraph (3) of subdivision (b) of Section 42238.03 for all school districts, divided by the sum of the local control funding formula entitlements computed pursuant to Section 42238.02 for all school districts.

(2) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 4 to 6, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (B) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(C) Multiply the product obtained in subparagraph (B) by the sum of the entitlements computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) of Section 42238.03 and paragraph (3) of subdivision (b) of Section 42238.03 for all school districts, divided by the sum of the local control funding formula entitlements computed pursuant to Section 42238.02 for all school districts.

(3) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 7 and 8 reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (C) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(C) Multiply the product obtained in subparagraph (B) by the sum of the entitlements computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) of Section 42238.03 and paragraph (3) of subdivision (b) of Section 42238.03 for all school districts, divided by the sum of the local control funding formula entitlements computed pursuant to Section 42238.02 for all school districts.



(b) Commencing with the 2013–14 fiscal year, if the Superintendent determines that a school district is funded pursuant to Section 42238.02 in the prior fiscal year, and notwithstanding the requirement to decrease average daily attendance pursuant to subdivisions (d), (e), and (f) of Section 41376 and subdivision (e) of Section 41378, the Superintendent shall compute a reduction to the school district local control funding formula entitlement pursuant to Section 42238.02 for the specified school year by the sum of the following:

(1) Multiply the sum of the products obtained in subdivision (e) of Section 41378 and subdivision (d) of Section 41376 by the grade span adjusted base grant specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(2) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 4 to 6, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (B) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(3) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 7 and 8 reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (C) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

**EC Section 41378**

The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the kindergarten classes maintained by each school district maintaining kindergarten classes.

(a) The number of pupils enrolled in each kindergarten class, the total enrollment in all such classes, and the average number of pupils enrolled per class.

(b) The total number of pupils which are in excess of thirty-three (33) in each class having an enrollment of more than thirty-three (33).

(c) The total number of pupils by which the average class size in the district exceeds 31.



**Class Size Penalties, Kindergarten and Grades One through Three**

(d) The greater number of pupils as determined in (b) or (c) above.

(e) He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (d) of this section by ninety-seven hundredths (0.97). He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.

**EC Section 41382**

The principal of any elementary school maintaining kindergarten classes or regular day classes in grades 1 to 3, inclusive, may recommend to the governing board of the school district, or the governing board may adopt a resolution determining, that an exemption should be granted from any of the provisions of Section 41376, 41378, or 41379 with respect to such classes on the basis that such provisions prevent the school and school district from developing more effective educational programs to improve instruction in reading and mathematics for pupils in the specified classes. Upon approval of such recommendation, or the adoption of such resolution, the governing board shall make application to the State Board of Education on behalf of the school for an exemption for such classes from the specified provisions. The State Board of Education shall grant the application if it finds that the specified provisions of Section 41376, 41378, or 41379 prevent the school from developing more effective educational programs to improve instruction in reading and mathematics for pupils in the specified classes and shall, upon granting the application, exempt the school district from the penalty provision of such sections.



# California State Board of Education Policy

POLICY #
14-02
DATE
September 3, 2014

## WAIVER GUIDELINES

Class Size Penalties, Grades Four through Eight

### REFERENCES

Authority: *Education Code* Section 33050

Purpose: To waive provisions of *Education Code* Section 41376

### HISTORICAL NOTES

Created September 2014

## Background

The purpose of the class size penalty statute for grades four through eight is to reduce state funding to a school district if the district exceeds the greater of the 1964 statewide grades four through eight class size average of 29.9 or the district's grades four through eight class size average in 1964. The statutes were added in the 1960s and were related to an increase in the foundation grant funding that was provided at the time. The foundation grants were eliminated with the creation of the revenue limit model, which was replaced with the Local Control Funding Formula (LCFF) commencing with 2013–14.

Requests to waive the grades four through eight class size penalty statutes are made under the State Board of Education's (SBE) general waiver authority provided by California *Education Code (EC)* Section 33050.

## Evaluation Guidelines

The purpose of a request to waive portions of *EC* Section 41376 related to class sizes in grades four through eight is to enable a district to implement local decisions related to class sizes without incurring a reduction in funding. Pursuant to *EC* Section 33050, the SBE shall grant the waiver requests unless it finds one of seven conditions exist, including, among them, that the educational needs of the pupils are not adequately addressed or that the request would substantially increase state costs.

In order to evaluate these waiver requests, the SBE asks that districts applying for grades four through eight class size penalty waivers provide the following documentation and that the California Department of Education (CDE) use this documentation in reviewing and making recommendations about the request:

1. Discussion of the extraordinary or atypical circumstances that prevent the school district from meeting the class size thresholds. If the reasons are financial, the district should explain why LCFF funds cannot be used to reduce class sizes.
2. Demonstration that the increased class size is consistent with the school district's goals and actions in its Local Control and Accountability Plan (LCAP).

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3. Explanation of how the district is addressing the educational needs of pupils to mitigate potential consequences of increased class sizes.
4. Remediation plan that describes how and when the district will return to the statutory levels.
5. An estimate of the financial impact if the class size penalty was assessed by the CDE.
6. The requested new maximum grades four through eight class size average.
7. The position of the exclusive representative of employees, if any, as provided in Chapter 10.7 of Division 4 of Title 1 of the *Government Code*. If the representative is opposed, include a written summary of any objections to the request.

### Statutory Provisions Related to Grades Four through Eight Class Size Penalties

#### EC Section 41376

The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district:

(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class.

For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.

(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner:

(1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board.

(2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year.



(3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above.

(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year.

(d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.

(e) If the school district reports that it has maintained, during the current fiscal year, no classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall compute the product obtained by multiplying the excess number of pupils computed pursuant to subdivision (b) of this section by ninety-seven hundredths (0.97) and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to the district change in average daily attendance. He shall decrease the average daily attendance reported under the provisions of Section 41601 by the resulting product.

(f) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class determined pursuant to subdivision (a) of this section, and there is an excess number of pupils computed pursuant to subdivision (b) of this section, he shall make the following computation:

He shall add to the product determined under subdivision (c) of this section, the product determined under subdivision (e) of this section and decrease the average daily attendance reported under the provisions of Section 41601 by this total amount.

The governing board of each school district maintaining elementary schools shall report for the fiscal year 1964–65 and each year thereafter the information required for the determination to be made by the Superintendent of Public Instruction under the provisions of this section in accordance with instructions provided on forms furnished



and prescribed by the Superintendent of Public Instruction. Such information shall be reported by the school district together with, and at the same time as, the reports required to be filed for the second principal apportionment of the State School Fund. The forms on which the data and information is reported shall include a certification by each school district superintendent or chief administrative officer that the data is correct and accurate for the period covered, according to his best information and belief.

For purposes of this section, a “full-time equivalent classroom teacher” means an employee of an elementary, high school, or unified school district, employed in a position requiring certification qualifications and whose duties require him to teach pupils in the elementary schools of that district in regular day classes for the full time for which he is employed during the regular schoolday. In reporting the total number of full-time equivalent classroom teachers, there shall be included, in addition to those employees defined above, the full-time equivalent of all fractional time for which employees in positions requiring certification qualifications are required to devote to teaching pupils in the elementary schools of the district in regular day classes during the regular schoolday.

For purposes of this section, the number of pupils enrolled in each class means the average of the active enrollment in that class on the last teaching day of each school month which ends prior to April 15th of each school year.

The provisions of this section are not applicable to school districts with less than 101 units of average daily attendance for the current fiscal year.

Although no decreases in average daily attendance shall be made for the fiscal year 1964–65, reports are required to be filed under the provisions of this section, and the Superintendent of Public Instruction shall notify each school district the amount of the decrease in state allowances which would have been effected had such decrease in average daily attendance been applied.

The Superintendent of Public Instruction shall adopt rules and regulations which he may deem necessary for the effective administration of this section. Such rules and regulations may specify that no decrease in average daily attendance reported under the provisions of Section 41601 shall be made for a school district on account of large classes due to instructional television or team teaching, which may necessarily involve class sizes at periods during the day larger than the standard set forth in this section.

**EC Section 41376.1**

(a) Commencing with the 2013–14 fiscal year, until the Superintendent determines that a school district is funded pursuant to Section 42238.02 in the prior fiscal year, and notwithstanding the requirement to decrease average daily attendance pursuant to subdivisions (d), (e), and (f) of Section 41376 and subdivision (e) of Section 41378, the Superintendent shall compute a reduction to the school district local control funding formula entitlement pursuant to Section 42238.02, as implemented by Section 42238.03, for the specified school year by the sum of the following:



(1) (A) Multiply the sum of the products obtained in subdivision (e) of Section 41378 and subdivision (d) of Section 41376 by the grade span adjusted base grant specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(B) Multiply the product obtained in subparagraph (A) by the sum of the entitlements computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) of Section 42238.03 and paragraph (3) of subdivision (b) of Section 42238.03 for all school districts, divided by the sum of the local control funding formula entitlements computed pursuant to Section 42238.02 for all school districts.

(2) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 4 to 6, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (B) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(C) Multiply the product obtained in subparagraph (B) by the sum of the entitlements computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) of Section 42238.03 and paragraph (3) of subdivision (b) of Section 42238.03 for all school districts, divided by the sum of the local control funding formula entitlements computed pursuant to Section 42238.02 for all school districts.

(3) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 7 and 8 reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (C) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(C) Multiply the product obtained in subparagraph (B) by the sum of the entitlements computed pursuant to paragraphs (1) to (4), inclusive, of subdivision (a) of Section 42238.03 and paragraph (3) of subdivision (b) of Section 42238.03 for all school districts, divided by the sum of the local control funding formula entitlements computed pursuant to Section 42238.02 for all school districts.

(b) Commencing with the 2013–14 fiscal year, if the Superintendent determines that a school district is funded pursuant to Section 42238.02 in the prior fiscal year, and notwithstanding the requirement to decrease average daily attendance pursuant to



subdivisions (d), (e), and (f) of Section 41376 and subdivision (e) of Section 41378, the Superintendent shall compute a reduction to the school district local control funding formula entitlement pursuant to Section 42238.02 for the specified school year by the sum of the following:

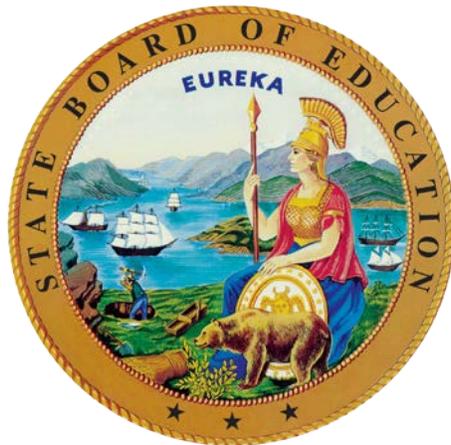
(1) Multiply the sum of the products obtained in subdivision (e) of Section 41378 and subdivision (d) of Section 41376 by the grade span adjusted base grant specified in subparagraph (A) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(2) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 4 to 6, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (B) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.

(3) (A) Multiply the product obtained pursuant to subdivision (e) of Section 41376 by the funded average daily attendance for grades 7 and 8 reported by the school district pursuant to Section 42238.05 for the specified school year divided by the funded average daily attendance for grades 4 to 8, inclusive, reported by the school district pursuant to Section 42238.05 for the specified school year.

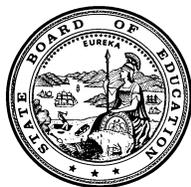
(B) Multiply the product obtained in subparagraph (A) by the grade span adjusted base grant specified in subparagraph (C) of paragraph (1) of subdivision (d) of Section 42238.02, as annually adjusted for cost of living pursuant to paragraph (2) of subdivision (d) of Section 42238.02.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-01**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**Federal Waiver**

<b>SUBJECT</b>	<input checked="" type="checkbox"/> <b>Action</b>
Request by five districts for a waiver of Section 131(c)(1) of the Carl D. Perkins Career and Technical Education Improvement Act of 2006 (Public Law 109-270).	<input checked="" type="checkbox"/> <b>Consent</b>
Waiver Numbers:	
Black Oak Mine Unified School District Fed-2-2014	
Health Sciences High and Middle College Charter Fed-3-2014	
Lakeport Unified School District Fed-4-2014	
Shandon Joint Unified School District Fed-6-2014	
Sierra-Plumas Joint Unified School District Fed-5-2014	

#### SUMMARY OF THE ISSUES

The California Department of Education recommends approval to waive the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins Act), Public Law 109-270 Section 131(c)(1) which requires local educational agencies (LEAs) whose allocations are less than \$15,000 to enter into a consortium with other agencies. If they are unable to do so, under Section 131(c)(2), they may waive the consortium requirement if the LEA is in a rural, sparsely populated area, thus allowing the districts to meet the needs of their students.

**Authority for Waiver:** Federal Waiver Authority (Public Law 109-270) Section 131(c)(2).

#### RECOMMENDATION

Approval    Approval with conditions    Denial

#### SUMMARY OF KEY ISSUES

The criterion for qualifying for this waiver is demonstration that the LEAs cannot form or join a consortium that handles the Perkins funds. There are no other districts in the local area willing to join in a consortium. Districts are located in various rural counties, and have student populations ranging from 27 to 529. Districts are seeking waivers to function independently in order to meet the needs of the students in the district.

**Local board approval date(s):** Various

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Section 131(c)(1) of the Perkins Act requires LEAs whose allocations are less than \$15,000 to enter into a consortium with other LEAs for the purpose of meeting the \$15,000 minimum grant requirement. Section 131(c)(2) of the Perkins Act permits states to waive the consortium agreement if the LEA is in a rural, sparsely populated area or is a public charter school operating secondary vocational and technical education programs, and is unable to join a consortium.

The State Board of Education (SBE) Waiver Policy #01-01: Carl D. Perkins Career and Technology Education Improvement Act: Consortium Requirement for Minimum Allocation, available at <http://www.cde.ca.gov/re/lr/wr/documents/perkinspolicyr.doc>, has criteria defining rural that are specifically tied to the National Center for Education Statistics (NCES) Locale Codes numbers 23, 31, 32, 33, 41, 42, or 43.

The SBE has approved all waivers of this statute that have been presented to it to date.

### **Demographic Information:**

Black Oak Mine Unified School District has a high school student population of 523 and is located in a Rural: Distant (42) area in El Dorado County.

Health Sciences High and Middle College Charter has a high school student population of 529 and is located in a City: Large (11) area in San Diego County. Waiver still applies due to the school being a recognized public charter school operating secondary vocational and technical education programs.

Lakeport Unified School District has a high school student population of 499 and is located in a Town: Distant (32) area in Lake County.

Shandon Joint Unified School District has a high school student population of 66 and is located in a Rural: Distant (42) area in San Luis Obispo County.

Sierra-Plumas Joint Unified School District has a high school student population of 147 and is located in a Rural: Distant (42) area in Sierra County.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

Approval will enable these districts to receive an annual Perkins Act allocation that is listed on attachment 1. The waivers have no significant effect on the distribution of Perkins Act funds statewide.

## **ATTACHMENT(S)**

Attachment 1: List of Districts (1 page)

Attachment 2: Black Oak Mine Unified School District Federal Waiver Request Fed-02-2014 for Golden Sierra High School (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Health Sciences High and Middle College Charter Federal Waiver Request Fed-03-2014 for Health Sciences High and Middle College Charter (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Lakeport Unified School District Federal Waiver Request Fed-04-2014 for Clear Lake High School (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Shandon Joint Unified School District Federal Waiver Request Fed-06-2014 for Shandon High School (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Sierra-Plumas Joint Unified School District Federal Waiver Request Fed-05-2014 for Loyalton High School and Downieville Junior-Senior High School (1 page) (Original waiver request is signed and on file in the Waiver Office.)

Districts Requesting Carl D. Perkins Career and Technical Education Waivers

Waiver Number	District	Period of Request	NCES Locale Code	Demographic Information	Perkins Act Allocation
Fed-2-2014	Black Oak Mine Unified School District for Golden Sierra High School	<b>Requested:</b> July 1, 2014 to June 30, 2017  <b>Recommended:</b> July 1, 2014 to June 30, 2018	42	Student population of 523 located in El Dorado County	\$8,616.00
Fed-3-2014	Health Sciences High and Middle College Charter	<b>Requested:</b> July 1, 2014 to June 30, 2018  <b>Recommended:</b> July 1, 2014 to June 30, 2018	11	Student population of 529 located in San Diego County	\$10,771.00
Fed-4-2014	Lakeport Unified School District for Clear Lake High School	<b>Requested:</b> July 1, 2014 to June 30, 2015  <b>Recommended:</b> July 1, 2014 to June 30, 2018	32	Student population of 499 located in Lake County	\$13,071.00
Fed-6-2014	Shandon Joint Unified School District for Shandon High School	<b>Requested:</b> July 1, 2014 to June 30, 2018  <b>Recommended:</b> July 1, 2014 to June 30, 2018	42	Student population of 66 located in San Luis Obispo County	\$2,768.00
Fed-5-2014	Sierra-Plumas Joint Unified School District for Loyalton High School and Downieville Junior-Senior High School	<b>Requested:</b> July 1, 2014 to June 30, 2017  <b>Recommended:</b> July 1, 2014 to June 30, 2018	42	Student population of 147 located in Sierra County	\$3,104.00

Created by the California Department of Education  
July 14, 2014

**California Department of Education  
WAIVER SUBMISSION - Federal**

CD Code: 0973783

Waiver Number: Fed-2-2014

Active Year: 2014

Date In: 6/2/2014 1:52:56 PM

Local Education Agency: Black Oak Mine Unified School District  
Address: 6540 Wentworth Springs Rd.  
Georgetown, CA 95634

Start: 7/1/2014

End: 6/30/2018

Waiver Renewal: Y

Previous Waiver Number: FED-5942010-WC2  
3/11/2011

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive:

Section 131(d)(2) of the Career and Technical Education and Improvement Act of 2006 permits states to waive the consortium requirement in any case in which the local agency:

- (a) is in a rural, sparsely populated area, or is a public charter school operating secondary vocational and technical education programs;
- (b) demonstrates it is unable to enter into a consortium to participate in the Perkins funding.

Outcome Rationale: Black Oak Mine Unified School District has a student population of 1370 and is located in a rural area in El Dorado County.

In the past, Black Oak Mine Unified School District has participated in a consortium with Placer Union High School District which is located in Placer County. Due to the geographic difference between the two districts and being in two separate counties the needs of the students in the Black Oak Mine Unified District were not being addressed. The district decided to apply and was approved for a waiver in the 2007-08 school year.

Student Population: 1370

City Type: Rural

NCES Code: 42

Local Board Approval Date: 5/22/2014

Submitted by: Ms. Heather Penley  
Position: Career Specialist  
E-mail: [hpenley@bomusd.org](mailto:hpenley@bomusd.org)  
Telephone: 530-333-8330 x143  
Fax: 530-333-8333

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 3768338

Waiver Number: Fed-3-2014

Active Year: 2014

Date In: 6/4/2014 12:15:47 PM

Local Education Agency: Health Sciences High and Middle College Charter  
Address: 3910 University Ave., #100  
San Diego, CA 92105

Start: 7/1/2014

End: 6/30/2018

Waiver Renewal: Y

Previous Waiver Number: FED-186-2010-WC-14  
7/15/2010

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or *CCR* to Waive: 131(d)(2) of the Career and Technical Education permits the state to waive the requirement if the school is a charter

Outcome Rationale: We are a charter and a small school that operates our own Perkins project.

Student Population: 550

City Type: Urban

NCES Code: 31

Local Board Approval Date: 5/14/2014

Submitted by: Dr. Doug Fisher  
Position: VP  
E-mail: [dfisher@hshmc.org](mailto:dfisher@hshmc.org)  
Telephone: 619-528-9070 x27  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 1764030

Waiver Number: Fed-4-2014

Active Year: 2014

Date In: 6/13/2014 1:31:23 PM

Local Education Agency: Lakeport Unified School District  
Address: 2508 Howard Ave.  
Lakeport, CA 95453

Start: 7/1/2014

End: 6/30/2015

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Federal Code Section to be waived: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131( c )(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15000.

Outcome Rationale: In the past Clear Lake High (Lakeport Unified) has been the lead in a consortium with Upper Lake Union HS District. With new guidelines for consortiums in the 2008-2012 Local Plan, the consortium ended. There are no common programs and the ability to share students or instructors is not possible. ULUHSD has received a wavier in the past as has Lakeport Unified (2010).

Student Population: 399

City Type: Rural

NCES Code: 32

Local Board Approval Date: 6/12/2014

Submitted by: Mr. Stephen Gentry  
Position: Principal, Perkins Coordinator  
E-mail: [sgentry@lakeport.k12.ca.us](mailto:sgentry@lakeport.k12.ca.us)  
Telephone: 707-262-3010  
Fax: 707-262-3026

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 4068833

Waiver Number: Fed-6-2014

Active Year: 2014

Date In: 6/25/2014 10:28:05 AM

Local Education Agency: Shandon Joint Unified School District  
Address: P.O. Box / 101 South First St.  
Shandon, CA 93461

Start: 7/1/2014

End: 6/30/2018

Waiver Renewal: Y

Previous Waiver Number: FED-205-2010-WC-8  
9/16/2010

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: We are in a rural, sparsely populated area and are unable to enter into a consortium to participate in the Perkins funding.

Student Population: 54

City Type: Rural

NCES Code: 32

Local Board Approval Date: 6/24/2014

Submitted by: Mr. Jonathon Fuller  
Position: Agriculture Instructor  
E-mail: [jfuller@shandonschools.org](mailto:jfuller@shandonschools.org)  
Telephone: 805-238-0286  
Fax: 805-239-2450

**California Department of Education**  
**WAIVER SUBMISSION - Federal**

CD Code: 4670177

Waiver Number: Fed-5-2014

Active Year: 2014

Date In: 6/19/2014 11:13:50 AM

Local Education Agency: Sierra-Plumas Joint Unified School District  
Address: 109 Beckwith Rd.  
Loyalton, CA 96118

Start: 7/1/2014

End: 6/30/2017

Waiver Renewal: Y

Previous Waiver Number: Fed-19-2010-WC-18  
7/15/2010

Previous SBE Approval Date:

Waiver Topic: Federal Program Waiver  
Ed Code Title: Carl D. Perkins Voc and Tech Ed Act  
Ed Code Section: PL 109-270 Section 131(c)(1)  
Ed Code Authority: PL 109-270 Section 131(c)(2)

Ed Code or CCR to Waive: Carl D. Perkins Career and Technical Education Improvement Act of 2006, Public Law 109-270 Section 131(c)(1), that requires local agencies whose allocations are less than \$15,000 to enter into a consortium with other agencies for the purpose of meeting the \$15,000 minimum grant requirement.

Outcome Rationale: Section 131(d) (2) of the Career and Technical Education and Improvement Act of 2006 permits states to waive the consortium requirement in any case in which the local agency:

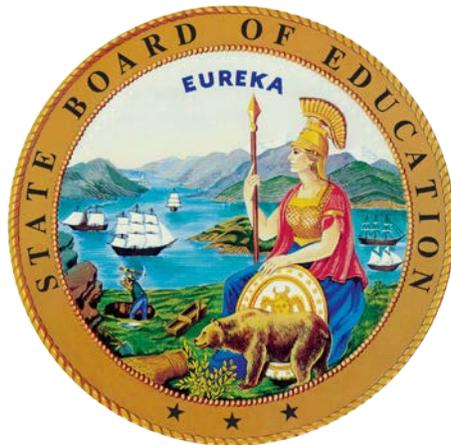
- a) is a school located in a rural, sparsely populated area including secondary vocational and technical education programs in the curricula;
- b) demonstrates it is unable to enter into a consortium to participate in the Perkins funding. The Sierra-Plumas JUSD is located over 100 miles from the nearest city over 10,000 people and has been operating on a waiver for quite some time. Efforts to tie into other consortiums have been unsuccessful due to our rural location. S-PJUSD is expecting to receive \$2,788 in Perkins funding for the 2014-15 school year which is necessary to continue operating our CTE programs.

Student Population: 393

City Type: Rural  
NCES Code: 42

Local Board Approval Date: 6/18/2014

Submitted by: Ms. Marla Stock  
Position: Site Administrator  
E-mail: [mstock@spjUSD.org](mailto:mstock@spjUSD.org)  
Telephone: 530-993-4454 x203  
Fax: 530-993-0828



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-02**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Gateway Unified School District</b> for a renewal to waive <i>California Code of Regulations</i>, Title 5, Section 3043(d), which requires a minimum of 20 school days of attendance of four hours each for an extended school year (summer school) for special education students.</p> <p>Waiver Number: 17-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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The local educational agency (LEA) requests to be allowed to provide instruction in fewer than the 20 days required by law for extended school year (ESY). The LEA proposes an alternate schedule that will allow them to provide the minimum number of hours required, but in fewer days.

**Authority for Waiver:** *California Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The California Department of Education recommends that the State Board of Education (SBE) approve the request from Gateway Unified School District to provide ESY services for fewer than 20 days with the condition that 80 hours or more of instruction be provided. (A minimum of 76 hours of instruction may be provided if a holiday is included.) Also, special education and related services offered during the extended year period must be comparable in standards, scope, and quality to the special education program offered during the regular academic year, as required by *California Code of Regulations*, Title 5, (5 CCR), Section 3043(d).

#### **SUMMARY OF KEY ISSUES**

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The Gateway Unified School District proposes to provide ESY services utilizing a 15-day model of five and one-half hours of instruction per day, rather than a traditional 20-day model of four hours of instruction per day. Students would receive the same or greater number of instructional minutes.

The Gateway Unified School District participates in a collaborative to provide ESY services to special education students. It covers a large geographical region that requires long bus rides for students, many of whom are medically fragile. Most of the students require Designated Instruction and Services, and it is challenging to serve all the students' needs in a four-hour day. If approved, this ESY waiver would reduce lengthy bus rides and allow students a longer period of time for instruction each day.

For the last two school years, the SBE has approved requests from the Gateway Unified School District to provide ESY services utilizing a 15-day model of instruction. This year, the Gateway Unified School District ESY program began on June 9, 2014, and ended on June 27, 2014. The program was successful, and the original waiver conditions were met.

For the purposes of reimbursement for average daily attendance, an ESY program:

- Must provide instruction of at least as many minutes over the shorter period as would have been provided during a typical 20-day program;
- Must be the same length of time as the school day for pupils of the same age level attending summer school in the district in which the extended year program is provided, but not less than the minimum school day for that age unless otherwise specified in the individualized education program (IEP) to meet a pupil's unique needs; and
- Must offer special education and related services during the extended year period that are comparable in standards, scope, and quality to the special education program offered during the regular academic year.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC 33051(a)*, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In the past, the SBE approved waivers to allow school districts to provide the required minimum amount of instruction in fewer days during the ESY for special education students.

Extended school year is the term for the education of special education students "between the close of one academic year and the beginning of the next," similar to a summer school. It must be provided for each individual with exceptional needs whose IEP requires it. LEAs may request a waiver to provide an ESY program for fewer days than the traditional model.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver approval.

## **ATTACHMENT(S)**

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Attachment 1: Summary Table (1 page)

Attachment 2: Gateway Unified School District General Waiver Request 17-6-2014  
(2 pages) (Original waiver request is signed and on file in the Waiver  
Office.)

**Extended School Year Summary Table**

<b>Waiver Number</b>	<b>District</b>	<b>Period of Request</b>	<b>Demographics</b>	<b>Local Board and Public Hearing Approval Date</b>	<b>Bargaining Unit, Representative Consulted, Date, and Position</b>	<b>Public Hearing Advertised</b>	<b>Advisory Committee or Site Council Consulted/ Date/Position</b>
17-6-2014	Gateway Unified School District	<b>Requested:</b> 6/1/15 to 5/30/17  <b>Recommended:</b> 6/10/15 to 6/30/15	<b>Student population:</b> 2472  <b>Area:</b> rural  <b>County:</b> Shasta	6/11/14	Gateway Teachers Association, Cindy Odgen, President, 5/13/14 <b>Support</b>	Newspaper 5/30/14 and 6/6/14, posted at district office, school sites, Shasta Lake Post Office, and other community locations	District Advisory Council 4/24/14 <b>No objection</b>

Created by the California Department of Education  
June 24, 2014

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4575267

Waiver Number: 17-6-2014

Active Year: 2014

Date In: 6/13/2014 10:06:20 AM

Local Education Agency: Gateway Unified School District  
Address: 4411 Mountain Lakes Blvd.  
Redding, CA 96003

Start: 6/1/2015

End: 5/30/2017

Waiver Renewal: Y

Previous Waiver Number: 43-3-2013-W-13

Previous SBE Approval Date: 7/11/2013

Waiver Topic: Special Education Program

Ed Code Title: Extended School Year

Ed Code Section: CCR, Title 5, Section 3043(d)

Ed Code Authority: 33050

Ed Code or CCR to Waive: Requested by Gateway Unified School District to waive CCR, Title 5, 3043(d) which requires a minimum of 20 days of school attendance (with varied minutes depending on grade level of students) for an extended school year for special education students.

Outcome Rationale: The Gateway Unified School District participates in a collaborative to provide ESY services to Special Education students. We serve a large geographical region that requires long bus rides for our students, many of whom are medically fragile. In addition, most of our students require DIS services and it is challenging to serve all the needs in a four hour day. The district is suggesting that we increase the length of the school day to 5.5 hours and reduce the number of school days from 20 to 15. This allows students a longer period of time for instruction each day, has proved to improve attendance and reduces the lengthy bus rides. This proposal provides students the same number of contact hours as the 20 day schedule.

Student Population: 2472

City Type: Rural

Public Hearing Date: 6/11/2014

Public Hearing Advertised: News paper (5/30/14 & 6/6/14). Posted at DO, school sites, Shasta Lake Post office and various other community locations.

Local Board Approval Date: 6/11/2014

Community Council Reviewed By: District Advisory Council

Community Council Reviewed Date: 4/24/2014

Community Council Objection: N

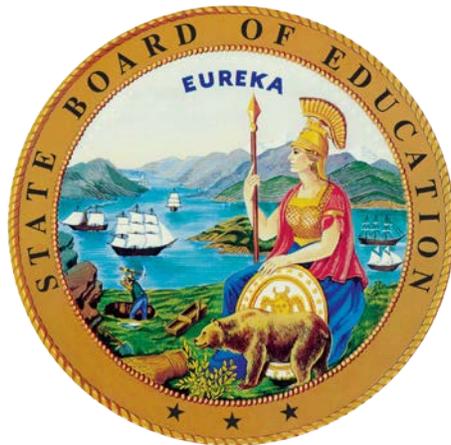
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. James Harrell  
Position: Superintendent  
E-mail: [jharrell@gwusd.org](mailto:jharrell@gwusd.org)  
Telephone: 530-245-7908  
Fax: 530-245-7920

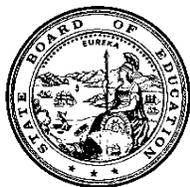
Bargaining Unit Date: 05/13/2014  
Name: Gateway Teachers Association  
Representative: Cindy Ogden  
Title: President  
Position: Support  
Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

**WAIVER ITEM W-03**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by three local educational agencies, under the authority of California <i>Education Code</i> Section 56101 and <i>California Code of Regulations</i>, Title 5, Section 3100, to waive <i>Education Code</i> Section 56362(c). Approval of this waiver will allow the resource specialists to exceed the maximum caseload of 28 students by no more than four students (32 maximum).</p> <p>Waiver Numbers:   Evergreen Union School District 27-6-2014                           Lakeside Union Elementary School District 3-6-2014                           Union Elementary School District 8-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUE(S)**

The local educational agencies (LEAs) request to increase the caseload of resource specialists from the maximum allowed caseload of 28 students to 32 students.

**Authority for Waiver:** *Education Code (EC)* Section 56101

#### **RECOMMENDATION**

**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends approval with the following conditions: the LEAs must provide each resource specialist instructional aide time of at least five hours daily whenever the resource specialist's caseload exceeds the statutory maximum caseload of 28 students by no more than four students (32 maximum), during the waiver's effective period, per *California Code of Regulations*, Title 5 (5 CCR), Section 3100(d)(2).

#### **SUMMARY OF KEY ISSUES**

A resource specialist is a credentialed teacher who provides instruction and services to children with individualized education programs (IEPs) that are with regular education teachers for the majority of the school day. Resource specialists coordinate special education services with general education programs for his or her students.

Before recommending approval, the existing complaint/compliance database for any district requesting a caseload waiver is examined. If it appears that a particular LEA is

requesting large numbers of waivers, or upon complaint from an individual resource specialist alleging that waiver conditions are not being followed, referrals are made to the Special Education Division for follow-up.

Evergreen Union School District is requesting a resource specialist program caseload waiver due to an abnormal and unexpected increase in special education students throughout the year. They are currently providing 30 hours per week of instructional aide time which will increase to 36 hours per week, which more than meets the requirement.

Each affected Lakeside Union School District resource specialist was contacted regarding the waiver request. The resource specialist program caseloads currently do not exceed the maximum caseload. There have been no prior documented complaints related to the Lakeside Union School District exceeding the maximum resource specialist program caseload. The Department recommends approval.

The CDE recommends approval for Union Elementary School District. There have been no prior documented complaints registered with the CDE related to this school district exceeding the maximum caseload.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

*EC* Section 56101 allows the State Board of Education (SBE) to waive any provision of *EC* or regulation if the waiver is necessary or beneficial when implementing a student IEP. 5 *CCR* Section 3100(d)(2) specifically allows the SBE to approve waivers for resource specialists providing special education services to allow them to exceed the maximum caseload of 28 students by no more than four students. However, there are specific requirements in these regulations which must be met for approval, and if these requirements are not met, the waiver must be denied:

- 1) The requesting agency demonstrates to the satisfaction of the SBE: (A) that the excess resource specialist caseload results from extraordinary fiscal and/or programmatic conditions; and (B) that the extraordinary conditions have been resolved or will be resolved by the time the waiver expires.
- 2) The waiver stipulates that an affected resource specialist will have the assistance of an instructional aide at least five hours daily whenever that resource specialist's caseload exceeds the statutory maximum during the waiver's effective period.
- 3) The waiver confirms that the students served by an affected resource specialist will receive all of the services called for in their IEPs.
- 4) The waiver was agreed to by any affected resource specialist, and the bargaining unit, if any, to which the resource specialist belongs, participated in the waiver's development.

- 5) The waiver demonstrates to the satisfaction of the SBE that the excess caseload can be reasonably managed by an affected resource specialist in particular relation to: (A) the resource specialist's pupil contact time and other assigned duties; and (B) the programmatic conditions faced by the resource specialist, including, but not limited to, student age level, age span, and the behavioral characteristics; number of curriculum levels taught at any one time or any given session; and intensity of student instructional needs.

The SBE receives about a dozen waivers of this type each year, and approximately 90 percent are approved. Due to the nature of this type of waiver, they are almost always retroactive.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver(s) approval.

### **ATTACHMENT(S)**

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Attachment 1: Summary Table (1 page)

Attachment 2: Evergreen Union School District Specific Waiver Request 27-6-2014 (4 pages) (The original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Lakeside Union Elementary School District Specific Waiver Request 3-6-2014 (22 pages) (The original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Union Elementary School District Specific Waiver Request 8-6-2014 (4 pages) (The original waiver request is signed and on file in the Waiver Office.)

Resource Specialist Program Summary Table

Waiver Number	School District	Name of Teacher/Agrees to Excess Caseload?	Over Statutory Caseload for More Than Two Years?	Current Aide Time/ Aide Time With Approved Waiver?	Demographics	Period of Request	Local Board Approval Date	Date/Name Bargaining Unit Consulted/ Position
27-6-2014	Evergreen Union School District	Aleta Carroll  Yes	No	<b>Current:</b> 30 hours per week <b>If Approved:</b> 36 hours per week	<b>Student population:</b> 13,162 <b>Area:</b> Rural <b>County:</b> Tehama	<b>Requested:</b> 12/2/13 to 6/12/15  <b>Recommended:</b> 12/2/13 to 6/12/15	6/17/14	5/13/14 Evergreen Federation of Teachers, Natalie Lalaguna, Co-President <b>Support</b>
3-6-2014	Lakeside Union Elementary School District	Amber Fitzpatrick, Sarah Grosskreutz, Karen Saake, Nancy Shreve, Paula Peterson,  Yes	No	A. Fitzpatrick: <b>Current:</b> 12 hours per week <b>If Approved:</b> 24 hours per week  S. Grosskreutz: <b>Current:</b> 12 hours per week <b>If Approved:</b> 24 hours per week  K. Saake: <b>Current:</b> 15 hours per week <b>If Approved:</b> 25 hours per week  N. Shreve: <b>Current:</b> 12 hours per week <b>If Approved:</b> 24 hours per week  P. Peterson: <b>Current:</b> 12 hours per week <b>If Approved:</b> 24 hours per week	<b>Student population:</b> 4,441 <b>Area:</b> Rural <b>County:</b> San Diego	<b>Requested:</b> 4/1/14 to 6/20/14  <b>Recommended:</b> 4/1/14 to 6/20/14	5/29/14	3/1/14 Lakeside Teacher's Association, Thomas Thompson, Special Education Representative <b>Support</b>
8-6-2014	Union Elementary School District	Joyce Martin  Yes	No	<b>Current:</b> 25 hours per week <b>If Approved:</b> 25 hours per week	<b>Student population:</b> 5,408 <b>Area:</b> Urban <b>County:</b> Shasta	<b>Requested:</b> 5/19/14 to 6/12/14  <b>Recommended:</b> 5/19/14 to 6/12/14	6/9/14	5/21/14 Union District Educators Association, Mary Martin, President <b>Support</b>

Created by the California Department of Education  
June 27, 2014

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5271522

Waiver Number: 27-6-2014

Active Year: 2014

Date In: 6/24/2014 2:26:49 PM

Local Education Agency: Evergreen Union School District  
Address: 19500 Learning Way  
Cottonwood, CA 96022

Start: 12/2/2013

End: 6/12/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362 (c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: [56362(c); 56101 and 5 CCR Section 3100]

Outcome Rationale: The District experienced an abnormal and unexpected increase in Special Ed. students throughout the year.

Student Population: 32

City Type: Rural

Local Board Approval Date: 6/17/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Brad Mendenhall  
Position: Superintendent  
E-mail: [bmendenhall@evergreenusd.org](mailto:bmendenhall@evergreenusd.org)  
Telephone: 530-347-3411 x7501  
Fax: 530-347-7954

Bargaining Unit Date: 05/13/2014  
Name: Evergreen Federation of Teachers  
Representative: Natalie Lalaguna  
Title: EFT Co-President  
Position: Support  
Comments:

California Department of Education  
Revised 6-19-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: Evergreen Union School District
2. Name of Resource Specialist\*: Aleta Carroll
3. School / District Assignment: Evergreen Elementary School
4. Status: Permanent  Probation  Temporary
5. Number of students 32 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%): 100%
7. Number of periods or hours taught by Resource Specialist: Periods  Hours 7.5
8. Average number of students per hour taught: 24
9. Indicate amount of Instructional Aide time: 36 (hours) to be provided to this resource specialist with this waiver.  
**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**
10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):  
  
*I assure this waiver will not hinder the implementation of any student's IEP.*
11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):  
  
*The District experienced an abnormal and unexpected increase in Special Ed. students throughout the school year.*
12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1):  
  
*As students move up and into our Middle School, they will be transferred to another RSP.*

Administrator/Designee Name and Title: Brad Mendenhall, Superintendent

Telephone number (and extension): 530/347-3411 x7501

Date: 6/18/14

California Department of Education  
Revised 6-19-2014

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Aleta Carroll

Assigned at: Evergreen Elementary School Learning Center

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

*Yes. The additional aide support will ensure all services will be provided.*

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

*Yes. Again, with the additional aide support, all duties can be managed.*

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box:

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

California Department of Education  
Revised 6-19-2014

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(a) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_

(b) Specify which months / weeks you were over caseload: From \_\_\_ to \_\_\_

(c) Other pertinent information: \_\_\_\_\_

I have had a student caseload of **more than 28 for more than two consecutive years.**

6. Instructional Aide time currently receiving: 30 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 36 total hours after increase.

X I hereby certify that the information provided on this application is true and correct (please initial).

Date: 6/11/14

Telephone number (and extension): 530/347-3411

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 3768189

Waiver Number: 3-6-2014

Active Year: 2014

Date In: 6/3/2014 2:00:14 PM

Local Education Agency: Lakeside Union Elementary School District  
Address: 12335 Woodside Avenue  
Lakeside, CA 92040

Start: 4/1/2014

End: 6/20/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362 (c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: A school district, SELPA, county office of education or any other public agency providing special education or related services may request the State Board of Education to grant a waiver of the maximum resource specialist set forth in *EC* Section 56362(c)...

Outcome Rationale: As the year has come to a close, the RSP teacher's caseload has gone above 28 students (5 RSP teachers in the district). In anticipating numbers for next school year, caseloads will go back down to within caseload as 5th graders move on to middle school and 8th graders move on to high school.

Student Population: 4441

City Type: Rural

Local Board Approval Date: 5/29/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Natalie Winspear  
Position: Special Education Director  
E-mail: [nwinspear@lsusd.net](mailto:nwinspear@lsusd.net)  
Telephone: 619-390-2620 x2620  
Fax: 619-390-2597

Bargaining Unit Date: 03/01/2014  
Name: Lakeside Teacher's Association  
Representative: Thomas Thompson  
Title: Special Education Representative  
Position: Support  
Comments:

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: Lakeside Union School District
2. Name of Resource Specialist\*: Karen Saake
3. School / District Assignment: Special Education Teacher at Lakeside Middle School
4. Status: Permanent  Probation  Temporary
5. Number of students 32 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%): 1.0
7. Number of periods or hours taught by Resource Specialist:  
Periods 7 Hours
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 25 (hours) to be provided to this resource specialist with this waiver.

**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**

10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):

I have worked closely with Mrs. Saake to ensure that she is able to fully implement each IEP with the aide support she has available with this waiver. She has assured me that she is able to meet the needs and implement the IEP of each student.

11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):

California Department of Education  
Revised 4-25-2013

As we approach the end of the school year, caseloads have increased. We have had an unusually high number of students move into the school district this year with Special Education services on the IEP. This is a large number for a district of our size.

12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per *CCR*, Title 5, Section 3100(d)(1):

Projected caseloads for next school year show that all RSP teachers will open the year with caseloads under 28. The district has also hired a .75 Resource Specialist teacher this year to relieve caseloads.

Administrator/Designee Name and Title: Natalie Winspear

Telephone number (and extension): 619-916-9028

Date: 6/10/14

\*Resource Specialist as defined in *EC* Section 56362.5

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Karen Saake  
Assigned at: Lakeside Middle School

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, all of my students will receive their IEP services. I can reasonably manage the excess caseload including their ages, behavioral concerns and curriculum levels within the structure of my program.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, my students are grouped within the general education classroom and within their designated academic support period.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box.

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rational below:

California Department of Education  
Revised 4-25-2013

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(d) Did you have an approved waiver for this caseload? Yes  No

(e) Specify which months / weeks you were over caseload: From \_\_\_\_\_ to \_\_\_\_\_

(f) Other pertinent information?

I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 15/WK hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 25/WK total hours after increase.

XXX

I hereby certify that the information provided on this application is true and correct.

Date: June 4, 2014

Telephone number (and extension): (619) 390-2636 ext 6015

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: Lakeside Union School District
2. Name of Resource Specialist\*: Amber Fitzpatrick
3. School / District Assignment: Special Education Teacher at Lindo Park Elementary
4. Status: Permanent  Probation  Temporary
5. Number of students 32 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%):1.0
7. Number of periods or hours taught by Resource Specialist:  
Periods 7 Hours
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 24 (hours) to be provided to this resource specialist with this waiver.

**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**

10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):

I have worked closely with Mrs. Fitzpatrick to ensure that she is able to fully implement each IEP with the aide support she has available with this waiver. She has assured me that she is able to meet the needs and implement the IEP of each student. 24 hours of aide time are provided. RSP teachers do not see students on Friday so Mrs. Fitzpatrick will have 6 hours per day of aide time for 4 days per week.

11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):

As we approach the end of the school year, caseloads have increased. We have had an unusually high number of students move into the school district this year with Special Education services on the IEP. This is a large number for a district of our size.

California Department of Education  
Revised 4-25-2013

12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per *CCR*, Title 5, Section 3100(d)(1):

Projected caseloads for next school year show that all RSP teachers will open the year with caseloads under 28. The district has also hired a .75 Resource Specialist teacher this year to relieve caseloads.

Administrator/Designee Name and Title: Natalie Winspear

Telephone number (and extension): 619-916-9028

Date: 6/10/14

\*Resource Specialist as defined in *EC* Section 56362.5

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Amber Fitzpatrick  
Assigned at: Lindo Park Elementary School

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, all students will receive all IEP services. This will be possible thanks to extra instructional aide time.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, I can reasonably manage the excess caseload. Student contact time will be maintained through careful utilization of instructional aide time amongst other factors. I will still be able to manage other assigned duties as well.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box.

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

California Department of Education  
Revised 4-25-2013

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(g) Did you have an approved waiver for this caseload? Yes  No

(h) Specify which months / weeks you were over caseload: From \_\_\_\_\_ to \_\_\_\_\_

(i) Other pertinent information?

I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 12 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 24 total hours after increase.

I hereby certify that the information provided on this application is true and correct.

Date: 6/4/2014

Telephone number (and extension): 619-390-2656 x 6538

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: Lakeside Union School District
2. Name of Resource Specialist\*: Nancy Shreve
3. School / District Assignment: Special Education Teacher at Lemon Crest Elementary and Lakeside Farms Elementary
4. Status: Permanent  Probation  Temporary
5. Number of students 32 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%):1.0
7. Number of periods or hours taught by Resource Specialist:  
Periods 7 Hours
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 24 (hours) to be provided to this resource specialist with this waiver.

**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**

10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):

I have worked closely with Mrs. Shreve to ensure that she is able to fully implement each IEP with the aide support she has available with this waiver. She has assured me that she is able to meet the needs and implement the IEP of each student. 24 hours of aide time are provided. RSP teachers do not see students on Friday so Mrs. Shreve will have 6 hours per day of aide time for 4 days per week.

11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):

As we approach the end of the school year, caseloads have increased. We have had an unusually high number of students move into the school district this year with Special Education services on the IEP. This is a large number for a district of our size.

California Department of Education  
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12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per *CCR*, Title 5, Section 3100(d)(1):

Projected caseloads for next school year show that all RSP teachers will open the year with caseloads under 28. The district has also hired a .75 Resource Specialist teacher this year to relieve caseloads.

Administrator/Designee Name and Title: Natalie Winspear/Special Education Director

Telephone number (and extension): 619-390-2620

Date: 6/10/14

\*Resource Specialist as defined in *EC* Section 56362.5

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Nancy Shreve  
Assigned at: Lakeside Farms and Lemon Crest Elementary

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, with the support of an additional aide, I am able to create more groups.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, with the end of the school year near, IEPs are completed. Having smaller groups increases my contact time with each student.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box.

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

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- (j) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_
- (k) Specify which months / weeks you were over caseload: From \_\_\_\_\_ to \_\_\_\_\_
- (l) Other pertinent information?

\_\_\_\_\_ I have had a student caseload of **more than 28** for **more than two consecutive years**.

- 6. Instructional Aide time currently receiving: 12/WK hours (prior to increased caseload).
- 7. Any additional Aide time with this waiver? 24/WK total hours after increase.

XXX

\_\_\_\_\_ I hereby certify that the information provided on this application is true and correct.

Date: June 4, 2014

Telephone number (and extension): (619) 390-2527 ext 5026

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: Lakeside Union School District
2. Name of Resource Specialist\*: Sarah Grosskreutz
3. School / District Assignment: Special Education Teacher at Lakeside Farms Elementary
4. Status: Permanent  Probation \_\_\_\_\_ Temporary \_\_\_\_\_
5. Number of students 32 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%):1.0
7. Number of periods or hours taught by Resource Specialist:  
Periods 7 Hours \_\_\_\_\_
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 24 (hours) to be provided to this resource specialist with this waiver.

**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**

10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):

I have worked closely with Mrs. Grosskreutz to ensure that she is able to fully implement each IEP with the aide support she has available with this waiver. She has assured me that she is able to meet the needs and implement the IEP of each student. 24 hours of aide time are provided. RSP teachers do not see students on Friday. Mrs. Grosskreutz will have 6 hours per day of aide time for 4 days per week.

11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):

As we approach the end of the school year, caseloads have increased. We have had an unusually high number of students move into the school district this year with Special Education services on the IEP. This is a large number for a district of our size.

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12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per *CCR*, Title 5, Section 3100(d)(1):

Projected caseloads for next school year show that all RSP teachers will open the year with caseloads under 28. The district has also hired a .75 Resource Specialist teacher this year to relieve caseloads.

Administrator/Designee Name and Title: Natalie Winspear/Special Education Director

Telephone number (and extension): 619-390-2620

Date: 6/10/14

\*Resource Specialist as defined in *EC* Section 56362.5

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Sarah Grosskreutz  
Assigned at: Riverview Elementary

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, with the additional SICA time provided.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, with the additional SICA time provided.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box.

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rational below:

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

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\_\_\_\_\_ I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(m) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_

(n) Specify which months / weeks you were over caseload: From \_\_\_\_\_ to \_\_\_\_\_

(o) Other pertinent information?

\_\_\_\_\_ I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving:   12   hours (prior to increased caseload).

7. Any additional Aide time with this waiver?   12   total hours after increase.

  XX   I hereby certify that the information provided on this application is true and correct.

Date: 6/4/2014

Telephone number (and extension):     619-390-2662 ext 4043

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: Lakeside Union School District
2. Name of Resource Specialist\*: Paula Peterson
3. School / District Assignment: Special Education Teacher at Lakeside Farms Elementary
4. Status: Permanent  Probation  Temporary
5. Number of students 32 (Caseload) proposed number of students 32
6. Full time Equivalent (FTE%): 1.0
7. Number of periods or hours taught by Resource Specialist:  
Periods 7 Hours
8. Average number of students per hour taught: 6
9. Indicate amount of Instructional Aide time: 24 (hours) to be provided to this resource specialist with this waiver.

**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**

10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d):

I have worked closely with Mrs. Peterson to ensure that she is able to fully implement each IEP with the aide support she has available with this waiver. She has assured me that she is able to meet the needs and implement the IEP of each student. 24 hours of aide time are provided. RSP teachers do not see students on Friday. Mrs. Peterson will have 6 hours per day of aide time for 4 days per week.

11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d):

As we approach the end of the school year, caseloads have increased. We have had an unusually high number of students move into the school district this year with Special Education services on the IEP. This is a large number for a district of our size.

12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1):

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Projected caseloads for next school year show that all RSP teachers will open the year with caseloads under 28. The district has also hired a .75 Resource Specialist teacher this year to relieve caseloads.

Administrator/Designee Name and Title: Natalie Winspear/Special Education Director

Telephone number (and extension): 619-390-2620

Date: 6/10/14

\*Resource Specialist as defined in *EC* Section 56362.5

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Paula Peterson  
Assigned at: Lakeside Farms Elementary School

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?  
 Yes                       No  
If not, please state where you believe these facts or numbers differ:
2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain: Yes. The curriculum I use includes on-line learning so that allows rotation of groups of students within a small group setting. Also, having my assistant working under my supervision is a huge help.
3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain: Yes, please refer to #2.
4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box.

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

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\_\_\_\_\_ I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(p) Did you have an approved waiver for this caseload? Yes \_\_\_ No \_\_\_

(q) Specify which months / weeks you were over caseload: From \_\_\_\_\_ to \_\_\_\_\_

(r) Other pertinent information?

\_\_\_\_\_ I have had a student caseload of **more than 28** for **more than two consecutive years**.

6. Instructional Aide time currently receiving: 3 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 6 total hours after increase.

x I hereby certify that the information provided on this application is true and correct.

Date: 06/04/12014

Telephone number (and extension): 619-390-2646 ext. 3061

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 4369708

Waiver Number: 8-6-2014

Active Year: 2014

Date In: 6/10/2014 8:20:14 AM

Local Education Agency: Union Elementary School District  
Address: 5175 Union Ave.  
San Jose, CA 95124

Start: 5/19/2014

End: 6/12/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Resource Teacher Caseload  
Ed Code Section: 56362 (c)  
Ed Code Authority: 56101 and 5 CCR Section 3100

Ed Code or CCR to Waive: 56362 (c)

Outcome Rationale: Additional students moved in to the attendance are or were assessed and required resource services.

Student Population: 5498

City Type: Urban

Local Board Approval Date: 6/9/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Linda Haines  
Position: Director of Special Education  
E-mail: [hainesl@unionsd.org](mailto:hainesl@unionsd.org)  
Telephone: 408-377-8010 x44261  
Fax:

Bargaining Unit Date: 05/21/2014  
Name: Union District Educators Association  
Representative: Mary Martin  
Title: UDEA President  
Position: Support  
Comments:

California Department of Education  
Revised 4-25-2013

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the ADMINISTRATOR**

1. SELPA / District / COE Name: SELPA III – Santa Clara Co / Union School District
2. Name of Resource Specialist\*: Joyce Martin
3. School / District Assignment: Alta Vista / Union School District
4. Status: Permanent  Probation  Temporary
5. Number of students \_\_\_\_\_ (Caseload) proposed number of students \_\_\_\_\_
6. Full time Equivalent (FTE%): 1.0 FTE
7. Number of periods or hours taught by Resource Specialist:  
Periods \_\_\_\_\_ Hours 6.5 hours
8. Average number of students per hour taught: 5
9. Indicate amount of Instructional Aide time: 9/daily (hours) to be provided to this resource specialist with this waiver.  
**Note: At least 5 hours of aide time is required when the caseload is over 28, per CCR, Title 5, Section 3100(d)(2).**
10. Provide assurance that the waiver will not hinder the implementation of a student's individualized educational program (IEP) for all students involved with the waiver or compliance with specified federal law, per CCR, Title 5, Section 3100(d): In discussion with RSP, she is able to provide service levels as listed on the IEP.
11. Explain what extraordinary fiscal or program circumstances resulted in this request for excess caseload, per CCR, Title 5, Section 3100(d): Additional students who moved in to attendance area or were assessed and require RSP service.
12. Indicate how your plan of action to resolve conditions by the time the waiver expires or is denied by the SBE, per CCR, Title 5, Section 3100(d)(1): Many students will matriculate to the middle school in the 14-15 school year.

Administrator/Designee Name and Title: Linda Haines, Director of Special Education

Telephone number (and extension): 408-377-8010 x 44261

Date: 5/21/2014

\*Resource Specialist as defined in EC Section 56362.5

**SPECIFIC WAIVER REQUEST FOR RESOURCE SPECIALIST CASELOAD**  
**To be completed by the RESOURCE SPECIALIST (Teacher)**

Name: Joyce Martin

Assigned at: Alta Vista

1. Is the information in Items 1 – 12 on the attached SW \_ RSC \_ Administrator form an accurate reflection of your current assignments, personal data, FTE, your caseload, number of periods taught and average number of students?

Yes                       No

If not, please state where you believe these facts or numbers differ:

2. Will all students served receive all of the services called for in their IEP's? Can you reasonably manage the excess caseload in relation to the programmatic condition you face, including, but not limited to, student age level, age span, and behavioral characteristics; number of curriculum levels taught at any one time or any given session, and intensity of student instructional needs. Please explain:

Yes, I am able to meet individual students need with the ability level groups I work with and with aide support pushing in / pulling out. I also am able to be in contact with teachers/parents and make needed updates.

3. Can you reasonably manage the excess caseload in relation to your student contact time, and other assigned duties? Please explain:

Yes, see above, the Rtl, push in, pull out of students allows me to meet all of my IEP students needing more intensive small group instruction.

4. *EC* Section 56362(c) states that no resource specialist shall have a caseload which exceeds 28 students, per *CCR*, Title 5, Section 3100. Regulations allow your agency to request a waiver of the *EC*, providing certain conditions are met, and that in no circumstance may your caseload be raised to above 32 students.

Indicate your position regarding this waiver request by a check mark in one box.

AGREE – to the increase in my student caseload from 28 students to not more than 32 students.

DISAGREE – to an increase in my student caseload over the 28 students. If disagreeing, provide rationale below:

5. Indicate a check mark in the appropriate box:

I did not have a student caseload of more than 28 during the last school year.

I did have a student caseload of more than 28 during the last school year. If yes, please respond below:

(s) Did you have an approved waiver for this caseload? Yes  No

(t) Specify which months / weeks you were over caseload: From \_\_\_\_\_ to \_\_\_\_\_

(u) Other pertinent information?

I have had a student caseload of **more than 28 for more than two consecutive years.**

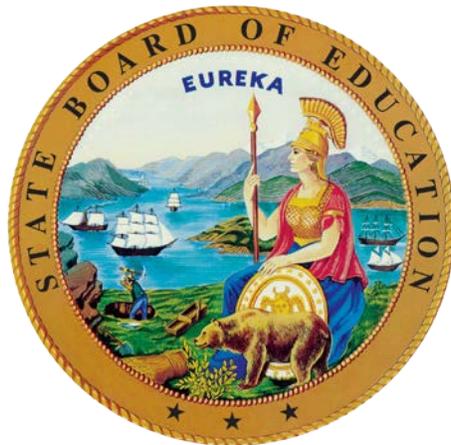
6. Instructional Aide time currently receiving: 25 hours (prior to increased caseload).

7. Any additional Aide time with this waiver? 0 total hours after increase.

I hereby certify that the information provided on this application is true and correct.

Date: 5/21/14 Joyce Martin

Telephone number (and extension): 408-356-6146 x 11123



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-04**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<b>SUBJECT</b>	<input checked="" type="checkbox"/> <b>Action</b> <input checked="" type="checkbox"/> <b>Consent</b>
<p>Request by three local educational agencies to waive the State Testing Apportionment Information Report deadline of December 31 in the <i>California Code of Regulations</i>, Title 5, Section 11517.5(b)(1)(A), regarding the California English Language Development Test; or Title 5, Section 1225(b)(2)(A), regarding the California High School Exit Examination; or Title 5, Section 862(c)(2)(A), regarding the Standardized Testing and Reporting Program.</p> <p>Waiver Numbers: Gravenstein Union Elementary School District 7-5-2014 Guadalupe Union Elementary School District 16-5-2014 La Canada Unified School District 8-5-2014</p>	

#### SUMMARY OF THE ISSUES

Regulations for the State Testing Apportionment Information Report, amended in 2005, include an annual deadline of December 31 for the return of the State Testing Apportionment Information Report for prior year testing. The California Department of Education (CDE) sent letters in September 2005 announcing the new deadline in regulations to every local educational agency (LEA). This deadline was enacted to speed the process of final reimbursement of testing costs to the LEAs.

The LEAs filing for this waiver request missed the December 31 deadline for requesting reimbursement for the 2012–13 school year. The CDE recommends approval of these waiver requests in order to reimburse these LEAs for prior year state testing costs.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### RECOMMENDATION

**Approval**    **Approval with conditions**    **Denial**

The CDE recommends that the December 31 deadline for submission of the State Testing Apportionment Information Reports be waived for the districts shown on Attachment 1.

## **SUMMARY OF KEY ISSUES**

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Regulations for the State Testing Apportionment Information Report, amended in 2005, include an annual deadline of December 31 for the return of the Apportionment Information Report for prior year testing for the California English Language Development Test (CELDT), the California High School Exit Examination (CAHSEE), and the Standardized Testing and Reporting (STAR) Program. The CDE sent letters in September 2005 announcing the new deadline in regulations to every local educational agency (LEA). This deadline was enacted to speed the process of final reimbursement of testing costs to the LEAs.

The LEAs filing for this waiver request missed the December 31 deadline for requesting reimbursement for the 2012–13 school year. CDE staff verified that these LEAs needed the waivers and had submitted reports after the deadline.

These LEAs are now aware of this important change in the timeline and understand that future reports must be submitted to the Assessment Development and Administration Division for reimbursement. Therefore, the CDE recommends the approval of this waiver request as required by regulation prior to final reimbursement.

### **Demographic Information:**

Gravenstein Union Elementary School District serves a student population of 719 and is located in a small city in Sonoma County.

Guadalupe Union Elementary School District serves a student population of 1,217 and is located in a rural area of Santa Barbara County.

La Canada Unified School District serves a student population of 4,086 and is located in a suburban area of Los Angeles County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC 33051(a)*, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The State Board of Education (SBE) has approved all waiver requests since the deadline for submission of the State Testing Apportionment Information Reports was added to the *California Code of Regulations (CCR)*, and the SBE Waiver Policy 08-#: **State Testing Apportionment Informational Report Deadline (available at <http://www.cde.ca.gov/re/lr/wr/documents/statetesting.doc>)**.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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If these waivers are approved, these three LEAs will be reimbursed for the costs of the CELDT, CAHSEE, or the STAR for the 2012–13 school year. Total costs are indicated on Attachment 1, and the waiver requests from each LEA are included as Attachments 2, 3, and 4.

## **ATTACHMENT(S)**

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- Attachment 1: Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline — September 2014 (1 Pages)
- Attachment 2: Gravenstein Union Elementary School District General Waiver Request 7-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office)
- Attachment 3: Guadalupe Union Elementary School District General Waiver Request 16-5-2014 (1 Page) (Original waiver request is signed and on file in the Waiver Office)
- Attachment 4: La Canada Unified School District General Waiver Request 8-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office)

**Local Educational Agencies Requesting Waiver of State Testing Apportionment Information Report Deadline —  
September 2014**

Waiver Number	Local Educational Agency	Period of Request	Test Report(s) Missing	Report(s) Submitted	School Year(s)	Reimbursement Amount	Bargaining Unit, Representative Consulted, Date and Position	SSC/Advisory Committee Position
7-5-2014	Gravenstein Union Elementary School District	<b>Requested:</b> October 28, 2013 to December 31, 2013 <b>Recommended:</b> July 1, 2013 to December 31, 2013	Standardized Testing and Reporting Program (STAR)	Yes	2012-13	\$1,421.42	Gravenstein Union Teachers Association Katrina Latham, President 3/31/2014 <b>Support</b>	District site council 3/3/2014 <b>No objection</b>
16-5-2014	Guadalupe Union Elementary School District	<b>Requested:</b> July 1, 2013 to December 31, 2013 <b>Recommended:</b> July 1, 2013 to December 31, 2013	STAR	Yes	2012-13	\$2,304.14	California School Employees Association Maria Gauna, Vice President 8/4/14 <b>Support</b>  Guadalupe Teachers Association Terry Bauer, President 8/4/14 <b>Neutral</b>	District Board of Trustees 5/15/2014 <b>No objection</b>
8-5-2014	La Canada Unified School District	<b>Requested:</b> July 1, 2013 to December 31, 2013 <b>Recommended:</b> July 1, 2013 to December 31, 2013	California English Language Development Test (CELDT)	Yes	2012-13	\$1,5708.00	La Canada Teachers Association Mandy Redfern, President 5/6/2014 <b>Support</b>	LCUSD Governing Board 5/6/2014 <b>No objection</b>

Created by the California Department of Education 6/11/2014

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4970714

Waiver Number: 7-5-2014

Active Year: 2014

Date In: 5/12/2014 1:55:58 PM

Local Education Agency: Gravenstein Union Elementary School District  
Address: 3840 Twig Ave.  
Sebastopol, CA 95472

Start: 10/28/2013

End: 12/31/2013

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report  
Ed Code Title: STAR  
Ed Code Section: CCR, Title 5, Section 862(c)(2)(A)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: CCR, Title 5, [Section 862(c)(2)(A) ... postmarked by December 31 ...]

Outcome Rationale: The submission of the STAR Apportionment Information Report was accidentally overlooked. The District has added a notation to our annual working calendar to prevent this in the future.

Student Population: 719

City Type: Small

Public Hearing Date: 4/9/2014

Public Hearing Advertised: The public hearing was posted three places in the District.

Local Board Approval Date: 4/9/2014

Community Council Reviewed By: District Site Council  
Community Council Reviewed Date: 3/31/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Catrina Howatt  
Position: Business Manager  
E-mail: [chowatt@grav.k12.ca.us](mailto:chowatt@grav.k12.ca.us)

Telephone: 707-823-7008  
Fax: 707-823-2108

Bargaining Unit Date: 03/31/2014  
Name: Gravenstein Union Teachers Association (GUTA)  
Representative: Katrina Latham  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4269203

Waiver Number: 16-5-2014

Active Year: 2014

Date In: 5/16/2014 10:03:59 AM

Local Education Agency: Guadalupe Union Elementary School District  
Address: 4465 Ninth St.  
Guadalupe, CA 93434

Start: 7/1/2013

End: 12/31/2013

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report  
Ed Code Title: STAR  
Ed Code Section: CCR, Title 5, Section 862(c)(2)(A)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: [postmarked by December 31]

Outcome Rationale: The Standardized Testing and Reporting Program Apportionment Information Report for Spring 2013 was not postmarked by the December 31, 2013 deadline due to an unintentional oversight.

Student Population: 1217

City Type: Rural

Public Hearing Date: 5/15/2014  
Public Hearing Advertised: Posted

Local Board Approval Date: 5/15/2014

Community Council Reviewed By: District Board of Trustees  
Community Council Reviewed Date: 5/15/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Alejandra Mora  
Position: Administrative Assistant-Education Services  
E-mail: [aserrato@sbceo.org](mailto:aserrato@sbceo.org)  
Telephone: 805-343-1339

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1964659

Waiver Number: 8-5-2014

Active Year: 2014

Date In: 5/12/2014 2:47:02 PM

Local Education Agency: La Canada Unified School District  
Address: 4490 Cornishon Ave.  
La Canada, CA 91011

Start: 7/1/2013

End: 12/31/2013

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: State Testing Apportionment Report

Ed Code Title: CELDT

Ed Code Section: CCR, Title 5, Section 11517.5(b)(1)(A)

Ed Code Authority: 33050

Ed Code or CCR to Waive: This application is to waive the deadline of December 31, 2013 for the Certification of 2012-2013 California English Language Development Test Apportionment in order for La Canada Unified School District to receive the available apportionment funding payment.

Outcome Rationale: The Certification of 2012-2013 CELT Apportionment Information Report was routed to the wrong office through inter-district mail. Unfortunately, the form was discovered after the December deadline had passed.

Student Population: 4086

City Type: Suburban

Public Hearing Date: 5/6/2014

Public Hearing Advertised: Posted on the public notice bulletin board 10-days prior to Governing Board meeting.

Local Board Approval Date: 5/6/2014

Community Council Reviewed By: LCUSD Governing Board

Community Council Reviewed Date: 5/6/2014

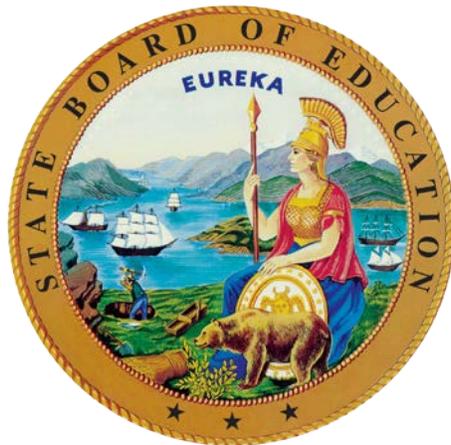
Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lindi Dreibelbis  
Position: Chief Director  
E-mail: [ldreibelbis@lcsd.net](mailto:ldreibelbis@lcsd.net)  
Telephone: 818-952-8391  
Fax: 818-952-8331



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

**WAIVER ITEM W-05**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

#### General Waiver

<p><b>SUBJECT</b></p> <p>Request by <b>Banta Elementary School District</b> to waive California <i>Education Code</i> Section 41402(a), the requirement which sets the ratio of administrators to teachers for elementary schools at nine for every 100 teachers. Banta Elementary School District would like to continue to have two full-time administrators with 14 teachers.</p> <p>Waiver Number: 34-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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Banta Elementary School District (ESD) is in the midst of a facilities expansion to address a projected influx of new students due to a new housing development. The project requires increased attention from the superintendent/principal to act as the only facilities staff and to develop new curriculum for a new school. Waiving this requirement will allow Banta ESD to maintain a temporary arrangement of having more than one administrator to address the needs of the existing school with no fiscal consequences.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends that the SBE approve the request by the Banta ESD, that the administrator-to-teacher ratio be waived for two years less one day, July 1, 2014, to June 29, 2016, allowing Banta ESD to have two full-time administrators, but not on a permanent basis.

#### **SUMMARY OF KEY ISSUES**

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The Banta ESD is requesting a waiver of *Education Code (EC)* Section 41402(a), which establishes the maximum ratio of administrative employees to teachers. For an elementary school district, the ratio is nine administrators for every 100 teachers. The district currently has 14 teachers, which allows for 1.26 administrators. Banta ESD would need to employ three additional teachers to be in compliance with the maximum administrator-to-teacher ratio. Approving this waiver will exempt the district from any audit penalties imposed as a result of *EC* Section 41404 until Banta ESD hires additional teaching staff.

This administrator will be fully paid by the housing developer through a mitigation agreement with Banta ESD. Although it appears that the need for an additional administrator is an ongoing issue (a similar waiver was first approved in 2001), Banta ESD indicates that the recession caused a slowdown of the housing project, but that homes have currently started selling, and that a new school is slated to open in August 2015.

The Banta Schoolsite Council and the Banta Educators Association both support this waiver request.

**Demographic Information:** Banta ESD has a student population of approximately 800 students (340 at the district school and 460 at an independent charter school) and is located in a rural city in San Joaquin County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a), available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Banta ESD has received four previous waivers of EC Section 41402(a) starting on July 1, 2001, with the latest waiver expiring on June 28, 2012. Each waiver was approved with conditions, allowing the Banta ESD to have two administrative employees to address the projected influx of new students.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

There is no statewide fiscal impact of this waiver approval. Approval of this waiver will prevent future audit penalties for the school district.

#### **ATTACHMENT(S)**

Attachment 1: Information from Districts Requesting Waivers of Administrator/Teacher Ratio Requirement (1 page)

Attachment 2: Banta Elementary School District General Waiver Request 34-6-2014 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

### Information from Districts Requesting Waivers for Administrator/Teacher Ratio Requirement

California Education Code (EC) Section 41402(a)

Waiver Number	District	Period of Request	Public Hearing and Local Board Approval Date/Advertisement	Bargaining Unit, Representatives Consulted, Date, and Position	SSC/Advisory Committee Position/Date
34-6-2014	Banta Elementary School District	<p><b>Requested:</b> June 30, 2014, to June 30, 2016</p> <p><b>Recommended:</b> July 1, 2014, to June 29, 2016</p>	<p>April 8, 2014</p> <p>The Banta Inn, Banta General Store, Banta Elementary School, Banta School District Office and posted on the school district website</p>	<p>Banta Educators Association Beatriz Flores, President March 14, 2014 <b>Support</b></p>	<p>Banta Schoolsite Council Banta Educators Association 3/21/2014 <b>No Objections</b></p>

Created by California Department of Education  
July 14, 2014

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3968486

Waiver Number: 34-6-2014

Active Year: 2014

Date In: 6/26/2014 10:07:44 PM

Local Education Agency: Banta Elementary School District  
Address: 22375 South El Rancho Rd.  
Tracy, CA 95304

Start: 6/30/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number: 63-2-2010-W-1

Previous SBE Approval Date: 7/15/2010

Waiver Topic: Administrator/Teacher Ratio

Ed Code Title: Administrator/Teacher Ratio in Elementary School District

Ed Code Section: 41402(a)

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: Request by Banta Elementary School District to waive California [*Education Code (EC)* Section 41402(a), the requirement which sets the ratio of administrators to teachers for elementary schools at nine for every one hundred teachers]. Banta ESD needs to have two administrators with our sixteen current teachers due to the massive amount of district level responsibilities that the district administrator will have for the next two years.

Outcome Rationale: I would like to provide an explanation regarding the waiver request for an additional administrator in the Banta School District. Banta School District is in the process of starting a S.T.E.M. science academy on a newly built campus to accompany a district sponsored technology charter academy that is currently on the site. The technology academy will be home to 450 students during the 2014-15 school year and the S.T.E.M. academy is projected to open in August 2015 with approximately 300 students. In addition the district also has another campus Banta Elementary school which is home to approximately 330 students. The technology academy has a principal but the S.T.E.M. academy that will be opening will not have a principal until the 2015 school year. I am currently the Superintendent/Principal at Banta Elementary school. The new school is in a housing development that is slated to have 6,000 to 8,000 homes and the homes have started selling. At this point the district has signed off on the construction of 400 homes. Some of these homes have already been built and some have been sold as well. We are vigorously planning and preparing to meet the needs of these students as they come in to the district with our incoming S.T.E.M. science academy. Furthermore now that home building and selling has begun there is a substantial amount of district work to be done to prepare and plan for phase two of our school construction plans to meet the needs of our future incoming students. Currently, we have three school facilities and we have no facilities department to handle duties related to the administration of the maintenance, repairs, warranty issues on these campuses. Therefore these responsibilities fall on the Superintendent. I am on the board for our district sponsored charter and am the district's main contact for any issues related to the charter and the district that arise regarding facilities, programs, and the administration of the many agreements between the two entities. I am deeply involved in the work related to preparing our science academy to open as well. We will need to plan the entire

curriculum, plan for the opening, hire the staff, create the founding documents and many other duties associated with opening a school in the next year. This is in addition to all of the duties of the Superintendent and the issues related to my responsibilities as the site principal at Banta School. I have no way to meet all of these needs properly and as a result students, teachers, families, and the districts needs are being shortchanged and compromised. The district is in severe need of a principal at the Banta Elementary school site to meet our districts needs. The money to cover this additional administrator will be fully covered by a mitigation agreement we have with the developer of the project which fully covers the cost of an additional administrator in the district if the district has one. Previously under this arrangement I was the assistant superintendent/principal of the district for approximately eight years when we as a district had two administrators. In 2012 when our other administrator retired we returned to one administrator. During that time the responsibilities and duties of the superintendent have increased greatly. Today the responsibilities are greater than ever before and we as a district are in serious need of additional administrative support to help us to ensure that all of the districts needs and the needs of our current and future students are being properly met. Many responsibilities regarding this future planning take me off campus. In addition I am and will continue to be involved in multiple meetings regarding all of these issues and it leaves the school in which I am principal without an administrator dedicated fully to the site. We are no longer the standard definition of a single school district by any measure. We have multiple school sites and have multiple school programs now under our jurisdiction. This waiver request has the full support of our governing board, our schoolsite council and our educators association. If you have any questions or need any further clarification regarding this waiver and the circumstances for this request please feel free to contact me at (209) 649-2649 or (209) 229-4651 or e-mail me at [algaribaldi@sjcoe.net](mailto:algaribaldi@sjcoe.net). Thank you.

Student Population: 750

City Type: Rural

Public Hearing Date: 4/8/2014  
Public Hearing Advertised: yes

Local Board Approval Date: 4/8/2014

Community Council Reviewed By: Banta Schoolsite Council - Supported - Banta Educators Association - Supported

Community Council Reviewed Date: 3/21/2014

Community Council Objection: N

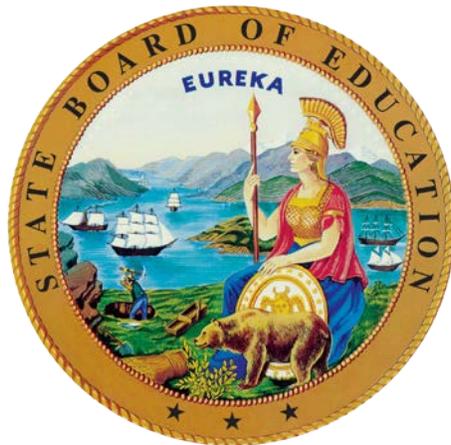
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Albert Garibaldi  
Position: Superintendent/Principal  
E-mail: [algaribaldi@sjcoe.net](mailto:algaribaldi@sjcoe.net)  
Telephone: 209-229-4651  
Fax: 209-835-9851

Bargaining Unit Date: 03/14/2014  
Name: Banta Educators Association  
Representative: Beatriz Flores  
Title: Banta Educators Association President  
Position: Support  
Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-06**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by three local educational agencies to waive portions of <i>California Code of Regulations</i>, Title 5, Section 11963.6(c), relating to the submission and action on determination of funding requests regarding nonclassroom-based instruction.</p> <p>Waiver Numbers: Alameda County Office of Education 10-6-2014 Porterville Unified School District 34-5-2014 Yuba City Unified School District 33-5-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### SUMMARY OF THE ISSUES

Three local educational agencies (LEAs) are requesting, on behalf of the charter schools identified in Attachment 1, that the California State Board of Education (SBE) waive portions of *California Code of Regulations*, Title 5 (5 CCR), Section 11963.6(c) in order to allow the charter schools to request a non-prospective funding determination for their respective funding periods.

The three charter schools each submitted a determination of funding request after the required February 1 deadline, thereby making the request retroactive, not prospective.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### RECOMMENDATION

**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the SBE approve requests by Alameda County Office of Education, Porterville Unified School District, and Yuba City Unified School District to waive specific portions of 5 CCR, Section 11963.6(c), in order to allow the specified charter schools to submit determination of funding requests for the specified fiscal years. Approval of these waiver requests will also allow the SBE to consider the requests, which are not prospective. Without the waivers, the SBE may not consider the determination of funding request and the charter school's nonclassroom-based average daily attendance (ADA) may not be funded for the affected fiscal years.

## **SUMMARY OF KEY ISSUES**

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California *EC* sections 47612.5 and 47634.2 established the eligibility requirements for apportionment funding for charter schools that offer nonclassroom-based instruction. The statutes specify that a charter school may receive apportionment funding for nonclassroom-based instruction only if a determination of funding is made by the SBE. The CDE reviews a charter school's determination of funding request and presents it for consideration to the Advisory Commission on Charter Schools, pursuant to relevant 5 *CCR*.

Pursuant to 5 *CCR*, Section 11963.6(c), any determination of funding request approved by the SBE for an existing nonclassroom-based charter school must be prospective (not for the current year) and in increments of a minimum of two years and a maximum of five years in length. In addition, the funding determination request must be submitted by February 1 of the fiscal year prior to the year the funding determination will be effective.

Each of the three charter schools submitted a determination of funding request after the required February 1 deadline, thereby making the request retroactive, not prospective.

### **Demographic Information:**

Alameda County Office of Education is requesting a waiver for the FAME Public Charter School which serves a student population of 1,332 and is located in Alameda County.

Porterville Unified School District is requesting a waiver for the Butterfield Charter High School which serves a student population of 351 and is located in Tulare County.

Yuba City Unified School District is requesting a waiver for the Yuba City Charter School which serves a student population of 170 and is located in Sutter County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC 33051(a)*, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE has not previously heard a similar waiver request.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of the waiver request will allow the SBE to consider the charter school's determination of funding request. Subsequent approval of the determination of funding request by the SBE will allow the charter school's nonclassroom-based ADA to be funded at the funding determination rate approved by the SBE for the fiscal years requested.

## **ATTACHMENT(S)**

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- Attachment 1: Local Educational Agencies Requesting Waiver of Nonclassroom-Based (NCB) Funding Determination Request Deadline (1 Page)
- Attachment 2: Alameda County Office of Education General Waiver Request 10-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Porterville Unified School District General Waiver Request 34-5-2014 (3 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Yuba City Unified School District General Waiver Request 33-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

### Local Educational Agencies Requesting Waiver of Nonclassroom-Based (NCB) Funding Determination Request Deadline

Waiver Number	Local Educational Agency (Charter Authorizer)	Existing Charter School (CDS Code)	NCB Funding Determination Period of Request	Public Hearing and Local Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
10-6-2014	Alameda County Office of Education	FAME Public Charter (01-10017-0109835)	<p><b>Requested:</b> July 1, 2014 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2014 to June 30, 2015</p>	<p>Public Hearing 5/13/2014</p> <p>Local Board June 10, 2014</p>	Posted on ACOE website and at FAME Public Charter School main office	<p>FAME Public Charter School Board of Directors 5/7/2014</p> <p><b>No objections</b></p>
34-5-2014	Porterville Unified School District	Butterfield Charter High (54-75523-0114348)	<p><b>Requested:</b> July 1, 2013 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2013 to June 29, 2015</p>	Public Hearing and Local Board May 29, 2014	Posted at district location and on website	<p>Joint District Advisory Council 5/28/2014</p> <p><b>No objections</b></p>
33-5-2014	Yuba City Unified School District	Yuba City Charter (51-71464-5130125)	<p><b>Requested:</b> July 1, 2012 to June 30, 2015</p> <p><b>Recommended:</b> July 1, 2012 to June 30, 2013</p> <p style="text-align: center;">and</p> <p>July 1, 2014 to June 30, 2015</p>	Public Hearing and Local Board May 27, 2014	72 hour public posting of the YCUSD School Board meeting using standard distribution	<p>Corporate Board of the Yuba City Charter School 5/27/2014</p> <p><b>No objections</b></p>

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0110017

Waiver Number: 10-6-2014

Active Year: 2014

Date In: 6/11/2014 11:24:24 AM

Local Education Agency: Alameda County Office of Education  
Address: 313 West Winton Ave.  
Hayward, CA 94544

Start: 7/1/2014

End: 6/30/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Charter School Program  
Ed Code Title: Nonclassroom-Based Funding  
Ed Code Section: 5 CCR Section 11963.6(c) and 47634.2  
Ed Code Authority: 33050

Ed Code or CCR to Waive: *Education Code 47634.2 and 5 CCR Section 11963.6(c)*: Any determination of funding request approved by the State Board of Education for an existing nonclassroom-based charter school from the 2006-07 fiscal year forward shall be prospective (not for the current year), in increments of a minimum of two years and a maximum of five years in length. [Beginning with the 2007-08 fiscal year, nonclassroom-based charter schools that had a funding determination in the prior year must submit a funding determination request by February 1 of the fiscal year prior to the year the funding determination will be effective, when a new request is required under these regulations.]

Outcome Rationale: This waiver will permit FAME Public Charter School ("FAME") to submit a late request for a funding determination to the CDE and be eligible for 100% funding for the next five school years to support the school's educational program and operations. The funding determination request was due to the CDE by February 1, 2014. FAME's prior funding determination was approved at the March 13-14, 2013 State Board of Education meeting for 100% funding for 2 years. FAME erred in not submitting a timely request for a funding determination this year because it believed that its 2013 SBE-approved funding determination was a prospective 2-year determination that would expire in 2015, when actually it was a 1-year prior and a 1-year prospective determination for the years 2012-13 and 2013-14.

Student Population: 1332

City Type: Urban

Public Hearing Date: 5/13/2014

Public Hearing Advertised: Posted on ACOE website and at FAME Public Charter School main office

Local Board Approval Date: 6/10/2014

Community Council Reviewed By: FAME Public Charter School Board of Directors  
Community Council Reviewed Date: 5/7/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Gail Greely  
Position: Director, Charter Schools Office, ACOE  
E-mail: [ggreely@acoe.org](mailto:ggreely@acoe.org)  
Telephone: 510-670-4234  
Fax: 510-670-3234

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 5475523

Waiver Number: 34-5-2014

Active Year: 2014

Date In: 5/30/2014 10:17:40 AM

Local Education Agency: Porterville Unified School District  
Address: 600 West Grand Ave.  
Porterville, CA 93257

Start: 7/1/2013

End: 6/30/2015

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: Charter School Program

Ed Code Title: Nonclassroom-Based Funding

Ed Code Section: Title 5 *California Code of Regulations (CCR)* 11963.6 (c)

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: § 11963.6. Submission and Action on Determination of Funding Requests Regarding Nonclassroom-Based Fund...

5 CA ADC § 11963.6 BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS

Title 5. Education

Division 1. California Department of Education

Chapter 11. Special Programs

Subchapter 19. Charter Schools

Article 1.5. Classroom- and Nonclassroom-Based Instruction in Charter Schools

5 *CCR* § 11963.6

§ 11963.6. Submission and Action on Determination of Funding Requests Regarding Nonclassroom-Based Instruction.

[(a) An approved determination of funding for a new charter school in its first year of operation shall be submitted by December 1 and shall be for two fiscal years. Within 90 days after the end of its first fiscal year of operation, a charter school shall submit unaudited actual expense reports and a funding determination form based on the school's actual second-year budget. If the Advisory Commission on Charter Schools determines that the actual expenditures of the charter school or the second year funding determination form do not support the funding determination for the second year, the Advisory Commission on Charter Schools shall recommend that the State Board of Education revise the funding determination.]

[(b) For the 2005-06 fiscal year only, a determination of funding request approved by the State Board of Education for any nonclassroom-based charter school that is not in its first year of operation shall be for the 2005-06 fiscal year and additionally a minimum of one year but a maximum of four years prospectively (for a total funding determination of not more than five years).]

(c) Any determination of funding request approved by the State Board of Education for an

existing nonclassroom-based charter school from the 2006-07 fiscal year forward shall be prospective (not for the current year), in increments of a minimum of two years and a maximum of five years in length. Beginning with the 2007-08 fiscal year, nonclassroom-based charter schools that had a funding determination in the prior year must submit a funding determination request by February 1 of the fiscal year prior to the year the funding determination will be effective, when a new request is required under these regulations.

[(d) A determination of funding shall be subject to review each time a material change is made in the school's charter with respect to nonclassroom-based instruction, and may be subject to review each time the school's charter is renewed, and/or in accordance with any conditions the State Board of Education may impose at the time of the determination of funding request approval. A material change in the school's charter with respect to nonclassroom-based instruction is any significant change that affects the level of resources devoted to nonclassroom-based instruction, the courses to be offered through nonclassroom-based instruction, and/or the delivery of educational services to pupils receiving nonclassroom-based instruction. The charter school shall notify the California Department of Education no later than thirty (30) days after the material change is made.]

[(e) A charter school may submit a request for funding determination up to one year prior to the fiscal year in which the request will initially be effective. The State Board may grant the request for up to five years following the effective date of the request.]

[(f) Not more than 120 days following the receipt of a complete determination of funding request, the California Department of Education shall present the request and the recommendation of the Advisory Commission on Charter Schools to the State Board of Education in accordance with subdivision (a) of section 11963.4.]

[(g) If, during the effective period of a determination of funding, a charter school wishes to seek a higher or lower determination of funding, it shall do so by the filing of a new determination of funding request. During the effective period of a charter school's determination of funding, no more than one additional determination of funding request (which would replace the determination of funding then in effect) may be submitted by the charter school in the same fiscal year.]

Note: Authority cited: Sections 33031 and 47634.2, *Education Code*. Reference: Sections 47604.3, 47612.5, 47634.2 and 51745.6, *Education Code*.

Outcome Rationale: A late filing occurred as result of an unintentional oversight by the retired part-time charter administrator. The California Department of Education Charter Schools Division informed us that a waiver is necessary to allow Butterfield High School to resubmit a funding determination for the 2013-2014 and 2014-2015 fiscal years. Butterfield Charter High School has been in operation since 2007 and has recently received a six year WASC accreditation while serving a population in excess of 350 students with a waiting list.

Student Population: 351

City Type: Rural

Public Hearing Date: 5/29/2014

Public Hearing Advertised: Posted at District Location and on website

Local Board Approval Date: 5/29/2014

Community Council Reviewed By: Joint District Advisory Council

Community Council Reviewed Date: 5/28/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Ken Gibbs

Position: Assistant Superintendent Business

E-mail: [kgibbs@portervilleschools.org](mailto:kgibbs@portervilleschools.org)

Telephone: 559-793-2450

Fax:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 5171464

Waiver Number: 33-5-2014

Active Year: 2014

Date In: 5/29/2014 12:12:02 PM

Local Education Agency: Yuba City Unified School District  
Address: 750 Palora Ave.  
Yuba City, CA 95991

Start: 7/1/2012

End: 6/30/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Charter School Program  
Ed Code Title: Nonclassroom-based Funding  
Ed Code Section: 11963.6  
Ed Code Authority: 33050

Ed Code or CCR to Waive: 11963.6(c) Any determination of funding request approved by the State Board of Education for an existing nonclassroom-based charter school from the 2006-07 fiscal year forward shall be in increments of a minimum of two years and maximum of five years in length

Outcome Rationale: As described in item 8 on the April 9, 2014 agenda for the Advisory Commission for Charter Schools (<http://www.cde.ca.gov/be/cc/cs/accsnotice040914.asp>), Yuba City Charter School did not learn until after the close of the 2012-13 fiscal year that its non-classroom based ADA had exceeded 20% for the first time, making YCCS subject to annual funding determinations. CDE staff recommended, and ACCS approved, that YCCS should receive a 100% funding determination for three years (2012-13 through 2014-15) including the retroactive year, but that a waiver was required as current regulations do not allow for retroactive determinations. By waiving the portion of CCR 11963.6(c) quoted above, this one-time waiver will allow YCCS to receive full funding for the three years in question - without such waiver, the school's funding level would be 0% for all non-classroom-based students, drastically impacting the ability of YCCS to operate. No renewal or additional waivers will be required for this item.

Student Population: 170

City Type: Small

Public Hearing Date: 5/27/2014

Public Hearing Advertised: 72 hour public posting of the YCUSD School Board meeting using standard distribution

Local Board Approval Date: 5/27/2014

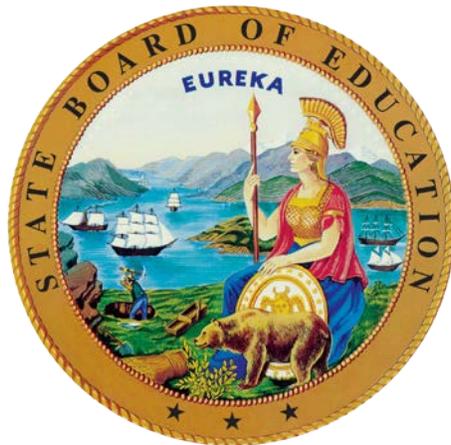
Community Council Reviewed By: Corporate Board of the Yuba City Charter School

Community Council Reviewed Date: 5/27/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: Y

Categorical Program Monitoring: N

Submitted by: Mr. Richard Odegaard  
Position: Interim, Assistant Superintendent, Business Svcs  
E-mail: [rodegaard@ycusd.k12.ca.us](mailto:rodegaard@ycusd.k12.ca.us)  
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# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

**WAIVER ITEM W-07**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by three school districts to waive California <i>Education Code</i> Section 48916.1(d) and portions of California <i>Education Code</i> Section 48660, relating to the allowable grade spans for community day schools. The fourth request is from a district requesting to waive portions of California <i>Education Code</i> Section 48661(a), relating to the collocation of a community day school with other types of schools.</p> <p>Waiver Numbers: Lakeport Unified School District 10-5-2014 Lucerne Valley Unified School District 1-5-2014 Scott Valley Unified School District 2-6-2014 Shasta Union High School District 13-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

Request by Lakeport Unified School District (USD) for a waiver of California *Education Code (EC)* Section 48916.1(d) and portions of *EC* Section 48660 to permit a Community Day School (CDS) to serve students in grades five and six with students in grades seven through ten.

Request by Lucerne Valley USD for a waiver for *EC* Section 48916.1(d) and portions of *EC* Section 48660 to permit a CDS to serve students in grades three through six with students in grades seven through twelve.

Request by Scott Valley USD for a waiver for *EC* Section 48916.1(d) and portions of *EC* Section 48660 to permit a CDS to serve students in grades four through six with students in grades seven through twelve.

Request by Shasta Union High School District (UHSD) for a waiver of *EC* Section 48661(a) to permit the collocation of Freedom CDS, on the same site as Pioneer Continuation High School, and contiguous to the site occupied by University Preparatory School (UPrep), Shasta High School, and North State Independence High School.

For the Lucerne Valley USD, *EC* Section 33051(b) will apply and the district will not need to reapply if the information contained on the request remains current.

**Authority for Waiver:** *EC* Section 33050

## RECOMMENDATION

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Approval  Approval with conditions  Denial

The California Department of Education (CDE) recommends approval of the waiver requests for these four CDSs, with the individual conditions noted in the Attachment 1.

## SUMMARY OF KEY ISSUES

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The Local Control Funding Formula (LCFF) eliminated funding for most categorical programs, including funding for Community Day Schools. However, the legislation did not repeal *EC* 48660 through 48666, which establish program requirements for community day schools operated by districts. The LCFF legislation did repeal *EC* 48667, which authorized county offices of education to operate community day schools. In addition, the Legislature is considering pending legislation, Senate Bill No. 971, dealing with repeal of statutes establishing requirements for various categorical programs. Statutory provisions related to community day school are being considered as part of this legislation. Thus, the extent to which specific program requirements apply is unclear at this time. The CDE has determined in these circumstances, a request for a waiver is the appropriate course of action for school districts offering Community Day School programs.

*EC* Section 48660 provides that a CDS may serve pupils in any of kindergarten and grades one to six, inclusive, or any of grades seven to twelve, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. *EC* Section 48916.1(d) provides for the allowable grade spans of educational services for expelled students.

Lakeport USD, Lucerne Valley USD, and Scott Valley USD are all small districts that do not expect more than a few number of students to be enrolled in the CDS, which means it is not fiscally feasible to operate two CDSs, one for students up to grade six, and a second for grades seven and above. At the same time, they recognize their responsibility to ensure that educational placements are available for expelled and other high-risk students.

Additionally, it is difficult to predict when and if a student in any specific grade level will need to be served in a CDS. This means that at any given time, all of the students might be in elementary grades, middle grades, high school, or any combination of these grades—just as at any time it is equally possible that no student in any one of these grade spans might be enrolled.

The districts do not anticipate having more than 10 students at a time, allowing for careful supervision and individualization of instruction.

The nearest appropriate alternative placement options for expelled students, especially in elementary grades, are at a distance that precludes interdistrict transfer and enrollment. In order to ensure that students receive adequate academic support despite the wider span of grades, the districts have committed to provide grade-level-

appropriate mentor teacher support to CDS teachers who are teaching beyond their normal grade spans.

*EC* Section 48916.1(a) requires school districts to ensure that each of their expelled students be provided an educational program during the period of expulsion. *EC* Section 48661(a) states that a CDS shall not be situated on the same site as a comprehensive elementary, middle, or high school, continuation high school, or an opportunity school. *EC* Section 48661(a) authorizes a small school district with 2,500 or fewer students to waive the separation requirement based on an annual certification by at least two-thirds of the local board that separate alternative facilities are not available. With these waivers, the governing board for the Shasta UHSD is asking for similar authority as the board of a small district. The local board voted unanimously to request the waivers.

Due to declining enrollment and substantial budgetary challenges, Shasta UHSD is reconfiguring the physical arrangement of several of its schools. Freedom CDS will be housed in the two classrooms adjacent to Pioneer Continuation High School campus and reside on property that is contiguous with a charter high school (UPrep), comprehensive high school (Shasta High School) and an independent study school (North State Independence High School). Freedom CDS currently resides on the property contiguous to the schools listed above, but will be moved next year to a new location on the same property. Shasta High School is above the Freedom CDS and Pioneer Continuation High School campuses and is separated by a fence, parking lot, and low-growing vegetation. The North State Independence High School and UPrep campuses both reside to the east of the Freedom CDS and Pioneer Continuation High School campuses, with Shasta High School in the middle.

There are several advantages for the Freedom CDS students to be on the Pioneer Continuation High School campus, and mitigating factors are in place to prevent interaction of the Freedom CDS and Pioneer Continuation High School students. The Freedom CDS students will access the Pioneer Continuation High School cafeteria at times during the day when the Pioneer Continuation High School students are in their classes. A fence with a locked gate separates Freedom CDS and Pioneer Continuation High School. The start times and end times for the school day will be staggered so that the students in Freedom CDS, Pioneer Continuation High School, and adjacent campuses arrive and depart at different times. The parking areas serving both schools are separate.

A Pioneer Continuation High School English teacher will provide instruction one period each day in the Freedom CDS classrooms, and the Pioneer Continuation High School counselor will provide services to the Freedom CDS students. (Freedom CDS currently does not have a counselor.) The Freedom CDS students will have physical education (PE) taught daily by a certificated PE teacher. They will also have access to a Construction Trades Career Technical Education class on the Pioneer Continuation High School campus. The sections for the Freedom CDS students will be separate from those offered to the Pioneer Continuation High School students, and the Freedom CDS students will be escorted to and from the classes by staff or the Pioneer Continuation High School security guard.

Since the Freedom CDS students will require access to the Pioneer Continuation High School office for counseling and administrative support, plans are in place to provide escorts by the Pioneer Continuation High School security guard, Freedom CDS staff, or Pioneer Continuation High School administrative staff for the Freedom CDS students as they enter and leave the Pioneer Continuation High School campus.

There are shared restrooms that exist on the Pioneer Continuation High School campus approximately 50 feet from the Freedom CDS classrooms. The Freedom CDS students will access the restrooms at times the Pioneer Continuation High School students are in classes, and they will be monitored by Freedom CDS staff, Pioneer Continuation High School administrative staff, or the Pioneer Continuation High School security guard.

**Demographic Information:** See Attachment 1

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC Section 33051(a),** available at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=33001-34000&file=33050-33053>.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The State Board of Education (SBE) has approved several previous waiver requests to expand the allowable grade span for a CDS to best serve its students when it was not feasible for the district to operate two separate schools. The SBE has also approved similar requests in the past to allow the colocation of a CDS with another school when the CDS could not be located separately and the district has been able to provide for the separation of students from the other schools.

The Scott Valley USD meets the criteria for the SBE Streamlined Waiver Policy, available at <http://www.cde.ca.gov/re/lr/wr/documents/sbestreamlined.doc>, achieving an Academic Performance Index (API) of 800 or above in the current scoring cycle. Therefore, this waiver has been scheduled for the consent calendar. The 2013 Growth API score for the Scott Valley USD is 843.

The Shasta UHSD meets the criteria for the SBE Streamlined Waiver Policy, available at <http://www.cde.ca.gov/re/lr/wr/documents/sbestreamlined.doc>, achieving an Academic Performance Index (API) of 800 or above in the current scoring cycle. Therefore, this waiver has been scheduled for the consent calendar. The 2013 Growth API score for the Shasta UHSD is 824.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of Waiver approval.

#### **ATTACHMENT(S)**

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Attachment 1: Summary Table of Community Day School State Board of Education Waivers for September 2014 (2 pages)

Attachment 2: Lakeport Unified School District: General Waiver Request 10-5-2014  
(2 pages) (Original Waiver request is signed and on file in the Waiver  
Office.)

Attachment 3: Lucerne Valley Unified School District: General Waiver Request 1-5-2014  
(2 pages) (Original Waiver request is signed and on file in the Waiver  
Office.)

Attachment 4: Scott Valley Unified School District: General Waiver Request 2-6-2014  
(2 pages) (Original Waiver request is signed and on file in the Waiver  
Office.)

Attachment 5: Shasta Union High School District: General Waiver Request 13-6-2014  
(3 pages) (Original Waiver request is signed and on file in the Waiver  
Office.)

**Summary Table of Community Day School State Board of Education Waivers for September 2014**

Waiver Number	District Name, Size of District, and Local Board Approval Date	Grade Span Requested (if waiver of California Education Code [EC] sections 48660 and 48916.1[d])	Type(s) of School(s) with which CDS will be Colocated (if waiver of EC Section 48661[a])	Period of Request	Renewal Waiver?	If granted, this waiver will be "permanent" per EC Section 33501(b)	Certificated Bargaining Unit Name and Representative, Date of Action, and Position	Advisory Committee/Schoolsite Council Name, Date of Review and any Objections
10-5-2014	Lakeport Unified School District (USD)  1,500 Total Students  10 Students in Community Day School (CDS)  May 8, 2014	Grades six through ten		<b>Requested:</b> August 14, 2013 through June 30, 2015	NO	NO	Lakeport Unified Teacher's Association Pam Klier May 5, 2014 <b>Support</b>	Schoolsite Council  May 6, 2014  <b>No objections</b>
	<b>Recommended:</b> August 14, 2013 through June 30, 2015			Lakeport Unified Classified Education Association Doreen McGuire May 5, 2014 <b>Support</b>				
<b>Conditions:</b> This waiver provides for the CDS operated by the Lakeport USD to serve students in grades six through ten.								
1-5-2014	Lucerne Valley USD  774 Total Students  13 Students in CDS  April 10, 2014	Grades three through twelve		<b>Requested:</b> July 2, 2013 through July 1, 2015	NO	YES	Lucerne Valley Teachers Association Cynthia McDonough March 31, 2014 <b>Support</b>	Lucerne Valley USD ES/Schoolsite Council  March 31, 2014  <b>No objections</b>
	<b>Recommended:</b> July 2, 2013 through July 1, 2015			California School Employees Association Patrick Petras March 31, 2014 <b>Support</b>				
<b>Conditions:</b> This waiver provides for the CDS operated by the Lucerne Valley USD to serve students in grades three through twelve.								

Waiver Number	District Name, Size of District, and Local Board Approval Date	Grade Span Requested (if waiver of California Education Code [EC] sections 48660 and 48916.1[d])	Type(s) of School(s) with which CDS will be Colocated (if waiver of EC Section 48661[a])	Period of Request	Renewal Waiver?	If granted, this waiver will be "permanent" per EC Section 33501(b)	Certificated Bargaining Unit Name and Representative, Date of Action, and Position	Advisory Committee/Schoolsite Council Name, Date of Review and any Objections
2-6-2014	Scott Valley USD) 650 Total Students 10 Students in CDS May 21, 2014	Grades four through twelve		<b>Requested:</b> August 27, 2014 through June 11, 2015  <b>Recommended:</b> August 27, 2014 through June 11, 2015	NO	NO	Scott Valley Teacher's Association Heidi Pryor May 16, 2014 <b>Support</b>  Scott Valley Classified Laurie Sweezy May 21, 2014 <b>Support</b>	District Attendance Review Team  May 12, 2014  <b>No objections</b>
<b>Conditions:</b> This waiver provides for the CDS operated by the Scott Valley USD to serve students in grades four through twelve.								
13-6-2014	Shasta Union High School District 5,749 Total Students 20 Students in CDS June 10, 2014 Unanimous Vote		Continuation High School, as well as high schools located on a separate but contiguous property	<b>Requested:</b> August 18, 2014 through June 5, 2015  <b>Recommended:</b> August 18, 2014 through June 5, 2015	NO	NO	Shasta Secondary Teachers Association Tom Roberts May 1, 2014 <b>Support</b>	Schoolsite Councils: Pioneer Continuation High School May 6, 2014  Shasta High School May 28, 2014  University Preparatory School April 1, 2014  North State Independence High School April 11, 2014  <b>No objections</b>
<b>Conditions:</b> This waiver provides for the CDS operated by the Shasta Union High School District to be located on the same campus as Pioneer Continuation High School, on a property contiguous to the location of Shasta High School, University Preparatory School and North State Independence High School, on the basis of a two-thirds annual vote of the local governing board, certifying that satisfactory alternative facilities are not available for a CDS, in accordance with EC Section 48661(b).								

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1764030

Waiver Number: 10-5-2014

Active Year: 2014

Date In: 5/13/2014 10:16:22 AM

Local Education Agency: Lakeport Unified School District  
Address: 2508 Howard Ave.  
Lakeport, CA 95453

Start: 8/14/2013

End: 6/30/2015

Waiver Renewal: N

Previous Waiver Number:          Previous SBE Approval Date:

Waiver Topic: Community Day Schools (CDS)  
Ed Code Title: Commingle Grade Levels  
Ed Code Section: 48916.1(d) and portions of Section 48660  
Ed Code Authority: 33050

Ed Code or CCR to Waive: EC 48660- The governing board of a school district may establish one or more community day schools for pupils who meet one or more of the conditions described in subdivision (b) of Section 48662. A community day school may serve pupils in any of kindergarten and grades 1 [to 6, inclusive, or any of grades 7] to 12, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. If a school district is organized as a district that serves kindergarten and grades 1 to 8, inclusive, but no higher grades, the governing board of the school district may establish a community day school for any [of] kindergarten and grades 1 to 8, inclusive, upon a two-thirds vote of the board. It is the intent of the Legislature, that to the extent possible, the governing board of a school district operating a community day school for any of kindergarten and grades 1 to 8, inclusive, separate younger pupils from older pupils within that community day school. Except as provided in Section 47634, a charter school may not receive funding as a community day school unless it meets all the conditions of apportionment set forth in this article. EC 48916.1. (d) [If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) shall not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 8, inclusive, and established in accordance with Section 48660.]

Outcome Rationale: We are a small school district serving approximately 1500 students in grades K-12. We have operated a Community Day School since the 2007-2008 school year. During that time, we have operated serving primarily grades 6-9. During the 2012-2013 school year, it was decided to add grade 10 to the grade span to accommodate up to ten students who were not a mandatory expulsion in a supportive environment within the home district. LUSD made these changes to provide the best services we could offer considering our funding levels.

Prior to and concurrently with this change, we have executed a memorandum of understanding with Lake County Office of Education. LCOE's Court and Community School program serves as an alternative educational option of "last resort" for its district-expelled students in grades nine (9)

through twelve (12). In addition, probation-referred students, and School Attendance Review Board students residing within the geographical boundaries of the Lakeport Unified School District have utilized this program as well.

The current service structure has proven adequate to serve our needs in the district. Our students in grades 6-10 can access the Community Day School program based on the following priorities: 1. Expulsion 2. Probation referred students 3. Student Attendance Review Board or Student Educational Achievement Team (district level referral process) referred students. Using the above structure, LCDS has successfully served up to ten students in the program. We have not had any major incidents with physical violence, weapons, or drugs on our campus since we have been operating under this structure.

Lakeport Unified School District is seeking a waiver to EC 48660 and EC 48916.1(d) to allow for the grade structure at Lakeport Community Day School to serve up to ten students in grades 6-10.

Student Population: 10

City Type: Rural

Public Hearing Date: 5/8/2014

Public Hearing Advertised: On our website and with the Board Agenda in public places in the community and in the district.

Local Board Approval Date: 5/8/2014

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 5/6/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Joseph Aldridge

Position: Director of Student Services

E-mail: [jaldridge@lakeport.k12.ca.us](mailto:jaldridge@lakeport.k12.ca.us)

Telephone: 707-262-3021

Fax: 707-263-6304

Bargaining Unit Date: 05/05/2014

Name: Lakeport Unified Classified Education Association

Representative: Doreen McGuire

Title: President

Position: Support

Comments:

Bargaining Unit Date: 05/05/2014

Name: Lakeport Unified Teacher's Association

Representative: Pam Klier

Title: Chapter President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3675051

Waiver Number: 1-5-2014

Active Year: 2014

Date In: 5/1/2014 2:36:52 PM

Local Education Agency: Lucerne Valley Unified School District  
Address: 8560 Aliento Rd.  
Lucerne Valley, CA 92356

Start: 7/2/2013

End: 7/1/2015

Waiver Renewal: Y

Previous Waiver Number: 4-8-2011-W-9

Previous SBE Approval Date: 11/9/2011

Waiver Topic: Community Day Schools (CDS)

Ed Code Title: Colocate Facilities and Commingle Grade Levels

Ed Code Section: 48916.1(d) and portions of 48660 and 48661(a)

Ed Code Authority: 33050

Ed Code or CCR to Waive: EC § 48660 The governing board of a school district may establish one or more community day schools for pupils who meet one or more of the conditions described in subdivision (b) of Section 48662. A community day school may serve pupils in any of kindergarten and grades 1-6, inclusive, or any grades 7-12, inclusive, or the same or lesser included range of grades as may be found in any individual middle or junior high school operated by the district. If a school district is organized as a district that services kindergarten and grades 1-8 inclusive, but no higher grades, the governing board of the school district may establish a community day school for any [of] kindergarten and grades 1 to 8 inclusive, upon a two thirds vote of the board. It is the intent of the Legislature, that to the extent possible, the governing board of a school district operating a community day school for any of kindergarten and grades 1-8, inclusive, separate younger pupils from older pupils from within that community day school. Except as provided in Section 47634, a charter school may not receive funding as a community day school unless it meets all the conditions of apportionment set forth in this article.

Outcome Rationale: Lucerne Valley is a small rural school district located in San Bernardino County. There is an in-district 2013-2014 CBEDS enrollment of 774. The district has experienced ongoing declining enrollment since 2007-08 when CBEDS enrollment was 1176. This 34% drop in enrollment has forced very significant operating changes within the district. The remote location of the district makes it more practical serve expelled students within the district rather than out of the area.

Because of the very small size of the district, it is both difficult and impractical to anticipate and plan for a specific grade span that may need to be served by CDS at any given time frame. The span of enrollment over the past several years has spanned from 0-13 students at any one given time and grade levels of 3rd-12th grade. At any given time, students may be in elementary and/or secondary, just as there may be times where there are no students in any grade level enrolled.

Given the unique needs for services and the current demographic and fiscal situation, the district cannot support two separate CDS classes. The district will continue to support the unique

situation of our CDS with a very experienced and diverse teacher, instructional aide, counseling services and curriculum support. In addition, teacher support for the unique situation will be extended. The class is located in a well supervised, fenced location, with district/program supervisor on site. Grade-level standards and curriculum will continue to be provided to all students.

Student Population: 775

City Type: Rural

Public Hearing Date: 4/10/2014

Public Hearing Advertised: Posted at all sites and District Website

Local Board Approval Date: 4/10/2014

Community Council Reviewed By: Lucerne Valley Unified ES/School Site Council

Community Council Reviewed Date: 3/31/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Suzette Davis

Position: District Superintendent

E-mail: [suzette\\_davis@lvsd.ca.us.k12](mailto:suzette_davis@lvsd.ca.us.k12)

Telephone: 760-248-6108 x4131

Fax: 760-248-6677

Bargaining Unit Date: 03/31/2014

Name: California School Employees Association

Representative: Patrick Petras

Title: Local CSEA President

Position: Support

Comments:

Bargaining Unit Date: 03/31/2014

Name: Lucerne Valley Teachers Association

Representative: Cynthia McDonough

Title: Unit President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4776455

Waiver Number: 2-6-2014

Active Year: 2014

Date In: 6/2/2014 3:00:33 PM

Local Education Agency: Scott Valley Unified School District  
Address: 11918 Main St.  
Fort Jones, CA 96032

Start: 8/27/2014

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: Community Day Schools (CDS)  
Ed Code Title: Commingle Grade Levels  
Ed Code Section: 48916.1(d) and portions of Section 48660  
Ed Code Authority: 33050

Ed Code or CCR to Waive: 48916.1 (d) [If the pupil who is subject to the expulsion order was expelled from any of kindergarten or grades 1 to 6, inclusive, the educational program provided pursuant to subdivision (b) shall not be combined or merged with educational programs offered to pupils in any of grades 7 to 12, inclusive. The district or county program is the only program required to be provided to expelled pupils as determined by the governing board of the school district. This subdivision, as it relates to the separation of pupils by grade levels, does not apply to community day schools offering instruction in any of kindergarten and grades 1 to 6, inclusive, and established in accordance with Section 48660.]

Outcome Rationale: Scott Valley Unified School District is a very remote and rural community serving 650 students K-12. Our current configuration is 7-12 but we are requesting an expansion of grade spans to 4-12. We have very few expulsions per year but it is not economically feasible for the district to support two Community Day Schools due to lack of facilities, central services supplied to the students (food, supervision, special education services, etc.), and administrative support. The location of the CDS is in a former K-8 school site that was closed several years ago. There is room on the site to house the 4-6th grades separately from the 7-12 students and we anticipate only around 10 students at any one time. Break times, lunch time, and PE will be supervised separately by the full time campus aide.

Student Population: 10

City Type: Rural

Public Hearing Date: 5/21/2014

Public Hearing Advertised: posted at school and district sites

Local Board Approval Date: 5/21/2014

Community Council Reviewed By: District Attendance Review Team (DART)

Community Council Reviewed Date: 5/12/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Allan Carver  
Position: superintendent  
E-mail: [acarver@svusd.us](mailto:acarver@svusd.us)  
Telephone: 530-468-2727  
Fax: 530-468-2729

Bargaining Unit Date: 05/21/2014  
Name: Scott Valley Classified (CSEA) #859  
Representative: Laurie Sweezey  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 05/16/2014  
Name: Scott Valley Teacher's Association  
Representative: Heidi Pryor  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4570136

Waiver Number: 13-6-2014

Active Year: 2014

Date In: 6/12/2014 9:47:19 AM

Local Education Agency: Shasta Union High School District  
Address: 2200 Eureka Way, Ste. B  
Redding, CA 96001

Start: 8/18/2014

End: 6/5/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Community Day Schools (CDS)

Ed Code Title: Colocate Facilities

Ed Code Section: 48661(a)

Ed Code Authority: 33050

Ed Code or CCR to Waive: 48661(a) [A community day school shall not be situated on the same site as an elementary, middle, junior high, comprehensive senior high, opportunity, or continuation school], except as follows:

(1) When the governing board of a school district with 2,500 or fewer units of average daily attendance reported for the most recent second principal apportionment certifies by a two-thirds vote of its membership that satisfactory alternative facilities are not available for a community day school.

(b) A certification made pursuant to this section is valid for not more than one school year and may be renewed by a subsequent two-thirds vote of the governing board.

Outcome Rationale: Freedom Community Day School (FCDS) currently is housed at the 590 Mary Street campus that also houses Head Start and Shasta Adult School. The Shasta Union High School District (SUHSD) is faced with reducing the overall budget for 2014/2015 school year by 1.5 million dollars because of a projected decline of enrollment of 200 students for the 2014/2015 school year. The SUHSD has been in declining enrollment for several years and is projected to remain in declining enrollment for several more years. The SUHSD is proposing to relocate FCDS to the Pioneer Continuation High School campus and reduce the enrollment to 20 students served by one teacher and paraprofessional eliminating the need for one teacher and the office manager. Currently the Pioneer campus is also the site of the Special Education Catalyst Program that serves 40 emotionally disturbed students with mental health Individual Educational Program mandates. Much of the current Pioneer campus will be razed following the completion of the new campus being constructed on the site set for opening in August of 2014. Some of the rooms that the Catalyst Program currently occupy will be destroyed leaving two portable classrooms that are of good quality. These two classrooms, Room 11 and 12, will house FCDS. The cost of providing a facility on the Pioneer campus to serve the Catalyst Program is estimated at to be \$650,000 as additional classrooms, a restroom and cafeteria would be necessary. The SUHSD will move the Catalyst Program to the Mary Street Campus and FCDS to the Pioneer campus to save the \$650,000 in construction costs. FCDS will be housed in the two classrooms adjacent to Pioneer High Continuation High School campus and reside on property that is contiguous with a University Preparatory School (UPrep), Shasta High School (SHS), North State Independence High School (NSIHS), and Pioneer Continuation High School (PHS). FCDS currently resides on the property contiguous to the

schools listed above, but will be moved next year to a new location on the same property. Shasta High School is 30 feet above in elevation the Freedom/Pioneer campuses and is separated by a fence, parking lot and low growing vegetation. The North State and UPrep campuses both reside to the east of the Freedom/Pioneer campuses with Shasta High School in the middle.

There are several advantageous for the FCDS students to be on the Pioneer campus and mitigating factors are in place to prevent commingling of the day school and continuation school students. The FCDS students will have PE taught daily by a certificated PE teacher and have access to a Construction Trades CTE class on the Pioneer campus. The sections for the FCDS students will be separate from those offered to the continuation students and the FCDS students will be escorted to and from the classes by staff or the Pioneer Security Guard. Additionally, a Pioneer English teacher will provide instruction one period each day in the FCDS classrooms and the Pioneer counselor will provide services to the day school students. (FCDS currently does not have an academic counselor). The FCDS students will access the Pioneer cafeteria at times during the day when the continuation school students are in their classes and the FCDS students will be escorted to and from the cafeteria. A fence separates FCDS and Pioneer Continuation High School that has a locked gate. The start times and end times for the school day will be staggered so that the day school, continuation school and adjacent campuses student's arrive and depart at different times. The parking areas serving both schools are separate. The FCDS students will require access to the Pioneer Office for counseling and administrative support. Plans are in place to provide escorts by the Pioneer Security Guard, FCDS staff, or Pioneer Administration for the day school students as they enter and leave the Pioneer campus. There are shared restrooms that exist on the Pioneer campus approximately 50 feet from the Freedom classrooms. The Freedom students will access the restrooms at times the Pioneer students are in classes and will be monitored by the Freedom staff, Pioneer Administration or Pioneer Security Guard.

The Governing Board of the Shasta Union High School District approved this waiver request on June 10, 2014 by a 4 – 0 vote (One member absent).

Student Population: 20

City Type: Rural

Public Hearing Date: 6/10/2014

Public Hearing Advertised: Newspaper, Board Agenda

Local Board Approval Date: 6/10/2014

Community Council Reviewed By: PHS (5/6/2014), SHS (5/28/2014), UPrep (4/1/2014), NSIHS (4/11/2014)

Community Council Reviewed Date: 5/6/2014

Community Council Objection: N

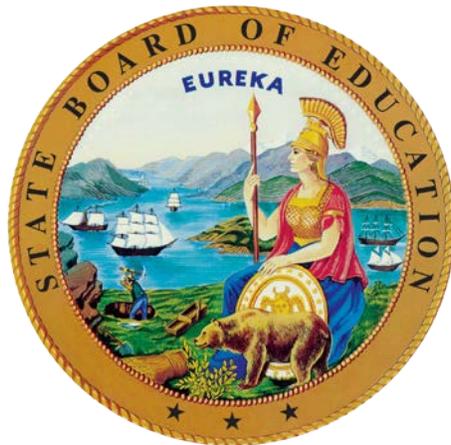
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Guy Malain  
Position: Alternative Education Principal  
E-mail: [gmalain@suhsd.net](mailto:gmalain@suhsd.net)  
Telephone: 530-241-3261 x10546  
Fax: 530-245-2777

Bargaining Unit Date: 05/01/2014  
Name: Shasta Secondary Teachers Association  
Representative: Tom Roberts  
Title: SSEA President  
Position: Support  
Comment



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-08**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by four school districts to waive <i>California Education Code</i> Section 37202, the equity length of time requirement for transitional kindergarten and kindergarten programs at the district's elementary schools.</p> <p>Waiver Numbers: Dixie Elementary School District 29-6-2014 Dunham Elementary School District 21-6-2014 Mount Baldy Joint Elementary School District 1-6-2014 Newark Unified School District 27-5-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

Dixie Elementary School District (Dixie ESD), Dunham Elementary School District (DESD), Mount Baldy Joint Elementary School District (MBJESD), and Newark Unified School District (NUSD) seek waivers of *California Education Code (EC)* section 37202(a), the equity length of time requirement for kindergarten and transitional kindergarten (TK). The California Department of Education (CDE) recommends approval of the waiver with conditions.

**Authority for Waiver:** *EC* Section 33050

#### **RECOMMENDATION**

Approval  Approval with conditions  Denial

The CDE recommends approval of the waiver with conditions. The Dixie ESD, DESD, MBJESD, and NUSD will provide updates to Dixie ESD, DESD, MBJESD, and NUSD families by October 2, 2014, explaining the waiving of *EC* Section 37202(a) allowing TK students to attend school for fewer minutes than kindergarten students. Also, the local school board will provide an agenda item at their October 2014 school board meeting explaining the waiver of *EC* Section 37202(a) and to inform the public.

#### **SUMMARY OF KEY ISSUES**

The Dixie ESD, DESD, MBJESD, and NUSD are requesting to waive *EC* Section 37202(a), the equity length of time requirement for kindergarten programs. Pursuant to *EC* Section 37202, any TK program operated by a district must be of equal length to any kindergarten program operated by the same district. The DESD, MBJESD, and

NUSD currently offer extended-day (full day) kindergarten programs which exceeds the maximum four-hour school day (*EC 46111 [a]*). The Dixie ESD, DESD, MBJESD, and NUSD are requesting flexibility in determining the length of their TK programs in order to provide a modified instructional day, curricula, and developmentally appropriate instructional practices. The Dixie ESD, DESD, MBJESD, and NUSD are concerned that holding TK students in excess of the four-hour minimum school day (pursuant to *EC 48911*) is not in the best educational interest of their TK students.

### **Demographic Information:**

Dixie ESD has a student population of 1,902 and is located in a suburban area in Marin County.

DESD has a student population of 200 and is located in a rural area in Sonoma County.

MBJESD has a student population of 124 and is located in a rural area in Los Angeles County.

NUSD has a student population of 6,618 and is located in a suburban area in Alameda County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC 33051(a)*, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

In January 2014, the State Board of Education (SBE) approved, with conditions, a waiver request by Escalon Unified School District and Douglas City Elementary School District to waive *EC* Section 37202, the equity length of time requirement for TK and kindergarten programs.

In 2013, the SBE approved, with conditions, waiver requests by Forestville Union Elementary School District (FUESD) and Harmony Union Elementary School District (HUESD) to waive *EC* Section 37202, the equity length of time requirement for TK and kindergarten programs. The conditions of the waivers were as follows. The local school boards provided an update to all families of FUESD and HUESD explaining the waiving of *EC* Section 37202(a) allowing TK students to attend school for fewer minutes than kindergarten students.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of this waiver would have no known fiscal impact.

## **ATTACHMENT(S)**

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Attachment 1: Districts requesting a waiver for transitional kindergarten (2 pages).

Attachment 2: Dixie ESD General Waiver Request 29-6-2014  
(3 pages) (Original waiver request is signed and on file in the Waiver Office)

Attachment 3: DESD General Waiver Request 21-6-2014  
(2 pages) (Original waiver request is signed and on file in the Waiver Office)

Attachment 4: MBJESD General Waiver Request 1-6-2014  
(2 Pages) (Original waiver request is signed and on file in the Waiver Office)

Attachment 5: NUSD General Waiver Request 27-5-2014  
(2 Pages) (Original waiver request is signed and on file in the Waiver Office)

Information from Districts Requesting Waivers of Equity Length of Time for Transitional Kindergarten  
Portions of California *Education Code* Section 37202(b)

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
29-6-2014	Dixie Elementary School District	<p><b>Requested:</b> August 21 2014, to June 11, 2015</p> <p><b>Recommended:</b> August 21 2014, to June 11, 2015</p>	<p>Dixie Teachers Association</p> <p>Ed Malaret, President</p> <p>May 13, 2014</p> <p><b>Support</b></p>	June 24, 2015	The Public Hearing Notice was posted at the Dixie Elementary School District Office, Dixie Elementary School, Mary E. Silveira Elementary School, Vallecito Elementary School, and Miller Creek Middle School.	<p>Reviewed by the Schoolsite Council</p> <p>June 2, 2014</p> <p><b>No Objection</b></p>
21-6-2014	Dunham Elementary School District	<p><b>Requested:</b> August 20, 2014, to June 4, 2015</p> <p><b>Recommended:</b> August 20, 2014, to June 4, 2015</p>	<p>Dunham Teachers Association</p> <p>Caryn Fishter, President</p> <p>June 16, 2014</p> <p><b>Support</b></p>	May 13, 2014	The public hearing was posted at the school and at three public places in the community.	<p>Reviewed by the Schoolsite Council.</p> <p>April 4, 2014</p> <p><b>No Objection</b></p>

1-6-2014	Mount Baldy Joint Elementary School District	<p><b>Requested:</b> September 1, 2014, to June 30, 2017</p> <p><b>Recommended:</b> September 1, 2014, to June 30, 2015</p>	<p>Mount Baldy Teachers Association</p> <p>Jay Colombo, President</p> <p>May 6, 2014</p> <p><b>Support</b></p>	May 22, 2014	The public hearing was posted through normal procedures - similiar to a board meeting agenda posting.	<p>Reviewed by the Schoolsite Council.</p> <p>May 27,2014</p> <p><b>No Objection</b></p>
27-5-2014	Newark Unified School District	<p><b>Requested:</b> September 15, 2014, to June 11, 2015</p> <p><b>Recommended:</b> September 15, 2014, to June 11, 2015</p>	<p>Newark Teachers Association</p> <p>Bryan Blattel, President</p> <p>Brandi Wecks, Kindergarten Teacher</p> <p>June 2, 2014</p> <p><b>Support</b></p>	May 20, 2014	Board agenda posted on District Web Site 72 hours in advance as well as in a public place at the District Office Building.	<p>Reviewed By: Leadership Council</p> <p>May 22, 2014</p> <p><b>No Objection</b></p>

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 2165318

Waiver Number: 29-6-2014

Active Year: 2014

Date In: 6/25/2014 9:09:29 AM

Local Education Agency: Dixie Elementary School District  
Address: 380 Nova Albion Way  
San Rafael, CA 94903

Start: 8/21/2014

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Equity Length of Time

Ed Code Title: Equity Length of Time

Ed Code Section: 37202

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the [elementary day schools established by it for an equal length of time during the school year] and all of the day high schools established by it for an equal length of time during the school year. (b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8 (commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: Please see attachment

Student Population: 1902

City Type: Suburban

Public Hearing Date: 6/24/2014

Public Hearing Advertised: The Public Hearing Notice was posted at the Dixie School District Office, Dixie Elementary School, Mary E. Silveira Elementary School, Vallecito Elementary School, and Miller Creek Middle School.

Local Board Approval Date: 6/24/2014

Community Council Reviewed By: Schoolsite council

Community Council Reviewed Date: 6/2/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Judith Arrow

Position: Assistant Superintendent - Educational Services

E-mail: [jarrow@dixieschooldistrict.org](mailto:jarrow@dixieschooldistrict.org)

Telephone: 415-492-3703

Fax:

Bargaining Unit Date: 05/13/2014

Name: Leadership Committee

Representative: Ed Malaret

Title: Dixie Teacher Association Representative

Position: Support

Comments:

## Attachment

Waiver Topic: Equity Length of Time  
Ed Code Section: 37202  
Ed Code Authority: 33050(a)

### Outcome Rationale:

The Dixie Elementary School District is a district of 1,902 ADA with three elementary schools and one middle school. Due to the small number of students eligible for Transitional Kindergarten and the small size of our district, the district is currently operating Transitional Kindergarten/Kindergarten combination classes at each of our elementary schools. The district would like to establish a single Transitional Kindergarten class at one of our schools.

Our teaching staff and administration believe that a class made up only of those younger students will be extremely beneficial to these students and will enhance the specific instruction that is needed. To ensure students success, our Transitional Kindergarten (TK) classes are following the requirement that the TK class is intended to be the first year of a two year Kindergarten experience. School staff believe that it is in the best interests of the TK students and traditional kindergarten students to have a shorter TK school day than the traditional kindergarten school day to ensure a differential curriculum can be provided. We are a requesting a waiver to allow the Dixie District TK class to be a program that begins at 8:00 a.m. and runs until 11:10 a.m. and, if needed, 11:50 a.m. – 3:00 p.m. (total 190 instructional minutes). In addition, an instructional aide would be available at this time to assist in the classroom. Currently, the traditional kindergarten program runs from 8:14 a.m. to 1:25 p.m. (total 251 instructional minutes).

The intended curriculum of our TK program is a blend of the Preschool Foundation and the Kindergarten Common Core State Standards. This structure ensures that our TK students are fully prepared to meet the academic rigor of the second year of the Kindergarten sequence.

Given the small number of students eligible for TK (currently 24), and owing to the small size of our district (ADA – 1902), if the district had to be compliant with EC 37202, it would limit the district's ability to concurrently provide comprehensive instruction to both the TK students and Kindergarten students. Therefore, the Dixie District respectfully requests that this waiver be approved.

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 4970672

Waiver Number: 21-6-2014

Active Year: 2014

Date In: 6/17/2014 1:47:38 PM

Local Education Agency: Dunham Elementary School District  
Address: 4111 Roblar Rd.  
Petaluma, CA 94952

Start: 8/20/2014

End: 6/4/2015

Waiver Renewal: N

Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Equity Length of Time

Ed Code Title: Equity Length of Time

Ed Code Section: 37202

Ed Code Authority: 33050

Ed Code or CCR to Waive: (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the [elementary day schools established by it for an equal length of time during the school year] and all of the day high schools established by it for an equal length of time during the school year. (b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8(commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: The District would like to change the transitional kindergarten (TK) day from being the same length as our regular kindergarten day. We have a small rural 200 student K through 6th grade school district. We have only had three students eligible for a TK program. We have a current structure that has kindergarten students coming to school from 8:00 a.m. to 1:30 p.m. each day, and the TK kids coming into the kindergarten classes from 8:00a.m. to 11:45 p.m. each day. An instructional aide is available in the morning but not the afternoon to better work with the unique developmental needs of the TK kids.

Student Population: 200

City Type: Rural

Public Hearing Date: 5/13/2014

Public Hearing Advertised: The public hearing was posted at the school and at three public places in the community.

Local Board Approval Date: 5/13/2014

Community Council Reviewed By: Schoolsite Council  
Community Council Reviewed Date: 4/4/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Adam Schaible  
Position: Superintendent/Principal  
E-mail: [aschaible@dunhamsd.k12.ca.us](mailto:aschaible@dunhamsd.k12.ca.us)  
Telephone: 707-795-5050  
Fax:

Bargaining Unit Date: 06/16/2014  
Name: Dunham Teachers Association  
Representative: Caryn Fishter  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3667793

Waiver Number: 1-6-2014

Active Year: 2014

Date In: 6/2/2014 1:09:26 PM

Local Education Agency: Mt. Baldy Joint Elementary School District  
Address: 1 Mt. Baldy Rd.  
Mt. Baldy, CA 91759

Start: 9/1/2014

End: 6/30/2017

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: Equity Length of Time  
Ed Code Title: Equity Length of Time  
Ed Code Section: 37202 (a)  
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 37202. (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain {all of the elementary day schools established by it for an equal length of time} during the school year and all of the day high schools established by it for an equal length of time during the school year.

(b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8 (commencing with Section 8970) of Part 6, may maintain kindergarten classes at different schoolsites within the district for different lengths of time during the schoolday.

Outcome Rationale: We expect to have between 4 and 6 students in our transitional kindergarten class in 2014-15 through 2016-17. Because of this small size we are able to evaluate the needs of our families. In discussions with the families, it is apparent that requiring 4 year old students to operate on a full time instructional day, similar to that of the current kindergarten, is not best for our students and families.

Student Population: 124

City Type: Rural

Public Hearing Date: 5/22/2014

Public Hearing Advertised: Through normal procedures, similiar to a board meeting agenda posting.

Local Board Approval Date: 5/22/2014

Community Council Reviewed By: Schoolsite Council  
Community Council Reviewed Date: 5/27/2014

Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Kevin Vaughn  
Position: superintendent  
E-mail: [kvaughn@mtbaldy.k12.ca.us](mailto:kvaughn@mtbaldy.k12.ca.us)  
Telephone: 909-985-0991  
Fax: 909-982-8009

Bargaining Unit Date: 05/06/2014  
Name: Mt. Baldy Teacher's Association  
Representative: Jay Colombo  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0161234

Waiver Number: 27-5-2014

Active Year: 2014

Date In: 5/23/2014 8:59:33 AM

Local Education Agency: Newark Unified School District  
Address: 5715 Musick Ave.  
Newark, CA 94560

Start: 9/15/2014

End: 6/11/2015

Waiver Renewal: N

Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Equity Length of Time  
Ed Code Title: Equity Length of Time  
Ed Code Section: 37202  
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: (a) Except if a school has been closed by order of a city or a county board of health, or of the State Board of Health, on account of contagious disease, or if the school has been closed on account of fire, flood, or other public disaster, the governing board of a school district shall maintain all of the [elementary day schools established by it for an equal length of time during the school year] and all of the day high schools established by it for an equal length of time during the school year. (b) Notwithstanding subdivision (a), a school district that is implementing an early primary program, pursuant to Chapter 8(commencing with Section 8970) of Part 6, may maintain kindergarten classes at different school sites within the district for different lengths of time during the school day.

Outcome Rationale: The District would like to change the transitional kindergarten (TK) day from being the same length of time as our regular kindergarten day. Recently, the Board of Education voted to approve extending our Kindergarten day under the requirements of Early Primary Programs. The District does not feel that extending the day for our Transitional Kindergarten classes would be developmentally appropriate for our youngest learners. Therefore, we would like to keep our TK classes at a duration of four hours per day.

Student Population: 6618

City Type: Suburban

Public Hearing Date: 5/20/2014

Public Hearing Advertised: Board agenda posted on District website 72 hours in advance as well as in a public place at the District Office Buliding.

Local Board Approval Date: 5/20/2014

Community Council Reviewed By: Leadership Council  
Community Council Reviewed Date: 5/22/2014

Community Council Objection: N  
Community Council Objection Explanation:  
Audit Penalty YN: N

Categorical Program Monitoring: N

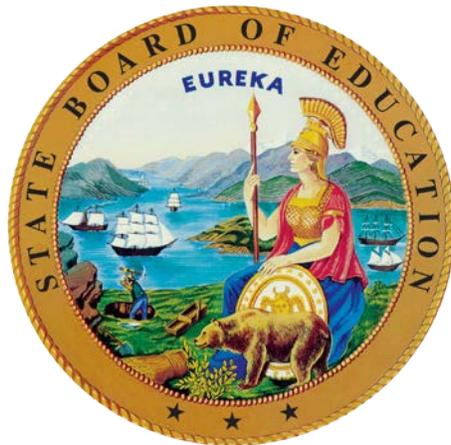
Submitted by: Ms. Debbie Ashmore  
Position: Director Educational Services  
E-mail: [dashmore@newarkunified.org](mailto:dashmore@newarkunified.org)  
Telephone: 510-818-4113  
Fax: 518-818-4212

Bargaining Unit Date: June 2, 2014  
Name: Newark Teacher's Association (NTA)

Representative: Bryan Blattel  
Title: NTA President  
Position: Support

Representative: Brandi Wecks  
Title: Kindergarten Teacher  
Position: Support

Comments: On June 2, 2014, NTA and NUSD Management bargained the effects of the Board of Education's vote to extend kindergarten to a full day. The terms of the contract were agreed upon on June 2, 2014.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-09**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Larkspur-Corte Madera School District</b> to waive California <i>Education Code</i> sections 15102 and 15268, related to bonded indebtedness limits. Total bonded indebtedness may not exceed 1.25 percent of the taxable assessed valuation of property for elementary and high school districts. Proposition 39 of 2000 bonds limit the tax rate levy authorized in each election to \$30 per \$100,000 of assessed value for elementary and high school districts. The district is requesting 1.5 percent bonded indebtedness limit.</p> <p>Waiver Number: 25-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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The Larkspur-Corte Madera School District's (LCMSD) bonded indebtedness ratio is 1 percent and the district is unable to issue \$19 million of the bonds authorized in June 2014. Therefore, the district is requesting to increase the limit to 1.5 percent.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The CDE recommends that the bonded indebtedness limits be waived with the following conditions: (1) the period of request does not exceed the recommended period on Attachment 1, (2) the total bonded indebtedness limit does not exceed the recommended new maximum shown on Attachment 1, (3) the district does not exceed the statutory tax rate, (4) the waiver is limited to the sale of bonds approved by the voters on the measure, and (5) the district complies with the statutory requirements of Assembly Bill (AB) 182 related to school bonds which became effective January 1, 2014.

#### **SUMMARY OF KEY ISSUES**

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##### **Statutes Related to Bonded Indebtedness**

To raise funds to build or renovate school facilities, with voter authorization, school districts may issue general obligation (G.O.) bonds. Prior to 2001, districts needed a

two-thirds approval. In November 2000, districts were given another option for authorizing and issuing bonds when California voters passed Proposition 39, which allows school bonds to be approved with a 55 percent majority vote if the district abides by several administrative requirements, such as establishing an independent Citizens' Oversight Committee to oversee the use of the funds. Once G.O. bonds are authorized, school districts issue the bonds in increments needed to fund their facility projects. When the voters authorize a local G.O. bond, they are simultaneously authorizing a property tax increase to pay the principal and interest on the bond. For Proposition 39 bonds, *EC* sections 15268 and 15270(a) limit the tax rate levy authorized in each election to \$30 per \$100,000 of taxable property for high school and elementary school districts, and \$60 per \$100,000 for unified school districts. The *EC* does not provide tax rate levy limits for non-Proposition 39 bonds; however, an estimate of the tax rate levy required to repay the bonds is included in the voter pamphlet.

The *EC* also provides limits related to a district's total bonded indebtedness. *EC* sections 15102 and 15268 limit an elementary or high school district's total G.O. bond indebtedness to 1.25 percent of the total assessed valuation of the district's taxable property, whereas *EC* sections 15106 and 15270(a) limit a unified school district's to 2.5 percent.

Because the limits are based on assessed valuation, it can have disparate effects on districts of similar types. For example, a district with high assessed valuation can issue more in G.O. bonds before reaching the limit than a district with a similar number of students and facility needs, but a lower assessed valuation. Similarly, if property values decline, a district will see a decline in its bonding capacity.

Without a waiver, school districts that are close to their bonding capacity must issue fewer bonds, delay the issuance of bonds until their assessed valuation increases, or obtain other more expensive non-bond financing to complete their projects, the costs of which could be paid from district general funds. Therefore, the CDE has historically recommended that the SBE approve related waiver requests. However, because it is the CDE's assumption that the average voter is unaware tax rate levy limits could be changed by the SBE through a waiver process, to ensure that a waiver approval does not have an adverse effect on local approval of future bond measures, the CDE has always recommended that the waiver be approved on the condition that the statutory tax rate levies are not exceeded at the time the bonds are issued.

On October 2, 2013, Governor Brown signed AB 182 (Chapter 477, Statutes of 2013) which establishes parameters for the issuance of local education bonds that allow for the compounding of interest, including capital appreciation bonds (CABs). AB 182 requires a district governing board to do the following:

- Before the bond sale, adopt a resolution at a public meeting that includes specific criteria, including being publicly noticed on at least two consecutive meeting agendas.

- Be presented with an agenda item at a public board meeting that provides a financial analysis of the overall costs of the bonds, a comparison to current interest bonds, and reasons why the compounding interest bonds are being recommended.
- After the bond sale, present actual cost information at the next scheduled public meeting and submit the cost information of the sale to the California Debt and Investment Advisory Commission.

### **District's Request**

The LCMSD is requesting a waiver of the *EC* sections pertaining to the district's total bonded indebtedness limit in order to issue authorized Proposition 39 bonds approved by the voters in June 2014. In November 2011, the district's voters approved bonds for phase one of a two-phase facility improvement plan of \$26 million to relieve overcrowding and protect quality education. In June 2014, the district's voters approved bonds for the second phase of the facility plan of \$19 million. The district's student enrollment has increased 47 percent since 2003. The bonds are to be used for construction, facility repairs and renovation, and critical safety upgrade needs in the district.

The district's current debt ratio is 1 percent of the assessed valuation of taxable property; therefore based on the current assessed valuation and outstanding bonds, the district may only issue up to \$9.6 million before it reaches the debt ratio limit of 1.25 percent. If the waiver is approved, an increased limit on debt to assessed value of up to 1.5 percent would allow the district to issue the entire \$19 million in one issuance to take advantage of the historically low interest rates and minimize issuance costs. The district will remain within the tax rate limit of \$30 per \$100,000 of taxable property. The district states that it has complied with the requirements of AB 182 and does not intend to issue CABs.

The CDE has reviewed the waiver and the district's schedule of assessed valuation and principal reduction to estimate the period of time that the district will be above the 1.25 percent statutory requirement as noted on Attachment 1. The CDE recommends that the bonded indebtedness limits be waived with the following conditions: (1) the period of request does not exceed the recommended period on Attachment 1, (2) the total bonded indebtedness limit does not exceed the recommended new maximum shown on Attachment 1, (3) the district does not exceed the statutory tax rate, (4) the waiver is limited to the sale of bonds approved by the voters on the measure noted on Attachment 1, and (5) the district complies with the statutory requirements of AB 182 related to school bonds which became effective January 1, 2014.

**Demographic Information:** The LCMSD operates one elementary school and one middle school with a student population of 1,461 and is located in a suburban area in Marin County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC 33051(a)*, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE has approved all bond limit waiver requests limited to the sale of already authorized bonds and at the tax rate levy stated on the bond measure.

Note, the SBE has never approved a waiver that would allow the district to exceed the statutory tax rate levy.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

Approval of the waiver would allow the district to accelerate the issuance of voter approved bonds to avoid serious financial stress to the district's general fund.

### **ATTACHMENT(S)**

Attachment 1: List of Waiver Number(s), District(s), and Information Regarding Each Waiver (1 page)

Attachment 2: The Larkspur-Corte Madera School District General Waiver Request 25-6-2014 (5 pages) (Original waiver request is signed and on file in the Waiver Office.)

### District(s) Requesting Increase in Bond Indebtedness Limits

California *Education Code (EC)* sections 15102 and 15268 prohibit elementary and high school districts from issuing bonds in excess of 1.25 percent of the assessed valuation of a district's taxable property. *EC* sections 15106 and 15270(a) prohibit unified school districts from issuing bonds in excess of 2.5 percent of the assessed valuation of a district's taxable property. *EC* sections 15268 and 15270(a) limit bonds authorized by a 55 percent majority in elementary and high school districts to \$30 per \$100,000 of taxable property per election and unified school districts to \$60 per \$100,000.

Waiver Number	District County/District Code	Period of Request	Total Bonded Indebtedness Limit and Tax Rate per \$100,000 Assessed Valuation Allowed by Law or Noted on Voter Pamphlet	District's Request	CDE Recommended (New Maximum)	Bargaining Unit, Representatives Consulted, Date/Position	Public Hearing and Local Board Approval Date Public Hearing Advertisement	Advisory Committee Consulted, Date/Position	District States it has Complied with Assembly Bill 182 Requirements
25-6-2014	Larkspur-Corte Madera School District 21-65367	<b>Requested:</b> July 1, 2014 to June 30, 2020  <b>Recommended:</b> September 4, 2014 to June 30, 2020	Debt Limit 1.25%  Tax Rate \$30.00 Voter Pamphlet \$30.00	Debt Limit 1.5%  Tax Rate \$30.00	Debt Limit 1.5% Limited to Sale of Bonds Approved by Voters on the June 2014 Election  Tax Rate \$30.00	Larkspur-Corte Madera Teachers Association Carol Halpern, President 5/13/14 <b>Support</b>  California School Employees Association, Kathleen Clancy, Co-President 6/12/14 <b>Neutral</b>	Local Board Approval 6/4/2014  Public Hearing 6/18/2014 Notice in a Newspaper	Citizens' Oversight Committee 6/2/2014  <b>No Objections</b>	Yes

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 2165367

Waiver Number: 25-6-2014

Active Year: 2014

Date In: 6/20/2014 4:37:36 PM

Local Education Agency: Larkspur-Corte Madera School District  
Address: 230 Doherty Dr.  
Larkspur, CA 94939

Start: 7/1/2014

End: 6/30/2020

Waiver Renewal: N

Previous Waiver Number:            Previous SBE Approval Date:

Waiver Topic: School Construction Bonds

Ed Code Title: Bond Indebtedness Limit – Non-Unified after 2000

Ed Code Section: 15102 and 15268

Ed Code Authority: 33050

Ed Code or *CCR* to Waive: 15102. [The total amount of bonds issued pursuant to this chapter and Chapter 1.5 (commencing with Section 15264) shall not exceed 1.25 percent of the taxable property of the school district or community college district, or the school facilities improvement district, if applicable, as shown by the last equalized assessment of the county or counties in which the district is located.] For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987-88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987-88 fiscal year, and multiplying that result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll.

15268. [The total amount of bonds issued, including bonds issued pursuant to Chapter 1 (commencing with Section 15100), shall not exceed 1.25 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located.] The bonds may only be issued if the tax rate levied to meet the requirements of Section 18 of Article XVI of the California Constitution in the case of indebtedness incurred by a school district pursuant to this chapter, at a single election, would not exceed thirty dollars (\$30) per year per one hundred thousand dollars (\$100,000) of taxable property when assessed valuation is projected by the district to increase in accordance with Article XIII A of the California Constitution. For purposes of this section, the taxable property of a district for any fiscal year shall be calculated to include, but not be limited to, the assessed value of all unitary and operating nonunitary property of the district, which shall be derived by dividing the gross assessed value of the unitary and operating nonunitary property within the district for the 1987-88 fiscal year by the gross assessed value of all unitary and operating nonunitary property within the county in which the district is located for the 1987-88 fiscal year, and multiplying that result by the gross assessed value of all unitary and operating nonunitary property of the county on the last equalized assessment roll.

Outcome Rationale: Please see Attached

Student Population: 1461

City Type: Suburban

Public Hearing Date: 6/18/2014

Public Hearing Advertised: Newspaper - Marin IJ

Local Board Approval Date: 6/4/2014

Community Council Reviewed By: Measure A Bond Citizen's Oversight Committee

Community Council Reviewed Date: 6/2/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Yancy Hawkins

Position: Chief Business Official

E-mail: [yhawkins@lcmschools.org](mailto:yhawkins@lcmschools.org)

Telephone: 415-927-6960 x3206

Fax:

Bargaining Unit Date: 06/12/2014

Name: California School Employees Association

Representative: Kathleen Clancy

Title: Co-President

Position: Neutral

Comments:

Bargaining Unit Date: 05/13/2014

Name: Larkspur-Corte Madera Teachers Association

Representative: Carol Halpern

Title: President

Position: Support

Comments:

## Attachment

### Larkspur-Corte Madera School District Waiver of Education Code Section 15102 and Section 15268

*Describe briefly the circumstances that brought about the request and why the waiver is necessary to achieve improved student performance and/or streamline or facilitate local agency operations.*

The LCMSD is seeking a waiver of CA Ed Code 15102 and 15268. Each of these statutes limits the statutory bonding capacity of an elementary school district to 1.25% of its then current assessed valuation. Section 15102 applies to bond measures approved by two-thirds vote under Proposition 46 (1986) and Section 15268 applies to bond measures approved by fifty-five percent vote under Proposition 39 (2000). A waiver of these statutes is necessary to complete the funding of the Facilities Master Plan, provide safe and accessible facilities, reduce overcrowding due to enrollment growth and ensure continuous improvement in student achievement.

The LCMSD has experienced a 51% enrollment growth in the past decade. In order to address this growth, the district's Board approved Facilities Master Plan (FMP) calls for the re-opening and re-building of a previously closed school (fall 2014) and classroom modernization at its existing elementary and middle school.

The Board took action to place the first part of a two-bond strategy on the ballot in 2011 to fund construction of The Cove Elementary School and classroom modernization across the district. The district chose a two-bond strategy to avoid the use of more expensive capital appreciation bonds to finance its Facilities Master Plan. The total cost of the FMP is \$45 million. Measure A (2011) for 26 million, passed with 71% voter approval.

In order to further reduce costs to taxpayers, (from escalating construction costs) and continue its two-bond financing program, the district gained voter approval on its second bond authorization on June 3, 2014. This Prop 39 bond (Measure D) passed with 70% voter approval for 19 million. It included language that specified a waiver of the bonding capacity formula.

Based on current AV and outstanding bond principal, the District has approximately \$9.6 million of net bonding capacity available. In order for the District to fully access Measure D funds and complete the FMP in a timely manner, the District needs an increase in the bonding capacity limitation from 1.25% to 1.50%. This waiver will allow the district to sell bonds for the full 19 million this fall to complete its needed Facilities Master Plan within the next two years and minimize construction escalation costs. Approving this request for a waiver of the District's bonding capacity limitation will permit the District to continue its current construction program including necessary modernization, repairs and safety upgrades to essential facilities without interruption and without interim financing. Safe and modern facilities are necessary for both student academic achievement and efficient and effective operations. Additional classrooms are needed to accommodate current and future enrollment growth.

**Facilities Funding Overview.** Over the past 15 years, the communities of Larkspur and Corte Madera have continuously supported its students by approving three bond measures totaling \$66.7 million.

<b>Election</b>	<b>Type of Election</b>	<b>Votes Received</b>	<b>Original Authorization</b>		<b>Remaining Authorization</b>	<b>Outstanding Principal</b>
Election of 2000	66.7%	67%	\$21,700,000		\$0	\$12,932,517
Measure A (2011)	55.0%	71%	\$26,000,000		\$0	\$26,000,000
Measure D (2014)	55.0%	70%	\$19,000,000		\$19,000,000	\$0
<b>Total</b>			<b>\$66,700,000</b>		<b>\$19,000,000</b>	<b>\$38,932,517</b>

**General Obligation Bonds:**

On June 6, 2000, the communities of Larkspur and Corte Madera approved a bond Measure for \$21.7 million and the district sold \$18 million of Series A bonds to pay for joint use community facilities, and necessary student services facilities, library/multi-purpose room renovation, and some classroom modernization. In 2005 the District sold \$3.7 million of Series B bonds to construct a new wing at Hall Middle School to accommodate moving 5th grade to the middle school to create more room at the elementary school for enrollment growth.

On November 2, 2011 the communities of Larkspur and Corte Madera passed Measure A that enabled the District to sell bonds in the amount of \$26 million. The funds were used to build The Cove School, which will open fall 2014, and partially modernize Neil Cummins Elementary School, making necessary fire, safety and electrical upgrades.

On June 3, 2014 the communities of Larkspur and Corte Madera passed Measure D that will enable the District to sell \$19 million of bonds if a waiver is approved. The District will use these funds to complete modernization at Hall Middle School and add wings at Neil Cummins and The Cove School to relieve overcrowding due to enrollment growth.

**Other Funding:**

The use of Certificates of Participation (COP's) or Bond Anticipation Notes (BAN) are costly interim financing alternatives compared to a 0.25% bonding capacity waiver which is a more effective and cost efficient approach to completing the Facilities Master Plan to assure safe, and modern facilities to handle the district's current and continuing growth in student population. The District has and will continue to diligently pursue local and state funding grants. The district is on the OPSC approved but unfunded list for middle school modernization projects totaling \$1.6 million. Additionally, the district has \$11 million of eligibility pending the approval of state bonds. The district uses its developers fees and other state grants to offset costs where possible.

**Assessed Valuation and Bond Capacity:**

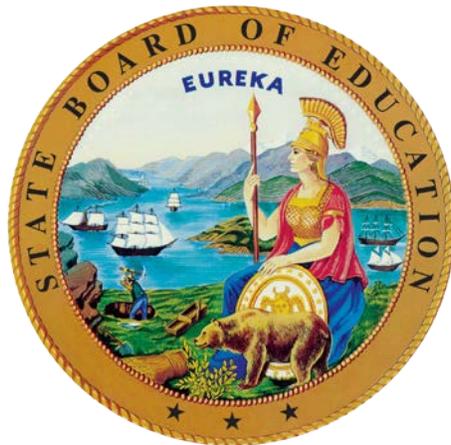
Prior to the "Great Recession", the District experienced consistent assessed value growth of approximately 6.0% annually. Over the last six years, AV growth has been 6.03%, 2.76%, 1.51%, 1.47%, 1.02% and 3.00% in the years 2008-09, 2009-10, 2010-11, 2011-12, 2012-13, and 2013-14 respectively. The District's 2013-14 AV is \$3,672,548,987.

Based on current AV and outstanding bond principal, the District has approximately \$9.6 million of net bonding capacity available. In order for the District to fully access Measure D funds and complete the FMP in a timely manner, the District needs an increase in the bonding capacity limitation from 1.25% to 1.50%.

Rationale:

The waiver would allow the District to issue its full \$19 million of authorized general obligation bonds in fiscal year 2014-15. This will leverage historically low interest rates and allow completion in process modernization of the middle school and build out the new and existing elementary schools to give the district enough capacity to relieve current overcrowding and handle projected enrollment for another decade.

The District projects that the bonded indebtedness will drop below the 1.25% threshold within five years (fiscal year 2018-19) based on projected average annual AV growth of 3.0% (or 15% cumulative AV growth) over the same five year period.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-10**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>ABC Unified School District</b> to waive California <i>Education Code</i> Section 5020, and portions of sections 5019, 5021, and 5030, that require (1) a districtwide election to establish a by-trustee-area method of election and (2) a determination by-lot of the unrepresented trustee area to be on the first by-trustee-area governing board election.</p> <p>Waiver Number: 24-5-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### SUMMARY OF THE ISSUES

School districts that elect governing board members at-large are facing existing or potential litigation under the California Voting Rights Act of 2001 (CVRA). Pursuant to the California *Education Code* (EC), a district can change from at-large elections to by-trustee-area elections only if the change is approved by both the County Committee on School District Organization (County Committee) and voters at a districtwide election.

The ABC Unified School District (USD) is operating under a court-approved settlement agreement from a lawsuit alleging that the district's at-large governing board election system violates the CVRA (*Rios, et al. v. ABC Unified School District*, Los Angeles County Superior Court Case No. BC 505510). To comply with this settlement agreement, the ABC USD requests that the California State Board of Education (SBE) waive the requirement that by-trustee-area elections be approved at a districtwide election—allowing trustee-area elections to be adopted upon review and approval of the County Committee. The settlement agreement also requires the ABC USD to request that the SBE waive the requirement that the County Committee determine, by lot, which unrepresented newly created trustee area will be on the first election for governing board members by-trustee-area—ensuring that a newly created majority-Hispanic trustee area elects a board member at the November 2015 election.

**Authority for Waiver:** EC Section 33050

#### RECOMMENDATION

**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends that the SBE approve the request by the ABC USD to waive EC Section 5020, and portions of sections 5019, 5021, and 5030, which require (1) a districtwide election to establish a by-trustee-area

method of election and (2) a determination by-lot of the unrepresented trustee area to be on the first by-trustee-area governing board election.

## **SUMMARY OF KEY ISSUES**

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Approval of this waiver request would eliminate the election requirement for approval of trustee areas and a by-trustee-area method of election for future governing board elections in the school district. Voters in the district will continue to elect all board members—however, if the waiver request is approved, all board members will be elected by trustee areas, beginning with the next board election.

County Committees have the authority to approve or disapprove the adoption of trustee areas and methods of election for school district governing board elections. Pursuant to *EC* Section 5020, County Committee approval of trustee areas and election methods constitutes an order of election; thus, voters in each of the districts have final approval. If the SBE approves the waiver request, a districtwide election will not be required and by-trustee-area elections can be adopted in the ABC USD upon review and approval of the County Committee.

Only the election to establish trustee areas and election method will be eliminated by approval of the waiver request—voters in the school district will continue to elect all governing board members. Moreover, approval of the waiver request will not eliminate any existing legal rights of currently seated board members.

Approval of the request also will remove the requirement that the County Committee determine by lot the new trustee area that will be on the first by-trustee-area governing board election (if there are two or more new trustee areas created with no already-elected members residing in those areas). The settlement agreement requires that the ABC USD establish at least one majority-Hispanic trustee area. Waiver of the “by-lot” requirement will ensure that a board member will be elected from a majority Hispanic trustee area at the first governing board election under the by-trustee-area method.

The waiver request has been reviewed by CDE staff and it has been determined that there was no significant public opposition to the waiver at the public hearing held by the governing board. The CDE has further determined that none of the grounds specified in *EC* Section 33051, which authorize denial of a waiver, exist. The CDE recommends that the SBE approve the request by the ABC USD to waive *EC* Section 5020, and portions of sections 5019, 5021, and 5030, which require (1) a districtwide election to establish a by-trustee-area method of election and (2) a determination by-lot of the unrepresented trustee area to be on the first by-trustee-area governing board election.

**Demographic Information:** The ABC USD has a student population of 21,000 and is located in an urban area in Los Angeles County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a), available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

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## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE has approved numerous similar waivers—most recently for four school districts at the May 2014 SBE meeting. At its November 2005 meeting, the SBE also approved a waiver request stemming from a court approved settlement agreement—for the Hanford Joint Union High School District (Kings County).

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## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of the waiver request will not have negative fiscal effects on any local or state agency. Failure to approve the waiver request will result in additional costs to the district for a districtwide election.

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## **ATTACHMENT(S)**

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Attachment 1: Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections (1 page)

Attachment 2: ABC Unified School District General Waiver Request 24-5-2014 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

**Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections**  
California *Education Code* Section 5020 and portions of sections 5019, 5021 and 5030

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
24-5-2014	ABC Unified School District	<p><b>Requested:</b> January 1, 2014, to December 31, 2015</p> <p><b>Recommended:</b> January 1, 2014, to December 30, 2015</p>	<p>ABC Federation of Teachers, Ray Gaer, President, 5/14/14: <b>Support</b></p> <p>California School Employees' Association, Rebecca Michel-Macias, President, 5/14/14: <b>Support</b></p> <p>American Federation of State, County, and Municipal Employees, Steve Highland, Vice-president, 5/14/14: <b>Support</b></p>	5/14/14	Notice in a newspaper; notice posted at each school.	<p>Reviewed by all schoolsite councils and the District English Learners' Advisory Committee (5/5/14): <b>No objections</b></p>

Created by California Department of Education  
June 17, 2014

**California Department of Education  
WAIVER SUBMISSION - General**

CD Code: 1964212

Waiver Number: 24-5-2014

Active Year: 2014

Date In: 5/22/2014 3:49:01 PM

Local Education Agency: ABC Unified School District

Address: 16700 Norwalk Blvd.  
Cerritos, CA 90703

Start: 1/1/2014

End: 12/31/2015

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: School District Reorganization  
Ed Code Title: Elimination of Election Requirement  
Ed Code Section: Portions of 5019, 5021, and all of 5020  
Ed Code Authority: 33050

Ed Code or CCR to Waive: ATTACHMENT A

6.            Education Code or California Code of Regulations Section to be Waived

The ABC Unified School District desires to waive the following sections and portions of the Education Code lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent

or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to 250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after its approval, [unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.

#### § 5020. Presentation of proposal to electors

(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.

(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide

primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on the proposal.

(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.

(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:

"For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District--No."

"For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--No."

"For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--No."

"For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--No."

"For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."

"For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--No."

"For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--No."

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Sections 5019 [and 5020] is approved [by a majority of the voters voting at the election,] any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. [In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.]

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by ]the county committee on school district organization [when no election is required,] and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election,] the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 and 5020, respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district

organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

#### Outcome Rationale: ATTACHMENT B

The ABC Unified School District desires to have the requested *Education Code* sections waived because the waiver of these sections will allow the District to successfully adopt trustee areas and establish a by-trustee area election process as expeditiously as possible to comply with the settlement agreement reached between the District and plaintiffs in the case of Rios, et al. v. ABC Unified School District, Los Angeles County Superior Court Case No. BC505510. If approved, this waiver would allow the District to complete the transition process to a by-trustee area election method without delay and will further provide the District the flexibility to select from among several vacant trustee areas, which areas will elect next. Normally, under *Education Code* section 5021, the County Committee on School District Organization determines by lot which of several vacant trustee areas will elect in which order. In this case, the District would like to select the areas and the settlement agreement contemplates that the District will seek to do so. This is important because one of the vacant areas is a majority-minority Hispanic trustee area, which plaintiffs contend has historically been unrepresented amongst the It is imperative that this waiver be approved because the District's failure to successfully adopt and implement trustee areas and a by-trustee area election process in the manner contemplated by the settlement agreement places the settlement agreement in jeopardy and leaves the District vulnerable to litigation in which the District would be exposed to potentially having to pay significant attorneys' fees to plaintiffs, which would pose an undue hardship and extreme detriment to the District and its students.

The California Legislature enacted the California Voting Rights Act of 2001. (See California Elections Code §§ 14025-14032). This legislation makes all at-large election systems in California for cities, school districts and special districts vulnerable to legal attack, largely on proof of racially polarized voting, regardless of whether a majority district can be formed and, under the interpretation adopted by plaintiffs in other pending CVRA cases, without regard to the electoral success of minority candidates or the need to prove actual racial injury exists. The CVRA purports to alter several requirements that plaintiffs would have to prove under the Federal Voting Rights Act, thereby making it easier to challenge at-large election systems. The first suit under the CVRA was filed against the City of Modesto in 2004. Modesto challenged the facial constitutionality of the CVRA on the basis that, by using race as the sole criterion of liability, the CVRA contains a suspect racial classification that California was required to justify under equal protection strict scrutiny standards. The trial court struck down the statute but the California Court of Appeal reversed. (Sanchez v. City of Modesto (2006) 145 "CVAP" refers to Citizen Voting Age Population

The City of Modesto ultimately settled the litigation, but not before paying plaintiffs' attorneys \$3 million dollars in fees. (the prevailing party [other than a public agency] is entitled to an award of their attorneys' fees and costs under the CVRA) and another \$1.7 million to its own Similarly, the Hanford Joint Union High School District was sued under the CVRA and after adopting trustee areas and establishing by-trustee area elections (and requesting and receiving virtually the same waiver from the State Board of Education that is being requested here), paid plaintiffs in that lawsuit the sum of \$110,000 pursuant to a settlement agreement. More recently, the Madera Unified School District has been sued under the CVRA and their November 2008 governing board member election was enjoined by the court. The Plaintiffs in

that case demanded \$1.8 million in attorneys' fees from that District, though that amount was subsequently reduced by the trial court and upheld on appeal.

The requested waiver will allow the District to complete its transition to a by-trustee area election process in time to for the next governing board member election which will reduce the District's liability under the CVRA going forward.

Student Population: 21000

City Type: Urban

Public Hearing Date: 5/14/2014

Public Hearing Advertised: Notice in newspaper and Notice posted at each

Local Board Approval Date: 5/14/2014

Community Council Reviewed By: All Schoolsite Councils and DELAC

Community Council Reviewed Date: 5/5/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Mary Sieu

Position: Superintendent

E-mail: [mary.sieu@abcusd.us](mailto:mary.sieu@abcusd.us)

Telephone: 562-926-5566 x21161

Fax: 562-404-1092

Bargaining Unit Date: 05/14/2014

Name: ABC Federation of Teachers

Representative: Ray Gaer

Title: President

Position: Support

Comments:

Bargaining Unit Date: 05/14/2014

Name: American Federation of State, County, and Municipal Employees

Representative: Steve Highland

Title: Vice President

Position: Support

Comments:

Bargaining Unit Date: 05/14/2014

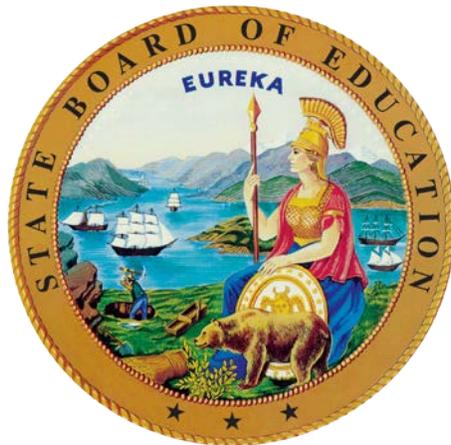
Name: California School Employees Association

Representative: Rebecca Michel-Macias

Title: President

Position: Support

Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-11**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Moreno Valley Unified School District</b> to waive California <i>Education Code</i> Section 5020, and portions of sections 5019, 5021, and 5030, that require a districtwide election to establish a by-trustee-area method of election.</p> <p>Waiver Number: 38-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

School districts that elect governing board members at-large are facing existing or potential litigation under the California Voting Rights Act of 2001 (CVRA). Pursuant to the California *Education Code* (EC), a district can change from at-large elections to by-trustee-area elections only if the change is approved by both the County Committee on School District Organization (County Committee) and voters at a districtwide election.

To reduce the potential for litigation and to establish by-trustee-area elections as expeditiously as possible, the Moreno Valley Unified School District (USD) requests that the California State Board of Education (SBE) waive the requirement that by-trustee-area elections be approved at a districtwide election—allowing by-trustee-area elections to be adopted upon review and approval of the County Committee.

**Authority for Waiver:** EC Section 33050

#### **RECOMMENDATION**

**Approval**    **Approval with conditions**    **Denial**

The California Department of Education (CDE) recommends the SBE approve Moreno Valley USD's request to waive EC Section 5020, and portions of sections 5019, 5021, and 5030, which require a districtwide election to approve by-trustee-area elections.

#### **SUMMARY OF KEY ISSUES**

Approval of this waiver request would eliminate the election requirement for approval of trustee areas and a by-trustee-area method of election for future governing board

elections in the Moreno Valley USD. Voters in the district will continue to elect all board members—however, if the waiver request is approved, all board members will be elected by trustee areas, beginning with the next board election.

County Committees have the authority to approve or disapprove the adoption of trustee areas and methods of election for school district governing board elections. Pursuant to *EC* Section 5020, County Committee approval of trustee areas and election methods constitutes an order of election; thus, voters in the district have final approval.

Many districts in California are facing existing or potential litigation under the CVRA over their at-large election methods. To help avoid potential litigation, the Moreno Valley USD is taking action to establish trustee areas and adopt by-trustee-area election method. In order to establish these trustee areas and the method of election as expeditiously as possible, the district is requesting that the SBE waive the requirement that the trustee areas and the election method be approved at a districtwide election. If the SBE approves the waiver request, this districtwide election for the Moreno Valley USD will not be required and by-trustee-area elections can be adopted in the district upon review and approval of the County Committee.

Only the election to establish trustee areas and election method will be eliminated by approval of the waiver request—voters in the school district will continue to elect all governing board members. Moreover, approval of the waiver request will not eliminate any existing legal rights of currently seated board members.

The waiver request has been reviewed by CDE staff and it has been determined that there was no significant public opposition to the waiver at the public hearing held by the governing board. The CDE has further determined that none of the grounds specified in *EC* Section 33051, which authorize denial of a waiver, exist. The CDE recommends that the SBE approve the request by the Moreno Valley USD to waive *EC* Section 5020, and portions of sections 5019, 5021, and 5030, which require by-trustee-area elections be approved at a districtwide election.

**Demographic Information:** The Moreno Valley USD has a student population of 34,000 and is located in a suburban area in Riverside County.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in *EC* 33051(a)**, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE has approved more than 100 similar waivers—most recently for four school districts at the May 2014 SBE meeting.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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Approval of the waiver request will not have negative fiscal effects on any local or state agency. Failure to approve the waiver request will result in additional costs to the district for a districtwide election.

## **ATTACHMENT(S)**

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Attachment 1: Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections (1 page)

Attachment 2: Moreno Valley Unified School District General Waiver Request 38-6-2014 (6 pages) (Original waiver request is signed and on file in the Waiver Office.)

**Information from Districts Requesting Waivers of Elections Required to Establish Trustee Area Elections**

California *Education Code* Section 5020 and portions of sections 5019, 5021 and 5030

Waiver Number	District	Period of Request	Bargaining Unit, Representatives Consulted, Date, and Position	Public Hearing and Board Approval Date	Public Hearing Advertisement	SSC/Advisory Committee Position
38-6-2014	Moreno Unified School District	<p><b>Requested:</b> January 1, 2014, to December 31, 2015</p> <p><b>Recommended:</b> January 1, 2014, to December 30, 2015</p>	<p>Moreno Valley Educators' Association, Harold Acord, President, 1/13/14: <b>Support</b></p> <p>California School Employees' Association, Jolynn Neal, President, 1/13/14: <b>Neutral</b></p>	<p><b>Public Hearing:</b> 2/25/14</p> <p><b>Board Approval:</b> 5/13/14</p>	<p>Notice in a newspaper; notice posted at each school; notice posted at three public places within the district.</p>	<p>Reviewed by all schoolsite councils and the District English Learners' Advisory Committee (5/1/14): <b>No objections</b></p>

Created by California Department of Education  
July 9, 2014

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3367124

Waiver Number: 38-6-2014

Active Year: 2014

Date In: 6/30/2014 4:26:53 PM

Local Education Agency: Moreno Valley Unified School District  
Address: 25634 Alessandro Blvd.  
Moreno Valley, CA 92553

Start: 1/1/2014

End: 12/31/2015

Waiver Renewal: N

Previous Waiver Number:      Previous SBE Approval Date:

Waiver Topic: School District Reorganization  
Ed Code Title: Elimination of Election Requirement  
Ed Code Section: Portion of 5019, 5021, 5030, and all 5020  
Ed Code Authority: 33050 - 33053

Ed Code or *CCR* to Waive: The Moreno Valley Unified School District desires to waive the following sections and portions of the *Education Code* lined out below:

§ 5019. Trustee areas and size of school district governing boards; powers of county committee; proposal and hearing

(a) Except in a school district governed by a board of education provided for in the charter of a city or city and county, in any school district or community college district, the county committee on school district organization may establish trustee areas, rearrange the boundaries of trustee areas, abolish trustee areas, and increase to seven or decrease to five the number of members of the governing board, or adopt one of the alternative methods of electing governing board members specified in Section 5030.

(b) The county committee on school district organization may establish or abolish a common governing board for a high school district and an elementary school district within the boundaries of the high school district. The resolution of the county committee on school district organization approving the establishment or abolition of a common governing board shall be presented to the electors of the school districts as specified in Section 5020.

(c) (1) A proposal to make the changes described in subdivision (a) or (b) may be initiated by the county committee on school district organization or made to the county committee on school district organization either by a petition signed by 5 percent or 50, whichever is less, of the qualified registered voters residing in a district in which there are 2,500 or fewer qualified registered voters, by 3 percent or 100, whichever is less, of the qualified registered voters residing in a district in which there are 2,501 to 10,000 qualified registered voters, by 1 percent or 250, whichever is less, of the qualified registered voters residing in a district in which there are 10,001 to 50,000 qualified registered voters, by 500 or more of the qualified registered voters residing in a district in which there are 50,001 to 100,000 qualified registered voters, by 750 or more of the qualified registered voters residing in a district in which there are 100,001 to

250,000 qualified registered voters, or by 1,000 or more of the qualified registered voters residing in a district in which there are 250,001 or more qualified registered voters or by resolution of the governing board of the district. For this purpose, the necessary signatures for a petition shall be obtained within a period of 180 days before the submission of the petition to the county committee on school district organization and the number of qualified registered voters in the district shall be determined pursuant to the most recent report submitted by the county elections official to the Secretary of State under Section 2187 of the Elections Code.

(2) When a proposal is made pursuant to paragraph (1), the county committee on school district organization shall call and conduct at least one hearing in the district on the matter. At the conclusion of the hearing, the county committee on school district organization shall approve or disapprove the proposal.

(d) If the county committee on school district organization approves pursuant to subdivision (a) [the rearrangement of the] boundaries of trustee areas for a particular district, then the [rearrangement of the] trustee areas shall be effectuated for the next district election occurring at least 120 days after [its] approval, [unless at least 5 percent of the registered voters of the district sign a petition requesting an election on the proposed rearrangement of trustee area boundaries. The petition for an election shall be submitted to the county elections official within 60 days of the proposal's adoption by the county committee on school district organization. If the qualified registered voters approve pursuant to subdivision (b) or (c) the rearrangement of the boundaries to the trustee areas for a particular district, the rearrangement of the trustee areas shall be effective for the next district election occurring at least 120 days after its approval by the voters.]

[§ 5020. Presentation of proposal to electors]

[(a) The resolution of the county committee approving a proposal to establish or abolish trustee areas, to adopt one of the alternative methods of electing governing board members specified in Section 5030, or to increase or decrease the number of members of the governing board shall constitute an order of election, and the proposal shall be presented to the electors of the district not later than the next succeeding election for members of the governing board.]

[(b) If a petition requesting an election on a proposal to rearrange trustee area boundaries is filed, containing at least 5 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(c) If a petition requesting an election on a proposal to establish or abolish trustee areas, to increase or decrease the number of members of the board, or to adopt one of the alternative methods of electing governing board members specified in Section 5030 is filed, containing at least 10 percent of the signatures of the district's registered voters as determined by the elections official, the proposal shall be presented to the electors of the district, at the next succeeding election for the members of the governing board, at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot. Before the proposal is presented to the electors, the county committee on school district organization may call and conduct one or more public hearings on

the proposal.]

[(d) The resolution of the county committee approving a proposal to establish or abolish a common governing board for a high school and an elementary school district within the boundaries of the high school district shall constitute an order of election. The proposal shall be presented to the electors of the district at the next succeeding statewide primary or general election, or at the next succeeding regularly scheduled election at which the electors of the district are otherwise entitled to vote, provided that there is sufficient time to place the issue on the ballot.]

[(e) For each proposal there shall be a separate proposition on the ballot. The ballot shall contain the following words:]

["For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District --Yes" and "For the establishment (or abolition or rearrangement) of trustee areas in \_\_\_\_ (insert name) School District--No."]

["For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--Yes" and "For increasing the number of members of the governing board of \_\_\_\_ (insert name) School District from five to seven--No."]

["For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--Yes" and "For decreasing the number of members of the governing board of \_\_\_\_ (insert name) School District from seven to five--No."]

["For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of each member of the governing board of the \_\_\_\_ (insert name) School District by the registered voters of the entire \_\_\_\_ (insert name) School District--No."]

["For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--Yes" and "For the election of one member of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters in that trustee area--No."]

["For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--Yes" and "For the election of one member, or more than one member for one or more trustee areas, of the governing board of the \_\_\_\_ (insert name) School District residing in each trustee area elected by the registered voters of the entire \_\_\_\_ (insert name) School District--No."]

["For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--Yes" and "For the establishment (or abolition) of a common governing board in the \_\_\_\_ (insert name) School District and the \_\_\_\_ (insert name) School District--No."]

If more than one proposal appears on the ballot, all must carry in order for any to become effective, except that a proposal to adopt one of the methods of election of board members specified in Section 5030 which is approved by the voters shall become effective unless a proposal which is inconsistent with that proposal has been approved by a greater number of voters. An inconsistent proposal approved by a lesser number of voters than the number which

have approved a proposal to adopt one of the methods of election of board members specified in Section 5030 shall not be effective.]

§ 5021. Incumbents to serve out terms despite approval of change

(a) If a proposal for the establishment of trustee areas formulated under Section[s] 5019 [and 5020 is approved by a majority of the voters voting at the election], any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030. In the event two or more trustee areas are established [at such election] which are not represented in the membership of the governing board of the school district, or community college district the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made.

(b) If a proposal for rearrangement of boundaries is approved by [a majority of the voters voting on the measure, or by] the county committee on school district organization [when no election is required,] and if the boundary changes affect the board membership, any affected incumbent board member shall serve out his or her term of office and succeeding board members shall be nominated and elected in accordance with Section 5030.

(c) If a proposal for abolishing trustee areas is approved [by a majority of the voters voting at the election,] the incumbent board members shall serve out their terms of office and succeeding board members shall be nominated and elected at large from the district.

§ 5030. Alternate method of election

Except as provided in Sections 5027 and 5028, in any school district or community college district having trustee areas, the county committee on school district organization and the registered voters of a district, pursuant to Sections 5019 [and 5020,] respectively, may at any time recommend one of the following alternate methods of electing governing board members:

(a) That each member of the governing board be elected by the registered voters of the entire district.

(b) That one or more members residing in each trustee area be elected by the registered voters of that particular trustee area.

(c) That each governing board member be elected by the registered voters of the entire school district or community college district, but reside in the trustee area which he or she represents.

The recommendation shall provide that any affected incumbent member shall serve out his or her term of office and that succeeding board members shall be nominated and elected in accordance with the method recommended by the county committee.

Whenever trustee areas are established in a district, provision shall be made for one of the alternative methods of electing governing board members.

[In counties with a population of less than 25,000,] the county committee on school district organization or the county board of education, if it has succeeded to the duties of the county committee, may at any time, by resolution, with respect to trustee areas established for any school district, other than a community college district, amend the provision required by this section without additional approval by the electors, to require one of the alternate methods for electing board members to be utilized.

Outcome Rationale: The Moreno Valley Unified School District desires to have the requested *Education Code* sections waived because the waiver of these sections will allow the District to successfully adopt trustee areas and establish a by-trustee election process as expeditiously as possible, thereby enabling the District to avoid litigation resulting out of its current at-large election process for electing its governing board members.

It is imperative that the District adopt these areas and establish this process without delay and without interference because like many of the school districts that have been threatened with lawsuits under the California Voting Rights Act of 2001 ("CVRA"), the District currently utilizes an at-large election process to elect its governing board members. The District's failure to successfully adopt and implement trustee areas and a by-trustee area election process leaves it vulnerable to such litigation in which the District would be exposed to potentially having to pay significant attorneys' fees to plaintiffs, which would pose an undue hardship and extreme detriment to the District and its students.

### CVRA History

The California Legislature enacted the California Voting Rights Act of 2001. (See California Elections Code §§ 14025-14032). This legislation makes all at-large election systems in California for cities, school districts and special districts vulnerable to legal attack, largely on proof of racially polarized voting, regardless of whether a majority district can be formed and, under the interpretation adopted by plaintiffs in other pending CVRA cases, without regard to the electoral success of minority candidates or the need to prove actual racial injury exists.

The CVRA purports to alter several requirements that plaintiffs would have to prove under the Federal Voting Rights Act, thereby making it easier to challenge at-large election systems.

The first suit under the CVRA was filed against the City of Modesto in 2004. Modesto challenged the facial constitutionality of the CVRA on the basis that, by using race as the sole criterion of liability, the CVRA contains a suspect racial classification that California was required to justify under equal protection strict scrutiny standards. The trial court struck down the statute but the California Court of Appeal reversed. (*Sanchez v. City of Modesto* (2006) 145 Cal.App.4th 660).

The City of Modesto ultimately settled the litigation, but not before paying plaintiffs \$3 million dollars in attorneys' fees to plaintiffs' attorneys (the prevailing party [other than a public agency] is entitled to an award of their attorneys' fees and costs under the CVRA) and another \$1.7 million to its own attorneys.

Similarly, the Hanford Joint Union High School District was sued under the CVRA and after adopting trustee areas and establishing by-trustee area elections (and requesting and receiving the same waiver from the State Board of Education that is being requested here), paid plaintiffs in that lawsuit the sum of \$110,000 pursuant to a settlement agreement. Most recently, the Madera Unified School District has been sued under the CVRA and their November 2008 governing board member election was enjoined by the court. The Plaintiffs in that case demanded \$1.8 million in attorneys' fees from that District, though that amount was subsequently reduced by the trial court and upheld on appeal.

Normally, under *Education Code* section 5020, the County Committee on School District organization, after conducting its own public hearing on the recommended plans, would call for an election and put the matter to a vote of the District's electors. However, going through an

election process would prevent the District from electing successor trustees in a timely manner and leaves the District vulnerable to a lawsuit and injunction.

The requested waiver will allow the District to complete its transition to a by-trustee area election process in time to for the next governing board member election which will reduce the District's liability under the CVRA going forward.

Student Population: 34000

City Type: Suburban

Public Hearing Date: 5/13/2014

Public Hearing Advertised: local new paper, three places within the district, and posted at each school site.

Local Board Approval Date: 5/13/2014

Community Council Reviewed By: DELAC and Schoolsite Councils

Community Council Reviewed Date: 5/1/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Mays Kakish

Position: Chief Business Official

E-mail: [mkakish@mvusd.net](mailto:mkakish@mvusd.net)

Telephone: 951-751-7500 x17241

Fax: 951-571-7685

Bargaining Unit Date: 01/13/2014

Name: Moreno Valley Educators Association

Representative: Harold Acord

Title: President - Moreno Valley Educators Association

Position: Support

Comments:

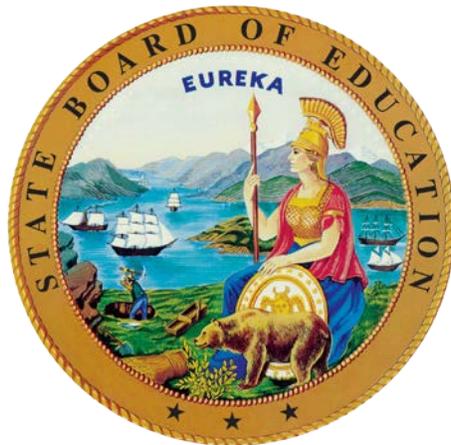
Bargaining Unit Date: 01/13/2014

Name: California School Employees Association (CSEA)

Representative: Jolynn Neal

Title: President

Position: Neutral



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-12**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**Specific Waiver**

#### SUBJECT

Request by 12 local educational agencies, under the authority of California *Education Code* Section 52863 for waivers of *Education Code* Section 52852, relating to schoolsite councils regarding changes in shared, composition, or shared and composition members.

#### Waiver Numbers:

Davis Joint Unified School District 3-5-2014  
Davis Joint Unified School District 4-5-2014  
Davis Joint Unified School District 5-5-2014  
Dunsmuir Joint Union High School District 9-6-2014  
Hanford Joint Union High School District 30-5-2014  
Lagunitas Elementary School District 14-5-2014  
Lassen View Union Elementary School District 18-6-2014  
Mendocino County Office of Education 26-6-2014  
Modoc Joint Unified School District 18-5-2014  
Modoc Joint Unified School District 19-5-2014  
Modoc Joint Unified School District 20-5-2014  
Modoc Joint Unified School District 23-5-2014  
Oakland Unified School District 2-5-2014  
Pomona Unified School District 23-6-2014  
Siskiyou Union High School District 29-5-2014  
Upper Lake Union High School District 20-6-2014  
Valley Home Joint Elementary School District 19-6-2014

**Action**

**Consent**

#### SUMMARY OF THE ISSUE(S)

Specific authority is provided in California *Education Code (EC)* Section 52863 to allow the State Board of Education (SBE) to waive the Schoolsite Council (SSC) requirements contained in *EC* 52852 of the School-Based Coordination Program (SBCP) Act that would hinder the success of the program implementation. These waivers must be renewed every two years.

**Authority for Waiver:** *EC* Section 52863

#### RECOMMENDATION

Approval  Approval with conditions  Denial

The California Department of Education (CDE) recommends approval with the following

conditions: See Attachment 1.

## **SUMMARY OF KEY ISSUES**

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Davis Joint Unified School District is requesting to renew an SSC composition change for a small school: King (Martin Luther) Continuation High School (6 teachers serving 70 students in grades ten through twelve). The school is located in a suburban area.

Davis Joint Unified School District is requesting to renew an SSC composition change for a small school: Davis School for Independent Study Program (10 teachers serving 110 students in kindergarten through grade twelve). The school is located in a suburban area.

Davis Joint Unified School District is requesting to renew an SSC composition change for Fairfield Elementary School (2 teachers serving 64 students in kindergarten through grade three). The school is located in a suburban area.

Dunsmuir Joint Union High School District is requesting to renew a shared SSC with composition change for two small high schools: Dunsmuir High School (7 teachers serving 65 students in grades nine through twelve) and Dunsmuir Joint Union High Community Day School (1 teacher serving 1 student in grades nine through eleven). The two schools share a superintendent, a principal, and a campus in a rural area.

Hanford Joint Union High School District is requesting to renew a shared SSC for two small alternative schools: Earl F. Johnson (Continuation) High School (5 teachers serving 125 students in grades nine through twelve) and Hanford Continuation Night School (7 teachers serving 75 students in grades ten through twelve). The two schools share the core curriculum, instructional materials, supplies, and equipment and have similar student populations. They are located on the same campus in a rural area.

Lagunitas Elementary School District is requesting to renew a shared SSC for both of their small schools: Lagunitas Elementary School (7 teachers serving 160 students in kindergarten through grade eight) and San Geronimo Valley Elementary School (7 teachers serving 142 students in kindergarten through grade six). These two schools are the only schools in the district, sharing a part-time superintendent, a principal, and some services such as special education and targeted assistance program services. They are located within a quarter mile of each other in a rural area.

Lassen View Union Elementary School District is requesting to renew a shared SSC for two small schools: Lassen View Elementary School (16 teachers serving 300 students in kindergarten through grade eight) and Lassen View Community Day School (1 teacher serving 5 students in kindergarten through grade eight). The two schools share the same curriculum and are located on the same campus in a rural area.

Mendocino County Office of Education is requesting to renew a shared SSC with composition change for two small schools: Mendocino County Community School (9 teachers serving 94 students in grades seven through twelve) and West Hills Juvenile Hall Court School (2 teachers serving 12 students in kindergarten through grade twelve). The two schools are located in a rural area.

Modoc Joint Unified School District is requesting to renew a shared SSC for two small schools: Modoc High School (14 teachers serving 223 students in grades nine through twelve) and Warner (Continuation) High School (1 teacher serving 6 students in grades nine through twelve). The two schools share a principal, an assistant principal, a secretary, and an attendance clerk. They are located across the street from each other in a rural area.

Modoc Joint Unified School District is requesting to renew a shared SSC for two small schools: Modoc Middle School (9 teachers serving 171 students in grades six through eight) and High Desert Community Day School (1 teacher serving 4 students in grades seven through nine). They are located approximately one mile from each other in a rural area.

Modoc Joint Unified School District is requesting to renew a shared SSC for two small schools: Alturas Elementary School (19 teachers serving 368 students in kindergarten through grade five) and Alturas Community Day School (kindergarten through grade six with no enrollment at this time). The two schools share a principal and curriculum. They are located on the same campus in a rural area.

Modoc Joint Unified School District is requesting to renew an SSC composition change for one small school: State Line Elementary School (1 teacher serving 11 students in kindergarten through grade five). The school is located in a remote rural area with only six families and the nearest school is 56 miles away.

Oakland Unified School District is requesting an SSC composition change for a small alternative school: Gateway to College at Laney College (2 teachers serving 60 students in grades nine through twelve). The school is located in an urban area.

Pomona Unified School District is requesting to renew a shared SSC for two small schools: Park West High School (12 teachers serving 274 students in grades nine through twelve) and Pomona Alternative School (2 teachers serving 36 students in grades seven through ten). The two schools share a principal, some teachers, and a significant number of students at Park West High School have attended Pomona Alternative School. They are located on the same campus in a suburban area.

Siskiyou Union High School District is requesting an SSC composition change for one small school: Happy Camp High School (9 teachers serving 53 students in grades nine through twelve). The school is located in a rural area.

Upper Lake Union High School District is requesting to renew an SSC composition change for a small school: Upper Lake High School (17 teachers serving 310 students in grades nine through twelve). The school is located in a rural area.

Valley Home Joint Elementary School District is requesting an SSC composition change for a small school: Valley Home Elementary School (6 teachers serving 159 students in kindergarten through grade eight). The school is located in a rural area.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The CDE has previously presented requests from local educational agencies (LEAs) to waive some of the SSC requirements in *EC 52863* or to allow one shared schoolsite council for multiple schools. All of these requests have been granted with conditions. The conditions take into consideration the rationale provided by the LEAs, a majority of which are due to the size, type, location, or other capacities of the schools.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver approval.

## **ATTACHMENT(S)**

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- Attachment 1: Local Educational Agencies Requesting a Schoolsite Council Waiver (9 Pages)
- Attachment 2: Davis Joint Unified School District Specific Waiver Request 3-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Davis Joint Unified School District Specific Waiver Request 4-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 4: Davis Joint Unified School District Specific Waiver Request 5-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: Dunsmuir Joint Union High School District Specific Waiver Request 9-6-2014 (2 Pages) (Original Waiver request is signed and on file in the Waiver Office.)
- Attachment 6: Hanford Joint Union High School District Specific Waiver Request 30-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 7: Lagunitas Elementary School District Specific Waiver Request 14-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 8: Lassen View Union Elementary School District Specific Waiver Request 18-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 9: Mendocino County Office of Education Specific Waiver Request 26-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 10: Modoc Joint Unified School District Specific Waiver Request 18-5-2014  
(3 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 11: Modoc Joint Unified School District Specific Waiver Request 19-5-2014  
(3 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 12: Modoc Joint Unified School District Specific Waiver Request 20-5-2014  
(3 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 13: Modoc Joint Unified School District Specific Waiver Request 23-5-2014  
(2 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 14: Oakland Unified School District Specific Waiver Request 2-5-2014  
(2 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 15: Pomona Unified School District Specific Waiver Request 23-6-2014  
(2 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 16: Siskiyou Union High School District Specific Waiver Request 29-5-2014  
(2 Pages) (Original waiver request is signed and on file in the Waiver  
Office.)

Attachment 17: Upper Lake Union High School District Specific Waiver Request  
20-6-2014 (2 Pages) (Original waiver request is signed and on file in the  
Waiver Office.)

Attachment 18: Valley Home Joint Elementary School District Specific Waiver Request  
19-6-2014 (2 Pages) (Original waiver request is signed and on file in the  
Waiver Office.)

### Local Educational Agencies Requesting a Schoolsite Council Waiver

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
3-5-2014	Davis Joint Unified School District for King (Martin Luther) Continuation High School (5772678 5732219)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), one other school representative (selected by peers), two parents (selected by parents), and two students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	Davis Teachers Association Blair Howard, President 04/21/2014  <b>Support</b>	King (Martin Luther) Continuation High School SSC 04/15/2014  <b>Approve</b>	05/01/2014
4-5-2014	Davis Joint Unified School District for Davis School for Independent Study Program (5772678 5730098)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and two students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	Davis Teachers Association Blair Howard, President 04/21/2014  <b>Support</b>	Davis School for Independent Study Program SSC 04/15/2014  <b>Approve</b>	05/01/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
5-5-2014	Davis Joint Unified School District for Fairfield Elementary School (57 72678 6056253)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), and three parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	California School Employees Association Jim Herrinton, President 01/13/2014  <b>Support</b>  Davis Teachers Association Blair Howard, President 01/13/2014  <b>Support</b>	Fairfield Elementary School SSC 01/15/2014  <b>Approve</b>	05/01/2014
9-6-2014	Dunsmuir Joint Union High School District for Dunsmuir High School (4770250 4732707) and Dunsmuir Joint Union High Community Day School (4770250 4730164)	Shared SSC and Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and two students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b>  07/01/2014 To 06/30/2016	Dunsmuir Classified Employees Association Jeff Ogden, Chairperson 05/13/2014  <b>Support</b>  Dunsmuir High School Unit/Southern Siskiyou County CTA Pam May, Chairperson 05/13/2014  <b>Support</b>	Dunsmuir High School and Dunsmuir Joint Union High Community Day School SSC 10/02/2013  <b>Approve</b>	05/21/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
30-5-2014	Hanford Joint Union High School District for Earl F. Johnson (Continuation) High School (1663925 1634245) and Hanford Night (Continuation) School (1663925 1630060)	Shared SSC	Approval with conditions; the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 10/23/2014 To 10/23/2016  <b>Recommended:</b> 10/23/2014 To 10/22/2016	California School Employees Association Chapter #4 Rosemarie Lopes-Horn, President 05/01/2014  <b>Support</b>  Hanford Secondary Educators Association Dwayne Tubbs, President 05/01/2014  <b>Support</b>	Earl F. Johnson (Continuation) High School and Hanford Night Continuation School SSC 05/06/2014  <b>Approve</b>	05/27/2014
14-5-2014	Lagunitas Elementary School District for Lagunitas Elementary School (2165359 6024335) and San Geronimo Valley Elementary School (2165359 6024343)	Shared SSC	Approval with conditions; the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	Lagunitas Teachers Association Michelle Benjamin, President 04/10/2014  <b>Support</b>	Lagunitas Elementary School and San Geronimo Valley Elementary School SSC 04/22/2014  <b>Approve</b>	04/24/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
18-6-2014	Lassen View Union Elementary School District for Lassen View Community Day School (5271563 6116214) and Lassen View Elementary (5271563 6053557)	Shared SSC	Approval with conditions; the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 08/15/2014 To 08/13/2016  <b>Recommended:</b> 08/15/2014 To 08/14/2016	Lassen View Teachers Association Bettie Skelton, President 05/14/2014	Lassen View Community Day School and Lassen View Elementary School SSC 05/14/2014  <b>Approve</b>	05/19/2014
26-6-2014	Mendocino County Office of Education for Mendocino County Community School (2310231 2330447) and West Hills Juvenile Hall Court School (2310231 2330124)	Shared SSC and Composition Change	Approval with conditions; the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and two students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 02/09/2014 To 02/09/2016  <b>Recommended:</b> 02/09/2014 To 02/08/2016	Mendocino County Federation of School Employees Annette Morrison, Co-President 03/20/2014	Mendocino County Community School and West Hills Juvenile Hall Court School SSC 03/20/2014  <b>Approve</b>	04/14/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
18-5-2014	Modoc Joint Unified School District for Modoc High School (2573585 2535409) and Warner Continuation High School (2573585 2530020)	Shared SSC	Approval with conditions; the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 08/21/2014 To 06/03/2016  <b>Recommended:</b> 08/21/2014 To 06/03/2016	Modoc Teachers Association Amy Britton, Co-President 05/21/2014  <b>Support</b>  Teamsters 137 Ronda Christie, President 05/21/2014  <b>Support</b>	Modoc High School and Warner High School SSC 05/01/2014  <b>Approve</b>	05/20/2014
19-5-2014	Modoc Joint Unified School District for Modoc Middle School (2573585 6058697) and High Desert Community Day School (2573585 2530111)	Shared SSC	Approval with conditions; the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 08/21/2014 To 06/03/2016  <b>Recommended:</b> 08/21/2014 To 06/03/2016	Modoc Teachers Association Amy Britton, Co-President 05/21/2014  <b>Support</b>  Teamsters 137 Ronda Christie, President 05/21/2014  <b>Support</b>	Modoc Middle School and High Desert Community Day School PTO 04/22/2014  <b>Approve</b>	05/20/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
20-5-2014	Modoc Joint Unified School District for Alturas Elementary School (2573585 6025845) and Alturas Community Day (2573585 6115661)	Shared SSC	Approval with conditions; the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), and five parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 08/21/2014 To 06/03/2016  <b>Recommended:</b> 08/21/2014 To 06/03/2016	Modoc Teachers Association Amy Britton, Co-President 05/21/2014  <b>Support</b>  Teamsters 137 Ronda Christie, President 05/21/2014  <b>Support</b>	Alturas Elementary School and Alturas Community Day School PTO 04/28/2014  <b>Approve</b>	05/20/2014
23-5-2014	Modoc Joint Unified School District for State Line Elementary School (2573585 6025886)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, one classroom teacher (selected by peers), one other school representative (selected by peers), and three parents/community members (selected by parents).	<b>Yes</b>  <b>Requested:</b> 08/21/2014 To 06/03/2016  <b>Recommended:</b> 08/21/2014 To 06/03/2016	Modoc Teachers Association Amy Britton, Co-President 05/21/2014  <b>Support</b>  Teamsters 137 Ronda Christie, President 05/21/2014  <b>Support</b>	State Line Elementary School SSC 05/06/2014  <b>Approve</b>	05/20/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
2-5-2014	Oakland Unified School District for Gateway to College at Laney College (0161259 0119859)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), two parents/community members (selected by parents), and one student (selected by peers).	<b>No</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	None indicated	Gateway to College at Laney College SSC 10/01/2013  <b>Approve</b>	04/23/2014
23-6-2014	Pomona Unified School District for Park West Continuation High School (1964907 1936772) and Pomona Alternative School (1964907 1995547)	Shared SSC	Approval with conditions; the SSC must consist of one principal, four classroom teachers (selected by peers), one other school representative (selected by peers), three parents/community members (selected by parents), and three students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	Associated Pomona Teachers Association Morgan Brown, Executive Director 10/25/2013	Park West Continuation High School and Pomona Alternative School SSC and English Learner Advisory Committee 10/08/13  <b>Approve</b>	06/11/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
29-5-2014	Siskiyou Union High School District for Happy Camp High School (4770466 4734356)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and two students (selected by peers).	<b>No</b>  <b>Requested:</b> 08/26/2013 To 08/26/2015  <b>Recommended:</b> 08/26/2013 To 08/25/2015	None indicated	Happy Camp High School SSC 10/14/2013  <b>Approve</b>	02/12/2014
20-6-2014	Upper Lake Union High School District for Upper Lake High School (1764071 1737006)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, three classroom teachers (selected by peers), one other school representative (selected by peers), two parents/community members (selected by parents), and three students (selected by peers).	<b>Yes</b>  <b>Requested:</b> 07/01/2014 To 06/30/2016  <b>Recommended:</b> 07/01/2014 To 06/30/2016	None indicated	Upper Lake High School SSC 05/08/2014  <b>Approve</b>	06/11/2014

Waiver Number	LEA for School(s) (CDS Code[s])	LEAs Request	CDE Recommendation	Previous Waiver Yes or No  Period of Request/ Period Recommended	Collective Bargaining Unit Position/ Current Agreement	SSC/Advisory Committee Position	Local Board Approval Date
19-6-2014	Valley Home Joint Elementary School District for Valley Home Elementary (5071324 6053201)	SSC Composition Change	Approval with conditions; the SSC must consist of one principal, two classroom teachers (selected by peers), and three parents/community members (selected by parents).	<b>No</b>  <b>Requested:</b> 01/01/2014 To 01/01/2016  <b>Recommended:</b> 01/01/2014 To 12/31/2015	Valley Home Teachers Association Sheri Rathbun, Member 05/27/2014  <b>Support</b>	Valley Home Elementary SSC 05/21/2014  <b>Approve</b>	06/10/2014

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5772678

Waiver Number: 3-5-2014

Active Year: 2014

Date In: 5/8/2014 1:35:12 PM

Local Education Agency: Davis Joint Unified School District  
Address: 526 B St.  
Davis, CA 95616

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 04-01-2013

Previous SBE Approval Date: 5/8/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: Requesting reduced composition in members for a small school. (Statute requires 12 members for a high school site council and 10 members for elementary school site council).

Outcome Rationale: This waiver will allow a reduction in the number of teachers that will be required to serve on the School Site Council. King Continuation High School is a 10th–12th grade school with 6 teachers, making the Site council membership requirement of representation by four teachers difficult to meet. The site proposes representation by two teachers instead of the required four teachers, and a subsequent reduction in the number of both students and parents from three to two for the maintenance of parity between school and community representation in the oversight of the school's programs and budget.

Student Population: 70

City Type: Suburban

Local Board Approval Date: 5/1/2014

Council Reviewed By: King Continuation High School Site Council

Council Reviewed Date: 4/15/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Clark Bryant  
Position: Associate Superintendent of Educational Services  
E-mail: [cbryant@djUSD.net](mailto:cbryant@djUSD.net)  
Telephone: 530-757-5300 x145  
Fax:

Bargaining Unit Date: 04/21/2014  
Name: Davis Teachers Association  
Representative: Blair Howard  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5772678

Waiver Number: 4-5-2014

Active Year: 2014

Date In: 5/8/2014 1:45:20 PM

Local Education Agency: Davis Joint Unified School District  
Address: 526 B St.  
Davis, CA 95616

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 3-1-2013

Previous SBE Approval Date: 5/8/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive:

52852. A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents.

At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) parents or other community members selected by parents.

At both the elementary and secondary levels, classroom teachers shall comprise the majority of persons represented under category (a).

Outcome Rationale: This waiver will allow a reduction in the number of teachers that will be required to serve on the School Site Council. Davis School for Independent Study is a K-12 school with ten teachers, making the Site Council membership requirement for representation by four teachers difficult to meet. The site proposes representation by two teachers instead of the required four teachers, and a subsequent reduction of both parent and student representation from three to two members for the maintenance of parity between school and community representation in the oversight of the school's programs and budget.

Student Population: 110

City Type: Suburban

Local Board Approval Date: 5/1/2014

Council Reviewed By: Davis School for Independent Study Site Council

Council Reviewed Date: 4/15/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Clark Bryant  
Position: Associate Superintendent of Educational Services  
E-mail: [cbryant@djud.net](mailto:cbryant@djud.net)  
Telephone: 530-757-5300 x145  
Fax:

Bargaining Unit Date: 04/21/2014  
Name: Davis Teachers Association  
Representative: Blair Howard  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5772678

Waiver Number: 5-5-2014

Active Year: 2014

Date In: 5/8/2014 1:50:57 PM

Local Education Agency: Davis Joint Unified School District  
Address: 526 B St.  
Davis, CA 95616

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 2-1-2013

Previous SBE Approval Date: 5/8/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: 52852. A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents.

At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) parents or other community members selected by parents.

Outcome Rationale: This waiver will allow a reduction in the number of teachers and other personnel that will be required to serve on the School Site Council. Fairfield Elementary School is a small school with two teachers and no full time classified employees; therefore, it is not possible to meet the Site Council membership requirement for teacher and other school personnel representation. The functioning School Site council will retain equity between staff and parents, thus providing appropriate oversight of the school's programs and budget.

Student Population: 64

City Type: Suburban

Local Board Approval Date: 5/1/2014

Council Reviewed By: Fairfield Elementary Site Council

Council Reviewed Date: 1/15/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Clark Bryant  
Position: Associate Superintendent of Educational Services  
E-mail: [cbryant@djusd.net](mailto:cbryant@djusd.net)  
Telephone: 530-757-5300 x145  
Fax:

Bargaining Unit Date: 01/13/2014  
Name: CSEA  
Representative: Jim Herrington  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 01/13/2014  
Name: Davis Teachers Association  
Representative: Blair Howard  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 4770250

Waiver Number: 9-6-2014

Active Year: 2014

Date In: 6/10/2014 12:11:48 PM

Local Education Agency: Dunsmuir Joint Union High School District  
Address: 5805 High School Way  
Dunsmuir, CA 96025

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 19-3-2012-W-20      Previous SBE Approval Date: 7/19/2012

Waiver Topic: Schoolsite Council Statute

Ed Code Title: Shared Schoolsite Council with Reduced Number and Composition

Ed Code Section: 52852

Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC 52852* A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: Dunsmuir Joint Union High School District is comprised of two schools under one roof: Dunsmuir High School with seven (7) credentialed teachers and Community Day School with one (1) credentialed teacher. They share a Superintendent/Principal. DJUSHD is located in a community with repeated demonstration of non-participation in Site Council. The proposed Site Council composition would continue as approved in past years; one (1) principal, one (1) classified personnel, two (2) teachers (one from DHS and one from CDS), two (2) students and two (2) parents for a total of eight (8) as opposed to the twelve (12) normally required. Our small schools have a limited number of teachers available, four (4) of whom coach athletic programs. The remaining teachers take turns as members of the Site Council for a period of time (1) year. With only two (2) teachers (25% of our combined teaching staff) seated on the council we can assure proper representation. It is also easier to guarantee parental participation at this number. Representation of two (2) teachers, two (2) parents, two (2) students, and two (2) staff (principal and classified) provides for a fair and well-balanced council, representing a greater percentage of the student body and the community than three (3) of each would from a larger school.

Student Population: 65

City Type: Rural

Local Board Approval Date: 5/21/2014

Council Reviewed By: The School Site Council  
Council Reviewed Date: 10/2/2013  
Council Objection: N  
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Ray Kellar  
Position: Superintendent/Principal  
E-mail: [rkellar@sisnet.ssku.k12.ca.us](mailto:rkellar@sisnet.ssku.k12.ca.us)  
Telephone: 530-235-4835 x109  
Fax: 530-235-2224

Bargaining Unit Date: 05/13/2014  
Name: Dunsmuir Classified Employees Association  
Representative: Jeff Ogden  
Title: Maintenance/Operations/Transportation  
Position: Support  
Comments:

Bargaining Unit Date: 05/13/2014  
Name: Dunsmuir HS Unit/Southern Siskiyou County CTA  
Representative: Pam May  
Title: Teacher  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 1663925

Waiver Number: 30-5-2014

Active Year: 2014

Date In: 5/28/2014 8:38:02 AM

Local Education Agency: Hanford Joint Union High School District  
Address: 823 West Lacey Blvd.  
Hanford, CA 93230

Start: 10/23/2014

End: 10/23/2016

Waiver Renewal: Y

Previous Waiver Number: 74-10-2012-W-05 Previous SBE Approval Date: 3/14/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC 52852* A schoolsite council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: The purpose of this waiver is to allow Earl F. Johnson High School (EFJ) and Hanford Night Continuation (HNC) to complete a joint Single Plan for Student Achievement. These schools share common services, attendance areas, and other characteristics.

EFJ has its own Principal. Approximately 125 students attend EFJ, which is staffed with 5 full time teachers. EFJ Continuation High School offers students in grades 10-12 increased opportunities for academic success in smaller class settings. EFJ students take the same core curriculum as students at the comprehensive high schools and take mastery tests to gauge progress. EFJ Continuation High School moved to its current location in 1994. The original building contains four classrooms, a cafeteria and administrative offices. In 2002, four modular classrooms were added to the site. In addition to buildings, EFJ has outdoor basketball courts and grass-covered grounds for use during physical education classes.

HNC is staffed with one Principal and 7 teachers, who provide instruction to approximately 75 students. The majority of these teachers are employed during the day at one of HJUHS's comprehensive high schools. All of the teachers in HNC are paid hourly. HJUHS's Night Continuation High School is housed at Earl F. Johnson Continuation High School. HNC students take the same core curriculum as students at the comprehensive high schools and take mastery tests to gauge progress.

Both schools have a similar population that is comprised of students who are typically off track for graduation and have exhibited attendance problems. Students must earn 220 units to get a

diploma from HNC or EFJ. Students and teachers of both schools share materials, supplies, and equipment.

Student Population: 200

City Type: Rural

Local Board Approval Date: 5/27/2014

Council Reviewed By: Hanford Night Continuation and Earl F. Johnson Continuation High School

Council Reviewed Date: 5/6/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Ward Whaley

Position: Director of Administrative Services

E-mail: [wwhaley@hjuhsd.k12.ca.us](mailto:wwhaley@hjuhsd.k12.ca.us)

Telephone: 559-583-5901 x3126

Fax: 559-583-5933

Bargaining Unit Date: 05/01/2014

Name: California School Employees Association Chapter #4

Representative: Rosemarie Lopes-Horn

Title: President

Position: Support

Comments:

Bargaining Unit Date: 05/01/2014

Name: Hanford Secondary Educators Association

Representative: Dwayne Tubbs

Title: President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2165359

Waiver Number: 14-5-2014

Active Year: 2014

Date In: 5/15/2014 2:25:15 PM

Local Education Agency: Lagunitas Elementary School District  
Address: One Lagunitas School Rd.  
San Geronimo, CA 94963

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 36-4-2012-W-20

Previous SBE Approval Date: 7/19/2012

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: *EC 52852*

Outcome Rationale: In the Lagunitas School District there shall be one school site council from grades K-8. The Council shall represent both school sites - Lagunitas Elementary and San Geronimo Valley Elementary. The District has 302 students in K-8, a part-time superintendent and a full time principal shared by both schools. Lagunitas Elementary has 7 classroom teachers for 160 students in K-8 and San Geronimo has 7 classroom teachers for 142 students. The two schools are within a quarter mile of each other, across a bridge over a creek, and share the principal. They also share special education and targeted assistance services.

Student Population: 302

City Type: Rural

Local Board Approval Date: 4/24/2014

Council Reviewed By: The (current) Lagunitas Schoolsite Council

Council Reviewed Date: 4/22/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Donna Henderson  
Position: Administrative Assistant  
E-mail: [dhenderson@lagunitas.org](mailto:dhenderson@lagunitas.org)  
Telephone: 415-488-4118 x201  
Fax: 415-488-9617

Bargaining Unit Date: 04/10/2014  
Name: Lagunitas Teachers Association  
Representative: Michelle Benjamin  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5271563

Waiver Number: 18-6-2014

Active Year: 2014

Date In: 6/13/2014 10:21:29 AM

Local Education Agency: Lassen View Union Elementary School District  
Address: 10818 Highway 99-E  
Los Molinos, CA 96055

Start: 8/15/2014

End: 8/13/2016

Waiver Renewal: Y

Previous Waiver Number: 31-5-2012-W-08

Previous SBE Approval Date: 9/13/2012

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: 52852. A schoolsite council shall be established ~~at each school~~ which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel; and (b) parents or other community members selected by parents. At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) equal numbers of parents, or other community members selected by parents, and pupils. At both, the elementary and secondary levels, classroom teacher shall comprise the majority of persons represented under category(a). Existing schoolwide advisory groups or school support groups maybe utilized as the schoolsite council if those groups conform to this section. The Superintendent of Public Instruction shall provide several examples of selection and replacement procedures that may be considered by schoolsite councils. An employee of a school, who is also a parent or guardian of a pupil who attends a school other than the school of the parent's or guardian's employment, is not disqualified by virtue of this employment from serving as a parent representative on the schoolsite council established for the school that his or her child or ward attends.

*EC* Section: 52852-schoolsite councils for small schools common services or attendance areas, administration and other characteristics

*EC* Authority: 52863- Any governing board, on behalf of a school site council, may request the SBE to grant a waiver of any provision of this article. The SBE may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school based coordinated program.

Outcome Rationale: We are a small rural district with 2 schools. We have 1 principal, 300 students at main site and 5 in our CDS. We have 16 teachers on our main site and 1 in our

CDS. We have the same curriculum and are located on the same site. This is a renewal request.

Student Population: 300

City Type: Rural

Local Board Approval Date: 5/19/2014

Council Reviewed By: Lassen View Site Council

Council Reviewed Date: 5/14/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Mancill Tiss

Position: Superintendent/Principal

E-mail: [mtiss@lassenview.org](mailto:mtiss@lassenview.org)

Telephone: 530-527-5162 x104

Fax: 530-527-2331

Bargaining Unit Date: 05/14/2014

Name: Lassen View Teachers Association

Representative: Bettie Skelton

Title: President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2310231

Waiver Number: 26-6-2014

Active Year: 2014

Date In: 6/23/2014 12:10:22 PM

Local Education Agency: Mendocino County Office of Education  
Address: 2240 Old River Rd.  
Ukiah, CA 95482

Start: 2/9/2014

End: 2/9/2016

Waiver Renewal: Y

Previous Waiver Number: 42-3-2012-W-20

Previous SBE Approval Date: 7/19/2012

Waiver Topic: Schoolsite Council Statute

Ed Code Title: Shared Schoolsite Council with Reduced Number and Composition

Ed Code Section: 52852

Ed Code Authority: 52863

Ed Code or CCR to Waive: 52852

Outcome Rationale: This is a renewal of a previous waiver and our small Juvenile Hall and community school programs continue to share curriculum, professional development and administrative resources.

Student Population: 120

City Type: Rural

Local Board Approval Date: 4/14/2014

Council Reviewed By: Schoolsite Council

Council Reviewed Date: 3/20/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Merry Catron

Position: Director Alternative Education

E-mail: [mcatron@mcoe.us](mailto:mcatron@mcoe.us)

Telephone: 707-467-5154

Fax:

Bargaining Unit Date: 03/20/2014

Name: Mendocino County Federation of School Employees - AFT Local #4345 of Certificated Employees

Representative: Annette Morrison

Title: Co-President

Position: Support

Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2573585

Waiver Number: 18-5-2014

Active Year: 2014

Date In: 5/22/2014 3:08:03 PM

Local Education Agency: Modoc Joint Unified School District  
Address: 906 West Fourth St.  
Alturas, CA 96101

Start: 8/21/2014

End: 6/3/2016

Waiver Renewal: Y

Previous Waiver Number: 50-3-2013

Previous SBE Approval Date: 7/13/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC 52852* Schoolsite councils for small schools sharing common services or attendance areas, administration and other characteristics.

Outcome Rationale: Please see attachment for Modoc High School with Warner Continuation High School.

Student Population: 793

City Type: Rural

Local Board Approval Date: 5/20/2014

Council Reviewed By: Modoc High School/Warner High Schoolsite Council

Council Reviewed Date: 5/1/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Ann Bates  
Position: Administrative Assistant  
E-mail: [abates@modoc.k12.ca.us](mailto:abates@modoc.k12.ca.us)  
Telephone: 530-233-7201 x101  
Fax: 530-233-4362

Bargaining Unit Date: 05/21/2014  
Name: Modoc Teachers Association  
Representative: Amy Britton  
Title: MTA Co-President  
Position: Support  
Comments:

Bargaining Unit Date: 05/21/2014  
Name: Teamsters 137  
Representative: Ronda Christie  
Title: President  
Position: Support  
Comments:

Attachment

Modoc Joint Unified School District is requesting that a waiver be granted to combine the following site councils within the district;

Modoc High School (grades 9-12) with Warner Continuation High School (grades 9-12) – Due to the transient nature and low number of students at Warner Continuation High School, we are requesting the state allow the Modoc High School Site Council, with representation from Warner Continuation High School to serve as the Site Council for both schools. The make-up of the combined Modoc High/Warner Continuation High School Site Council would be as follows;

1 Principal of Modoc High School who also serves as the principal for Warner High School  
4 Teachers – 1 from Warner Continuation High School  
1 Classified employee

---

6 Total

3 Students  
3 Parents

---

6 Total

1. Current Warner Continuation High School enrollment is 6, with one certificate staff member, Current Modoc High School enrollment is 223, with 14 certificated staff members.
2. The Principal is the same for both schools; Warner Continuation High School has a different curriculum than Modoc High School; both schools share the secretary and attendance clerk and assistant principal, both schools address students and student needs in grades 10-12.
3. The schools are across the street from each other, less than a block away.

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2573585

Waiver Number: 19-5-2014

Active Year: 2014

Date In: 5/22/2014 3:15:53 PM

Local Education Agency: Modoc Joint Unified School District  
Address: 906 West Fourth St.  
Alturas, CA 96101

Start: 8/21/2014

End: 6/3/2016

Waiver Renewal: Y

Previous Waiver Number: 50-3-2013

Previous SBE Approval Date: 7/13/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: EC 52852 Schoolsite councils for small schools sharing common services or attendance areas, administration and other characteristics.

Outcome Rationale: Please see attachment for Modoc Middle School with High Desert Community Day School

Student Population: 793

City Type: Rural

Local Board Approval Date: 5/20/2014

Council Reviewed By: Modoc Middle School/High Desert Community Day School PTO

Council Reviewed Date: 4/22/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Ann Bates  
Position: Administrative Assistant  
E-mail: [abates@modoc.k12.ca.us](mailto:abates@modoc.k12.ca.us)  
Telephone: 530-233-7201 x101  
Fax: 530-233-7201

Bargaining Unit Date: 05/21/2014  
Name: Modoc Teachers Association  
Representative: Amy Britton  
Title: MTA Co-President  
Position: Support  
Comments:

Bargaining Unit Date: 05/21/2014  
Name: Teamsters 137  
Representative: Ronda Christie  
Title: President  
Position: Support  
Comments:

Attachment

Modoc Middle School (grades 6-8) with High Desert Community Day School (grades 7-9) – Due to the transient nature and low number of students at High Desert Community Day School, we are requesting the state allow the Modoc Middle School Site Council, with representation from High Desert Community Day School to serve as the Site Council for both schools. The make-up of the combined Modoc Middle School/High Desert Community Day School Site Council would be as follows:

1 Principal of Modoc Middle School  
3 Teachers – 1 from High Desert Community Day School  
1 other staff member

---

5 Total

5 Parents

---

5 Total

1. Current Modoc Middle School Enrollment is 171, with 9 certificated staff members. Current High Desert Community Day School enrollment is 4, with 1 certificated staff member.
2. They do not share a principal; the principal at High Desert Community Day School is the principal at Modoc High School. They do not share the same curriculum.
3. They are approximately 1 mile in distance from each other.

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2573585

Waiver Number: 20-5-2014

Active Year: 2014

Date In: 5/22/2014 3:23:16 PM

Local Education Agency: Modoc Joint Unified School District  
Address: 906 West Fourth St.  
Alturas, CA 96101

Start: 8/21/2014

End: 6/3/2016

Waiver Renewal: Y

Previous Waiver Number: 50-3-2013

Previous SBE Approval Date: 7/13/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: EC 52852 Schoolsite councils for small schools sharing common services or attendance areas, administration and other characteristics.

Outcome Rationale: Please see attachment for Alturas Elementary School with Alturas Community Day School.

Student Population: 793

City Type: Rural

Local Board Approval Date: 5/20/2014

Council Reviewed By: Alturas Elementary School/ACDS PTO

Council Reviewed Date: 4/28/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Ann Bates  
Position: Administrative Assistant  
E-mail: [abates@modoc.k12.ca.us](mailto:abates@modoc.k12.ca.us)  
Telephone: 530-233-7201 x101  
Fax: 530-233-4362

Bargaining Unit Date: 05/21/2014  
Name: Modoc Teachers Association  
Representative: Amy Britton  
Title: MTA Co-President  
Position: Support  
Comments:

Bargaining Unit Date: 05/21/2014  
Name: Teamsters 137  
Representative: Ronda Christie  
Title: President  
Position: Support  
Comments:

Attachment

Alturas Elementary School (grades k-5) with Alturas Community Day School (grades k-6) – Due to the transient nature and low number of students at Alturas Community Day School, we are requesting the state allow the Alturas Elementary School Site Council, with representation from Alturas Community Day School to serve as the Site Council for both schools. The make-up of the combined Alturas Elementary School/Alturas Community Day School Site Council would be as follows;

1 Principal of Alturas Elementary School

3 Teachers

1 Classified employee from Alturas Elementary School

5 Total

5 Parents from Alturas Elementary School

5 Total

1. Current Alturas Elementary School Enrollment is 368, with 19 certificated staff members. Current Alturas Community Day School enrollment is 0.
2. The two schools share the same principal, the same curriculum, and the same campus with scheduling and location differences to eliminate student contact.

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 2573585

Waiver Number: 23-5-2014

Active Year: 2014

Date In: 5/22/2014 3:44:43 PM

Local Education Agency: Modoc Joint Unified School District  
Address: 906 West Fourth St.  
Alturas, CA 96101

Start: 8/21/2014

End: 6/3/2016

Waiver Renewal: Y

Previous Waiver Number: 49-3-2013

Previous SBE Approval Date: 7/13/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC 52852* requesting reduced composition in members for a small school. (Statute requires 12 members for a high school schoolsite council and 10 members for elementary schoolsite council.)

Outcome Rationale: State Line Elementary School is 56 miles from Alturas and has a student population of 11 with 6 families. State Line Elementary School has 4 employees. The reduced composition of the Site Council would be: 1 Principal, 1 teacher and 1 other school employee and 3 parents

Student Population: 793

City Type: Rural

Local Board Approval Date: 5/20/2014

Council Reviewed By: State Line Elementary Schoolsite Council  
Council Reviewed Date: 5/6/2014  
Council Objection: N  
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Ann Bates  
Position: Administrative Assistant  
E-mail: [abates@modoc.k12.ca.us](mailto:abates@modoc.k12.ca.us)  
Telephone: 530-233-7201 x101  
Fax: 530-233-4362

Bargaining Unit Date: 05/21/2014  
Name: Modoc Teachers Association  
Representative: Amy Britton  
Title: MTA Co-President  
Position: Support  
Comments:

Bargaining Unit Date: 05/21/2014  
Name: Teamsters 137  
Representative: Ronda Christie  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 0161259

Waiver Number: 2-5-2014

Active Year: 2014

Date In: 5/6/2014 10:58:14 AM

Local Education Agency: Oakland Unified School District  
Address: 1000 Broadway, Ste. 680  
Oakland, CA 94607

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC 52852*: A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: This waiver will Gateway to College the ability to operate an achievable and balanced School Site Council. The waiver asks that Gateway to College be allowed to form a school site council consisting of 3 members from the school site (the director and two teachers) and 3 members from the parent/student side (2 parents and 1 student). This is due to the fact that Gateway to College is a small alternative school with only two full time teaching staff and a significant portion of their student population does not live with or have connection to their biological parents.

Student Population: 60

City Type: Urban

Local Board Approval Date: 4/23/2014

Council Reviewed By: The existing SSC supports the waiver  
Council Reviewed Date: 10/1/2013  
Council Objection: N  
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Marcus Silvi  
Position: Coordinator, State and Federal Compliance  
E-mail: [marcus.silvi@ousd.k12.ca.us](mailto:marcus.silvi@ousd.k12.ca.us)  
Telephone: 510-879-1028  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 1964907

Waiver Number: 23-6-2014

Active Year: 2014

Date In: 6/18/2014 11:10:48 AM

Local Education Agency: Pomona Unified School District  
Address: 800 South Garey Ave.  
Pomona, CA 91766

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 3-12-2013-W-14      Previous SBE Approval Date: 3/12/2014

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Shared Schoolsite Council  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: *EC 52852* A schoolsite council shall be established at [each] school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school.

Outcome Rationale: Pomona Unified School District is requesting a shared SSC for two alternative schools: Park West Continuation High School (15 teachers serving 257 students in grades nine through twelve) and Pomona Alternative School (8 teachers serving 20 students in grades seven through ten). Some of the teaching staff at both schools are shared with schools in the district. The two schools share one principal. A significant number of Park West High School students have attended Pomona Alternative School. They are housed on the same campus in a suburban area. The approval of this waiver application will streamline site operations, reduce distractive duplicated efforts, and allow consolidated planning ensuring a synergic effort to provide effective standard based instruction, program evaluation, parent engagement and development activities, and school-to-home- communication resulting in greater opportunities to increase student achievement.

Student Population: 26189

City Type: Suburban

Local Board Approval Date: 6/11/2014

Council Reviewed By: Schoolsite Council and English Learner Advisory Committee

Council Reviewed Date: 10/8/2013

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Zoila Savaglio  
Position: Program Administrator, Categorical Programs  
E-mail: [zoila.savaglio@pusd.org](mailto:zoila.savaglio@pusd.org)  
Telephone: 909-397-4800 x23829  
Fax: 909-629-9750

Bargaining Unit Date: 10/25/2013  
Name: Associated Pomona Teachers  
Representative: Morgan Brown  
Title: Executive Director  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 4770466

Waiver Number: 29-5-2014

Active Year: 2014

Date In: 5/27/2014 10:18:35 AM

Local Education Agency: Siskiyou Union High School District  
Address: 624 Everitt Memorial Hwy.  
Mt. Shasta, CA 96067

Start: 8/26/2013

End: 8/26/2015

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or *CCR* to Waive: 52852 A school site council shall be established at each school which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents.

Outcome Rationale: Happy Camp High School Site Council composition would consist of 1 principal, 1 classified employee, 2 teachers, 2 parent or community members and 2 pupils. After much recruitment, our small, rural school is unable to get enough parents to meet the requirement of 6 parent members. Parents have declined participation in SSC because they are involved in a number of other volunteer roles that support the school, are working multiple jobs and are committing their time to the district's parent organization club.

The school wishes to form an eight-member SSC composed of the principal, two teachers, one other staff member, and four parents or community members selected by the parents.

Student Population: Happy Camp High School has a student population of approximately 53 students and is located in a rural area in Siskiyou County.

City Type: Rural

Local Board Approval Date: 2/12/2014

Council Reviewed By: Happy Camp School Site Council; Jess Haun, Erica Mitchell, Vicky Simmons, Nikki Hokanson, James Simmons, Carol Dyar, Angelika Brown, Robyn Eadie Mitchell Hokanson (student body president)

Council Reviewed Date: 10/14/2013

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Angelika Brown

Position: Principal

E-mail: [abrown@sisuhsd.net](mailto:abrown@sisuhsd.net)

Telephone: 530-493-2697

Fax: 530-926-3113

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 1764071

Waiver Number: 20-6-2014

Active Year: 2014

Date In: 6/17/2014 9:55:44 AM

Local Education Agency: Upper Lake Union High School District  
Address: 675 Clover Valley Rd.  
Upper Lake, CA 95485

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: Y

Previous Waiver Number: 12-10-2012-W-06 Previous SBE Approval Date: 1/16/2013

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: Renewal of existing waiver requesting reduced composition in members for a small school. Statute requires 12 members for a high school site council and 10 members for an elementary schoolsite council.

Outcome Rationale: Upper Lake High School is located in a small rural community comprised primarily of a student population on free and reduced lunch. Parent, community and local agency involvement continues to be difficult to achieve. With the ability to have fewer site council members, the high school is able to gather a committee that consistently attends meetings and thereby facilitates decisions to streamline and achieve the school's goals of improved student performance. Also, due to reduced staffing in a small rural school, there are fewer staff members able to run for site council. We continue to feel that our site council meets our current needs.

Student Population: 310

City Type: Rural

Local Board Approval Date: 6/11/2014

Council Reviewed By: Upper Lake High Schoolsite Council  
Council Reviewed Date: 5/8/2014  
Council Objection: N  
Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Dina McCrea  
Position: Administrative Assistant  
E-mail: [dmccrea@ulhs.k12.ca.us](mailto:dmccrea@ulhs.k12.ca.us)  
Telephone: 707-275-2655  
Fax: 707-275-9750

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5071324

Waiver Number: 19-6-2014

Active Year: 2014

Date In: 6/13/2014 12:27:22 PM

Local Education Agency: Valley Home Joint Elementary School District  
Address: 13231 Pioneer Ave.  
Valley Home, CA 95361

Start: 1/1/2014

End: 1/1/2016

Waiver Renewal: N

Previous Waiver Number: Previous SBE Approval Date:

Waiver Topic: Schoolsite Council Statute  
Ed Code Title: Number and Composition of Members  
Ed Code Section: 52852  
Ed Code Authority: 52863

Ed Code or CCR to Waive: 52852. A schoolsite council shall be established ~~at each school~~ which participates in school-based program coordination. The council shall be composed of the principal and representatives of: teachers selected by teachers at the school; other school personnel selected by other school personnel at the school; parents of pupils attending the school selected by such parents; and, in secondary schools, pupils selected by pupils attending the school. At the elementary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers, and other school personnel; and (b) parents or other community members selected by parents. At the secondary level the council shall be constituted to ensure parity between (a) the principal, classroom teachers and other school personnel; and (b) equal numbers of parents, or other community members selected by parents, and pupils. At both, the elementary and secondary levels, classroom teacher shall comprise the majority of persons represented under category(a). Existing schoolwide advisory groups or school support groups maybe utilized as the schoolsite council if those groups conform to this section. The Superintendent of Public Instruction shall provide several examples of selection and replacement procedures that may be considered by schoolsite councils. An employee of a school, who is also a parent or guardian of a pupil who attends a school other than the school of the parent's or guardian's employment, is not disqualified by virtue of this employment from serving as a parent representative on the schoolsite council established for the school that his or her child or ward attends.

*EC 52863* Any governing board, on behalf of a school site council, may request the State Board of Education to grant a waiver of any provision of this article. The State Board of Education may grant a request when it finds that the failure to do so would hinder the implementation or maintenance of a successful school-based coordinated program. (Effective for 2 years only, may be renewed)

Outcome Rationale: Valley Home Join School District is a small rural district with 140 students. The staff consists of 6 teachers. Due to the small size of the staff and parent population, the school wishes to form a site council composed of the school principal, two teachers, and three

parents or community members. Even though the composition of the council is reduced, the council will take an active role in reviewing student data, writing the single plan, and building a budget that is centered on student achievement.

Student Population: 149

City Type: Rural

Local Board Approval Date: 6/10/2014

Council Reviewed By: Schoolsite Council

Council Reviewed Date: 5/21/2014

Council Objection: N

Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: Y

Submitted by: Ms. Rolanda Desrosiers-Lewis

Position: Superintendent/Principal

E-mail: [rdesrosiers-lewis@vhjsd.k12.ca.us](mailto:rdesrosiers-lewis@vhjsd.k12.ca.us)

Telephone: 209-847-0117

Fax:

Bargaining Unit Date: 05/27/2014

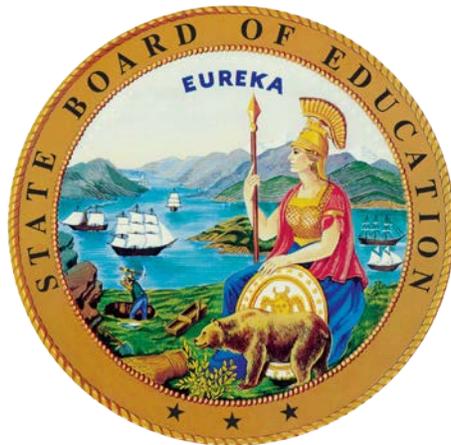
Name: Valley Home Teacher's Association

Representative: Sheri Rathbun

Title: Member, Valley Home Teacher's Association

Position: Support

Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-13**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<b>SUBJECT</b>	<input checked="" type="checkbox"/> <b>Action</b>
Request by five local educational agencies to waive <i>California Code of Regulations</i> , Title 5, Section 13075.2(c)(1), for Supplemental Educational Services, the effective date of any ensuing approval to be July 1 of the next state fiscal year following the State Board of Education approval.	<input checked="" type="checkbox"/> <b>Consent</b>
Waiver Numbers:	
Centinella Valley Union High School District 28-6-2014 Encinitas Union Elementary School District 22-6-2014 Kings River Union Elementary School District 31-6-2014 Lake Tahoe Unified School District 30-6-2014 Sacramento City Unified School District 24-6-2014	

#### SUMMARY OF THE ISSUES

The local educational agencies (LEAs) request authority to provide Supplemental Educational Services (SES) beginning with the 2014–15 school year. Each LEA is implementing an existing program which is prepared to receive student(s) alongside existing providers previously advertised to parents/guardians for the 2014–15 school year.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### RECOMMENDATION

Approval  Approval with conditions  Denial

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the waiver request from the five LEAs to provide SES services beginning July 1, 2014, through June 30, 2016, based on the condition that each LEA submits an SES application that is recommended to and approved by the SBE pursuant to Title 5, *California Code of Regulations* (5 CCR) Section 13075.2(c). Two of these LEAs are being recommended for approval in Item 14 on the SBE's September 2014 Agenda, which may be viewed at <http://www.cde.ca.gov/be/ag/ag/yr14/documents/sep14item14.doc>.

#### SUMMARY OF KEY ISSUES

The SBE authorized the CDE to request a waiver from the U.S. Department of Education (ED) of the Title 34, *Code of Federal Regulations*, Section 200.47(b)(1)(iv)(A) and (B) from July 1, 2014, through June 30, 2016. The waiver request was granted on November 19, 2013. The waiver request provided authority to the SBE to continue to approve LEAs identified for improvement to serve as SES providers. LEAs serving as providers allow parents/guardians additional options when selecting the most effective provider for their student(s).

The CDE provided an additional opportunity for LEAs to submit an SES application for the 2014–16 cycle on May 30, 2014, with a June 27, 2014, submission deadline. The identified LEAs have submitted complete SES applications that are eligible for review and possible recommendation to the SBE for approval pursuant to 5 CCR for SES, Section 13075.2.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a)**, available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

The SBE has not previously taken action to waive provisions of 5 CCR for SES, sections 13075.1 through 13075.9 inclusive.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

There is no fiscal impact to the state educational agency.

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#### **ATTACHMENT(S)**

Attachment 1: Summary Table (2 Pages)

Attachment 2: Centinella Valley Union High School District General Waiver Request 28-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Encinitas Union Elementary School District General Waiver Request 22-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 4: Kings River Union Elementary School District Waiver Request 31-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 5: Lake Tahoe Unified School District General Waiver Request 30-6-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 6: Sacramento City Unified School District General Waiver Request  
24-6-2014 (2 Pages) (Original waiver request is signed and on file in the  
Waiver Office.)

### Summary Table

Waiver Number	School/District	Period of Request	Demographics	Local Board and Public Hearing Approval Date	Bargaining Unit, Representative Consulted, Date, and Position	Public Hearing Advertised	Advisory Committee or Site Council Consulted, Date, and Position
28-6-2014	Centinela Valley Union High School District	<b>Requested:</b> 7/1/14 to 6/30/16  <b>Recommended:</b> 7/1/14 to 6/28/16	Student Population: 6661  City Type: Urban  County: Los Angeles	6/24/2014	Centinela Valley Secondary Teacher's Association, Jack Foreman, President, 6/13/2014 <b>Support</b>	Posted at the district office, all school sites, on the district website, sent to the newspaper, local city offices and posted at the venue.	District Advisory Committee, 6/16/2014 <b>No Objection</b>
22-6-2014	Encinitas Union Elementary School District (EUSD)	<b>Requested:</b> 7/1/14 to 6/29/16  <b>Recommended:</b> 7/1/14 to 6/28/16	Student Population: 5436  City Type: Suburban  County: San Diego	6/17/2014	Classified of Encinitas, Patricia Spirit, President, 6/9/2014 <b>Support</b>  Teachers of Encinitas Leslie O'Keefe, President, 6/13/2014 <b>Support</b>	Posting at the Encinitas Union School District Office, Nine EUSD School Sites, and District Webpage.	District Advisory Committee, 6/12/2014 <b>No Objection</b>
31-6-2014	Kings River Union Elementary School District	<b>Requested:</b> 7/1/14 to 6/30/16  <b>Recommended:</b> 7/1/14 to 6/28/16	Student Population: 451  City Type: Rural  County: Tulare	6/23/2014	Kings River Teachers Association, Patricia Stone Remick, President, 6/20/14 <b>Support</b>	School web site, other standard school sites for public meetings.	School Site Council, 6/23/2014 <b>No Objection</b>

Waiver Number	School/District	Period of Request	Demographics	Local Board and Public Hearing Approval Date	Bargaining Unit, Representative Consulted, Date, and Position	Public Hearing Advertised	Advisory Committee or Site Council Consulted, Date, and Position
30-6-2014	Lake Tahoe Unified School District (LTUSD)	<b>Requested:</b> 7/1/14 to 6/30/16  <b>Recommended:</b> 7/1/14 to 6/28/16	Student Population: 3855  City Type: Rural  County: El Dorado	6/24/2014	South Tahoe Educators Association (STEA), Jodi Dayberry, President, 6/16/14 <b>Support</b>	Public Notice posted in a public place at seven school sites, at the Education Center Notice Board, and LTUSD Website.	District English Learner Advisory Committee (DELAC), 6/17/2014 <b>No Objection</b>
24-6-2014	Sacramento City Unified School District	<b>Requested:</b> 6/19/14 to 6/30/16  <b>Recommended:</b> 7/1/14 to 6/28/16	Student Population: 47031  City Type: Urban  County: Sacramento	6/19/2014	Sacramento City Teachers Association, Rich Mullins, Executive Director, 6/10/14 <b>Support</b>	Public hearing posted on the district website, the district office and at every school in the district.	District Advisory Council, 6/10/2014 <b>No Objection</b>

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 1964352

Waiver Number: 28-6-2014

Active Year: 2014

Date In: 6/25/2014 8:53:16 AM

Local Education Agency: Centinella Valley Union High School District  
Address: 14901 South Inglewood Ave.  
Lawndale, CA 90260

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: SES Providers

Ed Code Title: July 1 Timeline

Ed Code Section: *California Code of Regulations*, Title 5 for SES, Section 13075.2(c)(1)

Ed Code Authority: 33050

Ed Code or CCR to Waive: (c) All completed applications received by the date specified in subdivision (a) will be reviewed by the CDE and submitted to the SBE for its approval or disapproval. (1) The effective date of any ensuing approval will be July 1 of the next state fiscal year following SBE approval.

Outcome Rationale: A waiver to the SBE of *California Code of Regulations*, Title 5 for SES, Section 13075.2 (c)(1) is required as a component of the application process. Since many districts were previously ineligible to apply to be an SES Provider, they missed the application deadline. This waiver allows LEAs to submit an application after the July 1, 2014 deadline. CVUHSD is submitting an application to be an SES provider under the waiver by the U.S. Department of Education, requested by the CDE, as authorized by the California State Board of Education (SBE), of provisions of Title 34 Code of Federal Regulations sections 200.47(b)(1) (iv)(A) and (B): LEAs in PI are waived for a two-year period.

Student Population: 6661

City Type: Urban

Public Hearing Date: 6/24/2014

Public Hearing Advertised: Posted at the district office, all school sites, on the district website, sent to the newspaper, local city offices, and posted at the venue.

Local Board Approval Date: 6/24/2014

Community Council Reviewed By: District Advisory Committee

Community Council Reviewed Date: 6/16/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Hatha Parrish  
Position: Director, Federal and State Programs  
E-mail: [parrishh@centinela.k12.ca.us](mailto:parrishh@centinela.k12.ca.us)  
Telephone: 310-263-3177  
Fax:

Bargaining Unit Date: 06/13/2014  
Name: Centinella Valley Secondary Teacher's Association  
Representative: Jack Foreman  
Title: President, CVSTA  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3768080

Waiver Number: 22-6-2014

Active Year: 2014

Date In: 6/18/2014 10:22:20 AM

Local Education Agency: Encinitas Union Elementary School District  
Address: 101 South Rancho Santa Fe Rd.  
Encinitas, CA 92024

Start: 7/1/2014

End: 6/29/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: SES Providers

Ed Code Title: July 1 Timeline

Ed Code Section: CCR, Title 5 for SES, Section 13075.2(c)(1)

Ed Code Authority: 33050

Ed Code or CCR to Waive: (c) All completed applications received by the date specified in subdivision (a) will be reviewed by the CDE and submitted to the SBE for its approval or disapproval.

(1) The effective date of any ensuing approval will be [July 1 of the next state fiscal year] following SBE approval.

Outcome Rationale: The Encinitas Union School District is required to submit a Waiver Request as part of the application for EUSD to be an SES Provider. EUSD as an SES Provider would be able to bring additional options for SES services to parents of eligible students to select from the approved Provider list. With EUSD's proven track record of student achievement in meeting rigorous standards, parents would have another choice of a SES program to achieve improved student performance.

Student Population: 5436

City Type: Suburban

Public Hearing Date: 6/17/2014

Public Hearing Advertised: Posting at the Encinitas Union School District Office, Nine EUSD School Sites, and District Webpage

Local Board Approval Date: 6/17/2014

Community Council Reviewed By: District Advisory Committee

Community Council Reviewed Date: 6/12/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Nancy Dianna Jones  
Position: Administrator of Support Services  
E-mail: [nancydianna.jones@eusd.net](mailto:nancydianna.jones@eusd.net)  
Telephone: 760-944-4300 x1188  
Fax: 760-942-7094

Bargaining Unit Date: 06/09/2014  
Name: Classified of Encinitas  
Representative: Patricia Spirit  
Title: President  
Position: Support  
Comments:

Bargaining Unit Date: 06/13/2014  
Name: Teachers of Encinitas  
Representative: Leslie O'Keefe  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 5471969

Waiver Number: 31-6-2014

Active Year: 2014

Date In: 6/26/2014 12:11:26 PM

Local Education Agency: Kings River Union Elementary School District  
Address: 3961 Avenue 400  
Kingsburg, CA 93631

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: SES Providers

Ed Code Title: July 1 Timeline

Ed Code Section: CCR, Title 5 SES, sec 13075.2 (c) (1)

Ed Code Authority: 33050

Ed Code or CCR to Waive: c) All completed applications received by the date specified in subdivision (a) will be reviewed by the CDE and submitted to the SBE for its approval or disapproval.

(1) The effective date of any ensuing approval will be [July 1 of the next state fiscal year] following SBE approval.

Outcome Rationale: Kings River Union believes that a classroom teacher will be able to provide tutoring services far more effectively than an unknown hire from an outside company.

Student Population: 451

City Type: Rural

Public Hearing Date: 6/23/2014

Public Hearing Advertised: school web site, other standard school sites for public meetings

Local Board Approval Date: 6/23/2014

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 6/23/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Kristi Blatner  
Position: Vice Principal  
E-mail: [kblatner@kings.k12.ca.us](mailto:kblatner@kings.k12.ca.us)  
Telephone: 559-897-7209 x108  
Fax:

Bargaining Unit Date: 06/20/2014  
Name: Kings River Teachers Association  
Representative: Patricia Stone Remick  
Title: President, KRTA  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 0961903

Waiver Number: 30-6-2014

Active Year: 2014

Date In: 6/25/2014 10:12:06 AM

Local Education Agency: Lake Tahoe Unified School District  
Address: 1021 Al Tahoe Blvd.  
South Lake Tahoe, CA 96150

Start: 7/1/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: SES Providers

Ed Code Title: July 1 Timeline

Ed Code Section: CCR, Title 5 for SES, Section 13075.2(c)(1)

Ed Code Authority: 33050

Ed Code or CCR to Waive: Title 5, California Code of Regulation Section 13075.2(c)(1) - The effective date of any ensuing approval will be [July 1 of the next state fiscal year] following SBE approval.

Outcome Rationale: Lake Tahoe USD is submitting an application to CDE to become a 2014/2015 and 2015/2016 SES provider with an application due date of June 27, 2014. The application will go before the SBE for approval in July 2014. The waiver is necessary in order to waive Title 5, California Code of Regulation Section 13075.2(c)(1), specifically: "The effective date of any ensuing approval will be "July 1 of the NEXT state fiscal year", which would not allow Lake Tahoe USD to provide SES in the 2014/2015 school year and require Lake Tahoe USD to wait until the 2015/2106 year.

Student Population: 3855

City Type: Rural

Public Hearing Date: 6/24/2014

Public Hearing Advertised: Public Notice posted in a public place at seven school sites, at the Education Center Notice Board, and Lake Tahoe USD website ([www.ltusd.org](http://www.ltusd.org)).

Local Board Approval Date: 6/24/2014

Community Council Reviewed By: District English Learner Advisory Committee (DELAC)

Community Council Reviewed Date: 6/17/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Wilma Hoppe  
Position: Executive Services Specialist  
E-mail: [whoppe@ltusd.org](mailto:whoppe@ltusd.org)  
Telephone: 530-541-2850 x229  
Fax:

Bargaining Unit Date: 06/16/2014  
Name: South Tahoe Educators Association (STEA)  
Representative: Jodi Dayberry  
Title: President  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3467439

Waiver Number: 24-6-2014

Active Year: 2014

Date In: 6/20/2014 3:28:24 PM

Local Education Agency: Sacramento City Unified School District  
Address: 5735 47th Ave.  
Sacramento, CA 95824

Start: 6/19/2014

End: 6/30/2016

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: SES Providers  
Ed Code Title: July 1 Timeline  
Ed Code Section: 13075.2(c)(1)  
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: The effective date of any ensuring approval will be [July 1 of the next state fiscal year] following SBE approval.

Outcome Rationale: Sacramento City Unified School District (SCUSD) believes that the extended learning time provided through the SES program is most effective when there is optimum alignment with the school day instruction and ongoing communication with the classroom teacher. As an SES provider, SCUSD will ensure the instructional alignment and Common Core State Standards focus. Tutoring will be provided at the school site by credentialed teachers providing opportunities for collaboration, data sharing, and intervention planning with classroom teachers and support staff. SCUSD believes that this approach will provide the most effective use of SES time and funding, thus result in increased student achievement.

Student Population: 47031

City Type: Urban

Public Hearing Date: 6/19/2014

Public Hearing Advertised: Public hearing was posted on the district website, the district office and at every school in the district.

Local Board Approval Date: 6/19/2014

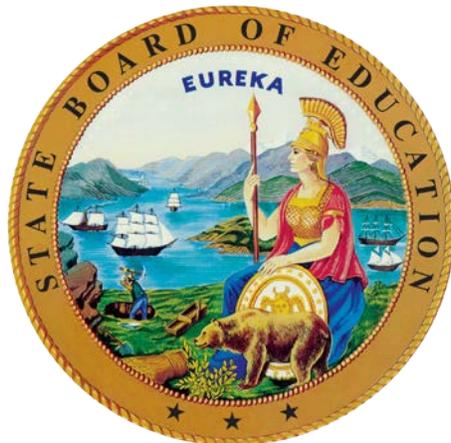
Community Council Reviewed By: District Advisory Council  
Community Council Reviewed Date: 6/10/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Lisa Hayes  
Position: Director, State and Federal Programs  
E-mail: [lisa-hayes@scusd.edu](mailto:lisa-hayes@scusd.edu)  
Telephone: 916-643-9051  
Fax: 916-399-2063

Bargaining Unit Date: 06/10/2014  
Name: Sacramento City Teachers Association  
Representative: Rich Mullins  
Title: Executive Director  
Position: Support  
Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-14**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by two local educational agencies to waive California <i>Education Code</i> Section 51224.5(b), the requirement that all students graduating in the 2013–14 school year be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for two special education students based on <i>Education Code</i> Section 56101, the special education waiver authority.</p> <p>Waiver Numbers: Fresno Unified School District 12-5-2014 Pleasanton Unified School District 25-6-2013</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUE(S)**

The local educational agencies (LEAs) request to waive the requirement that students be required to complete a course in Algebra I (or equivalent) to be given a diploma of graduation, for two special education students who are not able to meet the Algebra requirement but meet other graduation requirements.

**Authority for Waiver:** *Education Code (EC)* Section 56101

#### **RECOMMENDATION**

**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the State Board of Education (SBE) approve the request to waive only the requirement that two students successfully complete a course in Algebra I (or its equivalent) for the 2013–14 graduating year. These students have met other course requirements stipulated by the governing board of the school district and *EC* Section 51225.3 in order to receive a high school diploma. If these students do not graduate in 2013–14, this waiver does not relieve the students of the responsibility to continue to attempt to successfully complete a course in Algebra I (or its equivalent) in 2014–15 as required by *EC* Section 51224.5.

#### **SUMMARY OF KEY ISSUES**

For the review of this waiver request, the LEAs provided the following documentation:

- A valid, current copy of the students' individualized education programs (IEPs) highlighting the areas of mathematic deficiencies and how the students' needs in

mathematics were addressed.

- Selected pages from the students' IEPs from three previous years showing that the students were consistently on a diploma-track, and that the IEPs were written to support the students' participation in diploma-track math courses, particularly Algebra.
- The specific assistance the districts provided to the students which included supplementary aids, services, accommodations, test modifications, and supports to attain the diploma-track goal, specifically, for the Algebra requirement.
- Copies of the transcripts for the students highlighting attempts to pass algebra and pre-Algebra classes.
- Assessment summaries that report the students participated in the Standardized Testing and Reporting program and failed multiple attempts to meet graduation requirements related to the Algebra requirement.

The above documentation was confidentially reviewed by more than one special education consultant. The documentation from the LEAs provides facts indicating that failure to approve the waiver request would result in the students not meeting graduation requirements.

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In 2000, *EC* Section 51224.5 was enacted to require students to complete a course in Algebra I, as a condition of receiving a high school diploma. The Algebra I requirement applied to students who were scheduled for graduation beginning in 2003–04. All waiver requests of this type have been granted by the SBE for students with special needs.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no statewide fiscal impact of waiver approval.

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#### **ATTACHMENT(S)**

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Attachment 1: Summary Table (1 Page)

Attachment 2 Fresno Unified School District Specific Waiver Request 12-5-2014 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

Attachment 3: Pleasanton Unified School District Specific Waiver Request 25-6-2013 (1 page) (Original waiver request is signed and on file in the Waiver Office.)

**Algebra 1 Summary Table**

Waiver Number	Local Educational Agency	Demographics	Period of Request	Local Board Approval Date
12-5-2014	Fresno Unified School District	Student Population: 72300  City Type: Urban  County: Fresno	<b>Requested:</b> 7/22/13 to 6/18/14  <b>Recommended:</b> 7/22/13 to 6/18/14	4/30/14
25-6-2013	Pleasanton Unified School District	Student Population: 16000  City Type: Suburban  County: Alameda	<b>Requested:</b> 6/25/13 to 8/26/13  <b>Recommended:</b> 6/25/13 to 8/26/13	6/25/13

Created by the California Department of Education  
June 24, 2014

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 1062166

Waiver Number: 12-5-2014

Active Year: 2014

Date In: 5/14/2014 11:35:49 AM

Local Education Agency: Fresno Unified School District  
Address: 2309 Tulare St.  
Fresno, CA 93721

Start: 7/22/2013

End: 6/18/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program

Ed Code Title: Algebra I Requirement for Graduation

Ed Code Section: 51224.5

Ed Code Authority: 56101

Ed Code or CCR to Waive: 51224.5. (a) The adopted course of study for grades 7 to 12, inclusive, shall include algebra as part of the mathematics area of study pursuant to subdivision (f) of Section 51220.

(b) Commencing with the 2003-04 school year and each year thereafter, at least one course, or a combination of the two courses in mathematics required to be completed pursuant to subparagraph [(B) of paragraph (1) of subdivision (a) of Section 51225.3 by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605.

(c) If at any time, in any of grades 7 to 12, inclusive, or in any combination of those grades, a pupil completes coursework that meets or exceeds the academic content standards for Algebra. Those courses shall apply towards satisfying the requirements of subparagraph (B) of paragraph (1) of subdivision (a) of Section 51225.3.]

56101. (a) A public agency, as defined in Section 56028.5, may request the board to grant a waiver of any provision of this code or regulations adopted pursuant to that provision if the waiver is necessary or beneficial to the content and implementation of the pupil's individualized education program and does not abrogate any right provided individuals with exceptional needs and their parents or guardians under the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), or affect the compliance of a local educational agency with the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the federal Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), and federal regulations relating thereto.

(b) The board may grant, in whole or in part, any request pursuant to subdivision (a) when the facts indicate that failure to do so would hinder implementation of the pupil's individualized education program or compliance by a local educational agency with federal mandates for a free appropriate public education for children or youth with disabilities.

Outcome Rationale: The purpose of this request is ask for a the requirement of Algebra be waived for a student on an IEP who has met all requirements as articulated by the CDE Special Education Waiver process. Student ID number: 000-23-6741.

Student Population: 72300

City Type: Urban

Local Board Approval Date: 4/30/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Jennifer Gaviola  
Position: SELPA Director Fresno Unified  
E-mail: [jennifer.gaviola@fresnounified.org](mailto:jennifer.gaviola@fresnounified.org)  
Telephone: 559-457-3234  
Fax:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 0175101

Waiver Number: 25-6-2013

Active Year: 2013

Date In: 6/27/2013 9:41:05 AM

Local Education Agency: Pleasanton Unified School District  
Address: 4665 Bernal Ave.  
Pleasanton, CA 94566

Start: 6/25/2013

End: 8/26/2013

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Special Education Program  
Ed Code Title: Algebra I Requirement for Graduation  
Ed Code Section: 51224.5  
Ed Code Authority: 56101

Ed Code or CCR to Waive: 51224.5 (b) Commencing with the 2003-04 school year and each year thereafter, at least on course, or combination of the two courses, in mathematic required to be completed pursuant to subparagraph (b) of paragraph (1) of subdivision (a) of section 5125.3 by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I as adopted by the State Board of Education pursuant to section 60605

Outcome Rationale: Student has meet all HS graduation requirements except Algebra 1. Student has been given support by general education and special education and despite this support has not been able to pass Algebra due to students learning disability.

Student Population: 16000

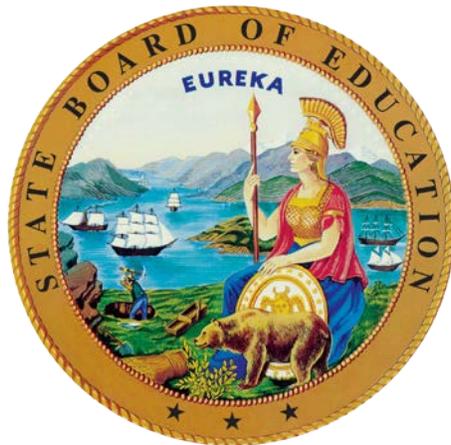
City Type: Suburban

Local Board Approval Date: 6/25/2013

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Ken Wyatt  
Position: Director, Special Education  
E-mail: [kwyatt@pleasantonusd.net](mailto:kwyatt@pleasantonusd.net)  
Telephone: 925-426-4293  
Fax: 925-426-7146



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-15**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by <b>Los Angeles County Office of Education</b> under the authority of California <i>Education Code</i> Section 41344.3 for a retroactive waiver of the audit penalty for the 2012–13 fiscal year of <i>Education Code</i> Section 60119, regarding the annual public hearing and board resolution on the availability of textbooks and instructional materials for all students at all grade levels and subjects.</p> <p>Waiver Number: 15-5-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUE(S)**

In 2012–13, the Los Angeles County Office of Education (COE) did not hold the public hearing on or before the end of the eighth week from the first day pupils attended school as required in California *Education Code (EC)* Section 60119.

**Authority for Waiver:** *EC* Section 41344.3

#### **RECOMMENDATION**

**Approval**  **Approval with conditions**  **Denial**

The California Department of Education recommends approval of this waiver.

#### **SUMMARY OF KEY ISSUES**

In 2012–13, the Los Angeles COE did not hold the public hearing on or before the end of the eighth week from the first day pupils attended school for the 2012–13 year as required in *EC* Section 60119. The Los Angeles COE received an audit finding for the 2012–13 hearing. Therefore, the Los Angeles COE is requesting a waiver for the 2012–13 fiscal year.

The Los Angeles COE held a public hearing on the sufficiency of instructional materials for the 2012–13 school year on November 6, 2012 and adopted a resolution certifying the sufficiency of instructional materials. The public hearing was initially scheduled for October and moved to November due to a scheduling conflict, thus causing the hearing to be held in the ninth week instead of on or before the end of the eighth week of school. The Los Angeles COE received an audit finding disallowing its 2012–13 instructional materials funding of \$609,281.

*EC* Section 41344.3 allows the State Board of Education (SBE) to waive *EC* Section 60119 and the related audit penalty for county offices of education provided that the noncompliance was minor or inadvertent and the intent of *EC* 60119 was substantially met. In the past, the SBE has required that the COE be compliant with all of the requirements of *EC* Section 60119 for the current fiscal year in order to receive a waiver.

The Los Angeles COE Assistant Superintendent of Educational Programs has since developed an instructional materials calendar and it will be monitored to ensure a public hearing is held within the established time frame. The Board held the public hearing by the end of the eighth week of school to be compliant with the requirements of *EC* Section 60119 in the 2013–14 school year.

The Los Angeles COE meets the criteria in *EC* Section 41334.3, therefore, the California Department of Education recommends approval of this waiver.

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#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Beginning in 2004, COEs were granted the authority to waive *EC* Section 60119 for school districts; however COEs must still request a waiver from the SBE.

The Los Angeles COE had a prior audit finding in 2004–05 for being out of compliance with *EC* Section 60119 because it did not post the notice of their annual public hearing ten days prior to the meeting for the sufficiency of instructional materials. The Los Angeles COE's waiver 19-06-2006 was approved on January 11, 2007.

**Demographic Information:** The Los Angeles COE has a student population of 1,672 and is located in suburban Los Angeles County.

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#### **FISCAL ANALYSIS (AS APPROPRIATE)**

If this waiver request is not approved, the Los Angeles COE will be required to repay \$609,281, the entire amount of its instructional materials funding for 2012–13.

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#### **ATTACHMENT(S)**

Attachment 1: Information from Districts Requesting Waiver of Sufficiency of Instructional Materials (1 page)

Attachment 2: Los Angeles County Office of Education Specific Waiver Request (15-5-2014) (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

## Information from Districts Requesting Waiver for Sufficiency of Instructional Materials

California *Education Code (EC)* Section 60119

Waiver Number	District/County and District Code	Period of Request	District's Request	CDE Recommended Action	Local Board Approval Date	*Bargaining Unit, Representative(s) Consulted, Date, and Position	Potential Annual Penalty Without Waiver	Fiscal Status	Previous Waivers
15-5-2014	Los Angeles County Office of Education	<p><b>Requested:</b> July 1, 2012 to June 30, 2013</p> <p><b>Recommended:</b> July 1, 2012 to June 30, 2013</p>	District requests waiving <i>EC</i> 60119 to avoid the audit penalty.	Approval	05/13/2013	Los Angeles County Education Association (LACOEA) Brian Christian, President  May 6, 2016 <b>Support</b>	\$609,281	Positive	Yes 19-06-2006

Created by California Department of Education  
July 2, 2014

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 1910199

Waiver Number: 15-5-2014

Active Year: 2014

Date In: 5/15/2014 5:34:52 PM

Local Education Agency: Los Angeles County Office of Education  
Address: 9300 Imperial Hwy.  
Downey, CA 90242

Start: 7/1/2012

End: 6/30/2013

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Sufficiency of Instructional Materials - *EC 60119*

Ed Code Title: County Level Approval

Ed Code Section: 60119

Ed Code Authority: 41344.3

Ed Code or *CCR* to Waive: 60119.

(a) In order to be eligible to receive funds available for purposes of this article, the governing board of a school district shall take the following actions:

(1) (A) The governing board of a school district shall hold a public hearing or hearings at which the governing board shall encourage participation by parents, teachers, members of the community interested in the affairs of the school district, and bargaining unit leaders, and shall make a determination, through a resolution, as to whether each pupil in each school in the school district has sufficient textbooks or instructional materials, or both, that are aligned to the content standards adopted pursuant to Section 60605 or 60605.8 in each of the following subjects, as appropriate, that are consistent with the content and cycles of the curriculum framework adopted by the state board:

(i) Mathematics.

(ii) Science.

(iii) History-social science.

(iv) English language arts, including the English language development component of an adopted program.

(B) The public hearing shall take place on or before the end of the eighth week from the first day pupils attend school for that year. A school district that operates schools on a multitrack, year-round calendar shall hold the hearing on or before the end of the eighth week from the first day pupils attend school for that year on any tracks that begin a school year in August or September. For purposes of the 2004–05 fiscal year only, the governing board of a school district shall make a diligent effort to hold a public hearing pursuant to this section on or before December 1, 2004.

Outcome Rationale: The public hearing was held for various schools at the same time. As a result, the public hearing for the Division of Special Education was held on the 9th week.

Student Population: 1672

City Type: Suburban

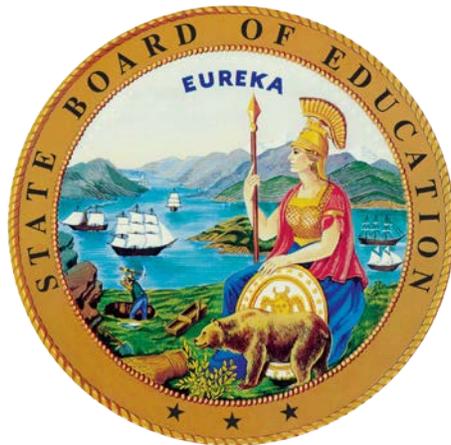
Local Board Approval Date: 5/13/2013

Audit Penalty YN: Y

Categorical Program Monitoring: N

Submitted by: Dr. Cuauhtemoc Avila  
Position: Assistant Superintendent  
E-mail: [avila\\_cuauhtemoc@lacoed.edu](mailto:avila_cuauhtemoc@lacoed.edu)  
Telephone: 562-803-8301  
Fax: 562-401-5742

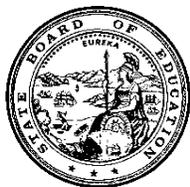
Bargaining Unit Date: 05/06/2013  
Name: Los Angeles County Education Association  
Representative: Brian Christian  
Title: President  
Position: Support  
Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-16**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**Specific Waiver**

<p><b>SUBJECT</b></p> <p>Request by five school districts, under the authority of California <i>Education Code</i> Section 41382, to waive portions of <i>Education Code</i> sections 41376(a), (c), and (d) and/or 41378(a) through (e), relating to class size penalties for kindergarten through grade three. For kindergarten, the overall class size average is 31 to one with no class larger than 33. For grades one through three, the overall class size average is 30 to one with no class larger than 32.</p> <p>Waiver Numbers:</p> <p>Cypress Elementary School District 16-6-2014 Garden Grove Unified School District 25-5-2014 Hueneme Elementary School District 33-6-2014 Placentia-Yorba Linda Unified School District 9-5-2014 Simi Valley Unified School District 26-5-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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### **SUMMARY OF THE ISSUE(S)**

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Request by five school districts, under the authority of California *Education Code (EC)* Section 41382, to waive portions of *EC* sections 41376(a), (c), and (d) and/or 41378(a) through (e), relating to class size penalties for kindergarten through grade three for the 2013–14 fiscal year.

**Authority for Waiver:** *EC* Section 41382

### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

The California Department of Education (CDE) recommends that the class size penalties for grades one through three be waived provided that the overall average and individual class size average is not greater than the CDE recommended class size for the period noted on Attachment 1. Should the district exceed this new limit, the class size penalty would be applied per statute.

The CDE also recommends that the State Board of Education (SBE) find that the class size penalty provisions of *EC* sections 41376 and/or 41378 will, if not waived, prevent the districts from developing more effective educational programs to improve instruction in reading and mathematics for students in the classes specified in each district's application.

## **SUMMARY OF KEY ISSUES**

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### **Statutes Related to Kindergarten Through Grade Three Class Size**

There are two different requirements regarding kindergarten through grade three (K–3) class sizes under the Local Control Funding Formula (LCFF).

The first requirement has been in law since the mid-1960s and is the subject of this waiver. This law requires the CDE to apply a financial penalty to a school district's funding (class size penalties) if any of the following occur:

- A single kindergarten class exceeds an average enrollment of 33.
- The average enrollment of all kindergarten classes in the district exceeds 31.
- A single class in grades one through three exceeds an average enrollment of 32.
- The average enrollment of all grades one through three classes in the district exceeds 30.

School districts report their average class enrollment information to the CDE in the spring of the applicable year. If a school district does not meet the requirements, the CDE reduces the district's final payment for the year. Generally, the penalty is equal to a loss of all funding for enrollment above 31 in kindergarten classes or 30 in grades one through three classes. *EC* Section 41382 allows the SBE to waive this penalty if the associated class size requirements prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics.

The second requirement, which is new beginning in fiscal year 2013–14, is related to the K–3 grade-span adjustment (GSA) that increases the LCFF target funding for the K–3 grade span by 10.4 percent. The LCFF target represents what a school district would receive if the state had the resources to fully fund LCFF. As a condition of receiving this adjustment, school districts must meet one of the following conditions at each school site:

- If a school site's average class enrollment in K–3 was more than 24 pupils in the prior year, make progress toward maintaining, at that school site, an average class enrollment in K–3 of not more than 24 pupils.
- If a school site's average class enrollment in K–3 was 24 pupils or less in the prior year, maintain, at that school site, an average class enrollment in K–3 of not more than 24 pupils.
- Agree to a collectively bargained alternative to the statutory K–3 GSA requirements.

If an independent auditor finds that a school district did not meet one of the conditions, the CDE must retroactively remove the K–3 GSA from the district's funding. *EC* Section 42238.02(d)(3)(E) does not allow the SBE to waive the adjustment.

These two statutes operate independently. It is possible that a district could comply with the ostensibly more restrictive conditions for the K–3 GSA and be out of compliance with the K–3 class size penalty statutes for several reasons. For instance, the district could have negotiated an alternative to the K–3 GSA class size average that exceeds the class size penalty levels. Similarly, districts could be meeting the conditions for the K–3 GSA

by making progress towards achieving an average class size of 24 at a school site, but still exceed the levels that trigger a class size penalty.

### **Districts' Request**

The districts are requesting, under the authority of *EC* Section 41382, that the SBE waive subdivisions (a) through (e) of *EC* Section 41378 and/or subdivisions (a), (c), and (d) of *EC* Section 41376, for the 2013–14 fiscal year, which provide a penalty when a school district exceeds the class sizes noted above and on Attachment 1. In all five districts the cause of the penalty is a result of unanticipated enrollment changes over the course of the school year in grades one through three. The districts state that without the waiver, the core reading and math programs will be compromised by the fiscal penalties incurred. The actual and/or estimated annual penalties, should the districts increase the class size averages without a waiver, are provided on Attachment 1.

### **CDE Recommendation**

The CDE recommends that the class size penalties for kindergarten and/or grades one through three be waived, for the recommended period shown on Attachment 1, provided the overall average and individual class size average is not greater than the CDE recommended level shown on Attachment 1. Should the district exceed these conditions, the class size penalty will be applied per statute.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

Since September 2009, the SBE has approved all kindergarten through grade three class size penalty waiver requests as proposed by the CDE through fiscal year 2013–14. Before the September 2009 board meeting, no waivers had been submitted since 1999.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

See Attachment 1 for estimated penalty amounts for each district without the waiver approval. The penalty calculation was recently modified for the LCFF and any 2013–14 penalties will be calculated and applied by CDE at the Annual certification in February 2015. The amounts listed on Attachment 1 are estimates based on the prior revenue limit funding structure.

### **ATTACHMENT(S)**

- Attachment 1: List of Waiver Numbers, Districts, and Information Regarding Each Waiver. (1 page)
- Attachment 2: Cypress Elementary School District Specific Waiver Request 16-6-2014 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 3: Garden Grove Unified School District Specific Waiver Request 25-5-2014 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)

- Attachment 4: Hueneme Elementary School District Specific Waiver Request 33-6-2014 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: Placentia-Yorba Unified School District Specific Waiver Request 9-5-2014 (3 pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 6: Simi Valley Unified School District Specific Waiver Request 26-5-2014 (2 pages) (Original waiver request is signed and on file in the Waiver Office.)

### District(s) Requesting Kindergarten Through Grade Three Class Size Penalty Waiver(s)

Education Code sections 41376 and 41378: For Kindergarten: Overall average 31; no class larger than 33.  
 For Grades 1–3: Overall average 30; no class larger than 32.

Waiver Number	District/County and District Code	Period of Request/CDE Recommendation	District's Request	CDE Recommended (New Maximum)	Local Board Approval Date	*Bargaining Unit, Representative(s) Consulted, Date, and Position	Potential Annual Penalty Without Waiver	Previous Waivers
16-6-2014	Cypress Elementary School District 30-66480	<b>Requested:</b> July 1, 2013 to June 30, 2014 <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 32; no class size larger than 33	For 1–3: Overall average 32; no class size larger than 33	6/12/14	Not Required	\$295,000 FY 2013–14	No
25-5-2014	Garden Grove Unified School District 30-66522	<b>Requested:</b> July 1, 2013 to June 30, 2014 <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 30; no class size larger than 33	For 1–3: Overall average 30; no class size larger than 33	5/20/14	Garden Grove Education Association, Jim Rogers, Executive Director 4/29/14 <b>Support</b>	\$96,096 FY 2013–14	Yes 2011–12 2012–13
33-6-2014	Hueneme Elementary School District 56-72462	<b>Requested:</b> July 1, 2013 to June 30, 2014 <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 33; no class size larger than 33	For 1–3: Overall average 33; no class size larger than 33	6/23/14	Not Required	\$172,770 FY 2013–14	No
9-5-2014	Placentia-Yorba Linda Unified School District 30-66647	<b>Requested:</b> August 1, 2013 to July 1, 2014 <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 30; no class size larger than 33	For 1–3: Overall average 30; no class size larger than 33	5/6/14	Association of Placentia Linda Educators, Linda Manion, President 4/17/14 <b>Support</b>	\$628,945 FY 2013–14	Yes 2007–08
26-5-2014	Simi Valley Unified School District 56-72603	<b>Requested:</b> July 1, 2013 to June 30, 2014 <b>Recommended:</b> July 1, 2013 to June 29, 2014	For 1–3: Overall average 30; no class size larger than 34	For 1–3: Overall average 30; no class size larger than 34	5/20/14	Not Required	\$40,500 FY 2013–14	No

\*For specific waivers bargaining unit consultation is not required.  
 Created by California Department of Education  
 June 26, 2014

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 3066480

Waiver Number: 16-6-2014

Active Year: 2014

Date In: 6/13/2014 7:43:04 AM

Local Education Agency: Cypress Elementary School District  
Address: 9470 Moody St.  
Cypress, CA 90630

Start: 7/1/2013

End: 6/30/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties

Ed Code Title: Over Limit on Grades 1-3

Ed Code Section: portions of 41376 (a) (c) and (d)

Ed Code Authority: 41382

Ed Code or CCR to Waive: EC 41376 (a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: ~~(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.~~ (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. ~~(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average~~

~~daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.~~

The principal of any elementary school maintaining kindergarten classes or regular day classes in grades 1 to 3, inclusive, may recommend to the governing board of the school district, or the governing board may adopt a resolution determining, that an exemption should be granted from any of the provisions of Section 41376, 41378, or 41379 with respect to such classes on the basis that such provisions prevent the school and school district from developing more effective educational programs to improve instruction in reading and mathematics for pupils in the specified classes. Upon approval of such recommendation, or the adoption of such resolution, the governing board shall make application to the State Board of Education on behalf of the school for an exemption for such classes from the specified provisions. The State Board of Education shall grant the application if it finds that the specified provisions of Section 41376, 41378, or 41379 prevent the school from developing more effective educational programs to improve instruction in reading and mathematics for pupils in the specified classes and shall, upon granting the application, exempt the school district from the penalty provision of such sections.

Outcome Rationale: The District has a history of maintaining class sizes that are below the state required average of 30-to-1. This has been accomplished even though we maintain language in our locally agreed upon collective bargaining agreement with our Association of Cypress Teachers that class sizes in grades 1 through 3 may be 32 per teacher maximums.

The District has had declining enrollment for the past 12 years. This fact, combined with the past state financial crisis has caused the District to monitor student-to-teacher ratios very closely.

For 2013-14, Cypress School District has averaged 30.06 for grades 1 through 3, which exceeds the required average class size of 30 students. In addition, two third grade classes at Luther Elementary exceeded the rule that no class may be larger than 32 students.

The reasons for this are related to our past. Cypress School District has faced severe declining enrollment trends for the past 12 years. This fact, combined with the State's past financial crisis has caused the District to monitor staffing ratios very closely. We started the 2013-14 school year expecting to have class size averages at approximately 29-to-1. However, for the first time in 12 years, our District did not decline and has seen new students enroll throughout this school year. This has put many classes between grades 1 through 3 above the average 30, but below the 32 class size maximums locally agreed upon with A.C.T.

In the best interest of students, the District did not want to disrupt student learning and shift them around in the middle of the school year. This would have disrupted student instruction in all core subject, including reading and mathematics. So that a more effective education program to improve instruction in reading and mathematics could be made possible, student sizes were allowed to be greater than 30-to-1 in some classrooms, causing our average to be 30.06. This is also true as it relates to the two third grade classrooms that had 33 students in

their classroom.

The District request that the State Board of Education please waive *EC* 41376 for 2013-14, specifically waive the Class Size Penalty, grades 1 through 3 that states average class sizes may not exceed 30 students; and that no class may be larger than 32 students.

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see *EC* 41382)

A potential penalty of \$295,000 could be incurred by the district without this waiver.

Student Population: 3931

City Type: Urban

Local Board Approval Date: 6/12/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Tim McLellan  
Position: Assistant Superintendent Business Services  
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**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 3066522

Waiver Number: 25-5-2014

Active Year: 2014

Date In: 5/22/2014 6:23:05 PM

Local Education Agency: Garden Grove Unified School District  
Address: 10331 Stanford Ave.  
Garden Grove, CA 92840

Start: 7/1/2013

End: 6/30/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties

Ed Code Title: Over Limit on Grades 1-3

Ed Code Section: portions of 41376 (a) (c) and (d)

Ed Code Authority: 41382

Ed Code or *CCR* to Waive: *EC* 41376 (a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district:

[ (a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared.

For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.]

(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above.

[ (c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily

attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section. ]

Outcome Rationale: During this 2013-14 year, ONE third-grade classroom in the entire district had an average of 33 students; one student over the state *Education Code* maximum of 32 for that grade level. Due to the time of year in which the student enrolled and the class configurations at the site, it was determined that reconfiguring classrooms was not feasible and a waiver would be necessary. To change the class configurations at the site would not have been in the best interest of the students to shift instruction in all core subjects, including reading and mathematics. The district closely monitors all classes, and for grades 1-3, our overall class size average is well under 30:1.

As of P-2, our current 2013-14 Grades 1-3 enrollment average is 24.8 with a total of 413 classrooms.

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see *EC* 41382)

A potential penalty of \$96,096 could be incurred by the district without this waiver.

Student Population: 47240

City Type: Urban

Local Board Approval Date: 5/20/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Rick Nakano  
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Telephone: 714-663-6446  
Fax:

Bargaining Unit Date: 04/30/2014  
Name: California School Employees Association  
Representative: Jan Alls  
Title: Chapter President  
Position: Support  
Comments:

Bargaining Unit Date: 04/29/2014  
Name: Garden Grove Education Association  
Representative: Jim Rogers  
Title: Executive Director  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5672462

Waiver Number: 33-6-2014

Active Year: 2014

Date In: 6/26/2014 2:46:53 PM

Local Education Agency: Hueneme Elementary School District  
Address: 205 North Ventura Rd.  
Port Hueneme, CA 93041

Start: 7/1/2013

End: 6/30/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties

Ed Code Title: Over Limit on Grades 1-3

Ed Code Section: portions of 41376 (a) (c) and (d)

Ed Code Authority: 41382

Ed Code or *CCR* to Waive: *EC* 41376 (a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: [(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.] (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. [(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average

daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.]

Outcome Rationale: There were two classes in grades one through three that had 33 students enrolled. Each of these classes had specific circumstances that caused them to exceed the maximum class size of 32.

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see EC 41382)

A potential penalty of \$172,770 could be incurred by the district without this waiver.

Student Population: 8232

City Type: Suburban

Local Board Approval Date: 6/23/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Dr. Christine Walker  
Position: Assistance Superintendent, Business Services  
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**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 3066647

Waiver Number: 9-5-2014

Active Year: 2014

Date In: 5/13/2014 7:36:38 AM

Local Education Agency: Placentia-Yorba Linda Unified School District  
Address: 1301 East Orangethorpe Ave.  
Placentia, CA 92870

Start: 8/1/2013

End: 7/1/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties

Ed Code Title: Over Limit on Grades 1-3

Ed Code Section: portions of 41376 (a) (c) and (d)

Ed Code Authority: 41382

Ed Code or *CCR* to Waive: The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district:

(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class.

For those districts which do not have any classes with an enrollment in excess of [32] 33 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of [32] 33 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.

(b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner:

(1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board.

(2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year.

(3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above.

(c) He shall compute the product obtained by multiplying the excess number of pupils, if any,

under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year.

(d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section

Outcome Rationale: As part of an ongoing effort to manage the statewide financial crisis, the district established staffing ratios in a manner that that pushed classes extremely close to established maximums under educational code 41376. During the 2013-2014 school year the established maximum class size for any class in the 1-3 grade range was 32.

The district and school sites monitor class size in order to avoid classes going over this maximum pupil number. During the 2013-14 school year the district maintained 172 classes within the acceptable range, with a district-wide average of 29.38. The district is respectfully requesting to temporarily increase the maximum allowable class size in grades 1-3 from 32 to 33. This waiver is being sought in order to account for one class that averaged 32.57 during the 7 month monitoring period. This .08 overage and the resulting penalty would result in the loss of \$628,945.20 funding to the district. Such a loss of funding will greatly impact the district's ability to improve instruction in reading and mathematics

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see EC 41382)

A potential penalty of \$628,945 could be incurred by the district without this waiver.

Student Population: 25078

City Type: Suburban

Local Board Approval Date: 5/6/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Mr. Robert Kent  
Position: Assistant Superintendent  
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Telephone: 714-985-8410 x82406  
Fax:

Bargaining Unit Date: 04/17/2014  
Name: Association of Placentia Linda Educators APLE  
Representative: Linda Manion  
Title: President APLE  
Position: Support  
Comments:

**California Department of Education**  
**WAIVER SUBMISSION - Specific**

CD Code: 5672603

Waiver Number: 26-5-2014

Active Year: 2014

Date In: 5/23/2014 8:07:57 AM

Local Education Agency: Simi Valley Unified School District  
Address: 875 East Cochran  
Simi Valley, CA 93065

Start: 7/1/2013

End: 6/30/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Class Size Penalties

Ed Code Title: Over Limit on Grades 1-3

Ed Code Section: portions of 41376 (a) (c) and (d)

Ed Code Authority: 41382

Ed Code or *CCR* to Waive: *EC* 41376 (a)(c) and (d) The Superintendent of Public Instruction, in computing apportionments and allowances from the State School Fund for the second principal apportionment, shall determine the following for the regular day classes of the elementary schools maintained by each school district: [(a) For grades 1 to 3, inclusive, he shall determine the number of classes, the number of pupils enrolled in each class, the total enrollment in all such classes, the average number of pupils enrolled per class, and the total of the numbers of pupils which are in excess of thirty (30) in each class. For those districts which do not have any classes with an enrollment in excess of 32 and whose average size for all the classes is 30.0 or less, there shall be no excess declared. For those districts which have one or more classes in excess of an enrollment of 32 or whose average size for all the classes is more than 30, the excess shall be the total of the number of pupils which are in excess of 30 in each class having an enrollment of more than 30.] (b) For grades 4 to 8, inclusive, he shall determine the total number of pupils enrolled, the number of full-time equivalent classroom teachers, and the average number of pupils per each full-time equivalent classroom teacher. He shall also determine the excess if any, of pupils enrolled in such grades in the following manner: (1) Determine the number of pupils by which the average number of pupils per each full-time equivalent classroom teacher for the current fiscal year exceeds the greater of the average number of pupils per each full-time equivalent classroom teacher in all the appropriate districts of the state, as determined by the Superintendent of Public Instruction, for October 30, 1964, or the average number of pupils per each full-time equivalent classroom teacher which existed in the district on either October 30, 1964 or March 30, 1964, as selected by the governing board. (2) Multiply the number determined in (1) above by the number of full-time equivalent classroom teachers of the current fiscal year. (3) Reduce the number determined in (2) above by the remainder which results from dividing such number by the average number of pupils per each full-time equivalent teacher for October 30, 1964, as determined by the Superintendent of Public Instruction in (1) above. [(c) He shall compute the product obtained by multiplying the excess number of pupils, if any, under the provisions of subdivision (a) of this section by ninety-seven hundredths (0.97), and shall multiply the product so obtained by the ratio of statewide change in average daily attendance to district change in average daily attendance. Change in average

daily attendance shall be determined by dividing average daily attendance in grades 1, 2 and 3 reported for purposes of the first principal apportionment of the current year by that reported for purposes of the first principal apportionment of the preceding year. (d) If the school district reports that it has maintained, during the current fiscal year, any classes in which there were enrolled pupils in excess of thirty (30) per class pursuant to subdivision (a) of this section, and there is no excess number of pupils computed pursuant to subdivision (b) of this section, he shall decrease the average daily attendance reported under the provisions of Section 41601 by the product determined under subdivision (c) of this section.]

Outcome Rationale: Initially the school made plans to staff for one 3rd grade classroom. As enrollment increased for that grade level; the teacher agreed to leave her class size at 34:1. The teacher felt this was a manageable class and a good fit for those students. She did not want to see the class split into a combination class. Administration determined this was the most effective and efficient class size at that school for the that class level.

Yes. A principal may recommend to the governing board or the governing board of the school district may adopt a resolution determining that an exemption should be granted from any of the provisions of Section 41376 and 41378, with respect to such core classes on the basis that such provisions prevent the school and school district from developing more effective education programs to improve instruction in reading and mathematics. (Required see EC 41382)

A potential penalty of \$40,500 could be incurred by the district without this waiver.

Student Population: 18353

City Type: Suburban

Local Board Approval Date: 5/20/2014

Audit Penalty YN: N

Categorical Program Monitoring: N

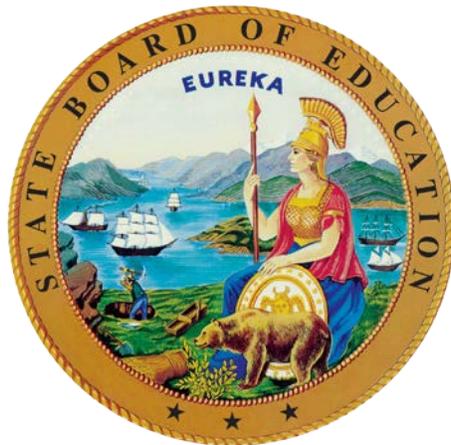
Submitted by: Mr. Ron Todo

Position: Assistant Superintendent Educational Services

E-mail: [ron.todo@simivalleyusd.org](mailto:ron.todo@simivalleyusd.org)

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# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **WAIVER ITEM W-17**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

**General Waiver**

<p><b>SUBJECT</b></p> <p>Request by three local educational agencies to waive portions of California <i>Education Code</i> Section 52055.740(a), regarding class size reduction requirements under the Quality Education Investment Act.</p> <p>Waiver Numbers: Hilmar Unified School District 17-5-2014 River Delta Joint Unified School District 11-5-2014 San Francisco Unified School District 15-6-2014</p>	<p><input checked="" type="checkbox"/> <b>Action</b></p> <p><input checked="" type="checkbox"/> <b>Consent</b></p>
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#### **SUMMARY OF THE ISSUES**

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See Attachments 1, 3, and 5 for details.

**Authority for Waiver:** *Education Code (EC)* Section 33050

#### **RECOMMENDATION**

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**Approval**  **Approval with conditions**  **Denial**

See Attachments 1, 3, and 5 for details.

#### **SUMMARY OF KEY ISSUES**

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##### **Class Size Reduction**

Schools participating in the Quality Education Investment Act (QEIA) program were monitored by their county offices of education for compliance with program requirements for the first time at the end of the 2008–09 school year. At that time, local educational agencies were required to demonstrate one-third progress toward full implementation of program requirements. Monitoring for compliance with second-year program requirements was completed to ensure that schools made two-thirds progress toward full implementation in the 2009–10 school year. QEIA schools were required to demonstrate full compliance with all program requirements at the end of the 2010–11 school year.

QEIA schools are required to reduce class sizes by 5 students compared to class sizes in the base year (either 2005–06 or 2006–07), or to an average of 25 students per classroom, whichever is lower, with no more than 27 students per classroom regardless

of the average classroom size. The calculation is done by grade level, as each grade level has a target average class size based on QEIA class size reduction (CSR) rules. For small schools with a single classroom at each grade level, some grade level targets may be very low. If, for example, a school had a single grade four classroom of 15 students in 2005–06, the school's target QEIA class size for grade four is 10 students. Absent a waiver, an unusually low grade level target may result in a greater number of combination classes at the school, or very small classes at the grade level, which is prohibitively costly and may result in withdrawal or termination from the program.

QEIA schools are required to not increase any other (non-core) class sizes in the school above the size used during the 2005–06 school year.

**Because this is a general waiver, if the SBE decides to deny the waiver, it must cite one of the seven reasons in EC 33051(a), available at [http://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=EDC&sectionNum=33051](http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=33051).**

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The California Department of Education (CDE) has previously presented requests to the State Board of Education (SBE) to waive the CSR target as defined by QEIA. Over 90 percent of CSR waiver requests previously presented have requested adjusted class size averages of 25.0 or lower, and have indicated a commitment to meeting that target for the life of the grant; because of the current fiscal climate, these have been approved by the SBE. A small number of CSR waiver requests have proposed CSR targets above 25.0; these have been denied. However, it is noted that QEIA is supplemental funding. Therefore, the CDE will continue to weigh QEIA CSR in the context of fiscal changes. If class sizes are generally decreased in the coming year, the CDE would expect proportional decreases in QEIA class sizes.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There are no statewide costs as a result of waiver approval. If the waiver is denied, the school must implement the CSR targets based on statute requirements to stay in the program. Any school in the program not meeting those targets will risk the loss of future funding. The QEIA statute calls for any undistributed annual QEIA funding to be redistributed to other schools currently in the program (no new schools are funded).

#### **ATTACHMENT(S)**

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- Attachment 1: Hilmar Unified School District Request 17-5-2014 for a Quality Education Investment Act Class Size Reduction Waiver (2 Pages)
- Attachment 2: Hilmar Unified School District General Waiver Request 17-5-2014 (4 Pages) (Original waiver request is signed and on file in the Waiver Office.)

- Attachment 3: River Delta Joint Unified School District Request 11-5-2014 for a Quality Education Investment Act Class Size Reduction Waiver (2 Pages)
- Attachment 4: River Delta Joint Unified School District General Waiver Request 11-5-2014 (2 Pages) (Original waiver request is signed and on file in the Waiver Office.)
- Attachment 5: San Francisco Unified School District Request 15-6-2014 for a Quality Education Investment Act Class Size Reduction Waiver (1 Page)
- Attachment 6: San Francisco Unified School District General Waiver Request 15-6-2014 (3 Pages) (Original waiver request is signed and on file in the Waiver Office.)

**Waiver Number:** 17-5-2014

**Period of Request:** July 1, 2014, to June 30, 2015  
**Period Recommended:** July 1, 2014, to June 30, 2015

Merquin Elementary School  
Hilmar Unified School District

**CDS Code:** 24 65698 6025472

### **Local Educational Agency Request:**

Hilmar Unified School District (USD) is a rural district located in Merced County with a student population of approximately 2,247 students. Merquin Elementary School (ES) serves 150 students in kindergarten and grades one through five. Monitoring performed by the Merced County Office of Education indicates that the class size reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were fully met by Merquin ES in school year 2012–13 through a previous waiver, but the district is asking for a continuance of the QEIA CSR targets for school year 2014–15. Based on the previous waiver, the school's current QEIA CSR targets for core classes of English, mathematics, history-social science, and science are 24.0 in kindergarten and grades one through three, and an average of 25.0 in grades four and five.

Hilmar USD states that due to the excessively low CSR targets in grades four and five, unstable enrollment, and budget constraints, maintaining class size requirements has been an ever increasing challenge. The district explains that during 2005–06, when base class size average was being established, Merquin ES had an atypical “bubble” of grade four and five students that forced the creation of a combination class, thus dropping the student enrollment in each class. The district states that as a result, instead of having what should have been 25.1 targets, the classes had unnatural targets of 20.0 and below. Furthermore, the district states that the school is composed predominantly of English learners from low income and migrant families, resulting in a high mobility rate. Lastly, the district states that it has reached a point where it can no longer sustain the QEIA general fund encroachment required to fund the necessary teachers to meet such low CSR targets.

Hilmar USD requests a waiver of the QEIA CSR targets for kindergarten and grades one through five at Merquin ES for school year 2014–15, and the continuance of the alternative CSR targets of 24.0 students per class in core classes in kindergarten and grades one through three, and 25.0 students on average in core classes in grades four and five.

### **California Department of Education Recommendation and Conditions:**

The California Department of Education (CDE) supports Hilmar USD's request to increase its QEIA CSR targets for kindergarten and grades one through five at Merquin ES for school year 2014–15.

The CDE recommends approval with the following conditions: (1) Applies only to kindergarten and grades one through five at Merquin ES for school year 2014–15; (2) Merquin ES continues its enrollment of 24.0 students per class in core classes in kindergarten and grades one through three, and 25.0 students on average in core classes in grades four and five; (3) No core class in grades four and five may exceed 27 students per classroom regardless of the average classroom size; and (4) Within 30 days of approval of this waiver, Hilmar USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now

available, if any, through this waiver of the CSR requirement.

Reviewed by Merquin ES Schoolsite Council on May 1, 2014.

Neutral position by Hilmar Unified Teachers Association, April 7, 2014.

**Local Board Approval:** May 13, 2014.

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 2465698

Waiver Number: 17-5-2014

Active Year: 2014

Date In: 5/19/2014 11:25:30 AM

Local Education Agency: Hilmar Unified School District  
Address: 7807 North Lander Ave.  
Hilmar, CA 95324

Start: 7/1/2014

End: 6/30/2015

Waiver Renewal: Y

Previous Waiver Number: 30-2-2013-W-24      Previous SBE Approval Date: 5/8/2013

Waiver Topic: Quality Education Investment Act  
Ed Code Title: Class Size Reduction Requirements  
Ed Code Section: 52055.740(a)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: 52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

[(1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in 2006-07.

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of self-contained classrooms in that grade at the schoolsite. If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph. A school that receives funding under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.]

Outcome Rationale: Please see Attachment

Student Population: 150

City Type: Rural

Public Hearing Date: 5/13/2014

Public Hearing Advertised: Posting at schools and in the community (more than 3 postings)

Local Board Approval Date: 5/13/2014

Community Council Reviewed By: Merquin Elementary Schoolsite Council  
Community Council Reviewed Date: 5/1/2014  
Community Council Objection: N  
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Cecilia Areias  
Position: Categorical Program Coordinator  
E-mail: [careias@hilmar.k12.ca.us](mailto:careias@hilmar.k12.ca.us)  
Telephone: 209-669-5463  
Fax: 209-664-0639

Bargaining Unit Date: 04/07/2014  
Name: Hilmar Unified Teachers' Association (HUTA)  
Representative: Dick Piersma  
Title: President  
Position: Neutral  
Comments:

## Attachment

Merquin Elementary School is a small rural school in the Hilmar Unified School District. The K-5 school is approximately 10 miles away from the rest of the district's 4 campuses. Merquin has seen many positive changes over the years due to the involvement of the QEIA Program. As a result, the school has seen steady increases in the academic growth rate of the Academic Performance Index (API). However, due to recent budget constraints, unstable enrollment, and the excessively low CSR targets in 4<sup>th</sup> and 5<sup>th</sup> grade (15.5:1 in 4<sup>th</sup> grade and 20:1 in 5<sup>th</sup> grade), maintaining class size requirements has been an ever increasing challenge.

### Very Low CSR Target in 4<sup>th</sup> and 5<sup>th</sup> Grade:

During the 2005-2006 school year, in which the Base Class Size Average was established, Merquin Elementary School had an atypical "bubble" of 4<sup>th</sup> and 5<sup>th</sup> graders which forced the creation of a 4<sup>th</sup>/5<sup>th</sup> combination which had not existed the prior year. If the district had not created that combination class, the 4<sup>th</sup> grade class would have had 39 students in it, and the 5<sup>th</sup> grade class would have had 31 students (creating QEIA class size targets of 25 for 4<sup>th</sup> and 5<sup>th</sup> grade, respectively). But, since the district added a teacher and created a combination 4<sup>th</sup>/5<sup>th</sup> class, dropping the student enrollment in each class to: 25 in 4<sup>th</sup>, 25 in 5<sup>th</sup>, and 20 in the 4<sup>th</sup>/5<sup>th</sup> combination (enrollment numbers well below the 28.5 average at the district's other elementary school). These low student counts resulted in the following CSR targets for Merquin: 17.5 in 4<sup>th</sup> grade and 20 in 5<sup>th</sup> grades.

### Unstable Enrollment:

Merquin Elementary School is a small, rural school with unstable student enrollment that can fluctuate anywhere between 19 and 39 students in a given grade level. The school is composed predominantly of English Learners from low income and migrant families, resulting in a high mobility rates. On average, only 50% of students who start kindergarten at Merquin stay there through 5<sup>th</sup> grade. The constant coming and going of students throughout the school year makes it difficult to meet class size targets in all grade levels without creating combination classes (in some cases, after the school year has started).

### Budget Constraints:

Due to the recent financial crisis that faced California public schools, the Hilmar Unified School District has reached a point where it can no longer sustain the QEIA general fund encroachment required to fund the necessary teachers to meet such low CSR targets. The years of cuts and deferrals have led to deficit spending, which has been exacerbated further by the onset of declining enrollment.

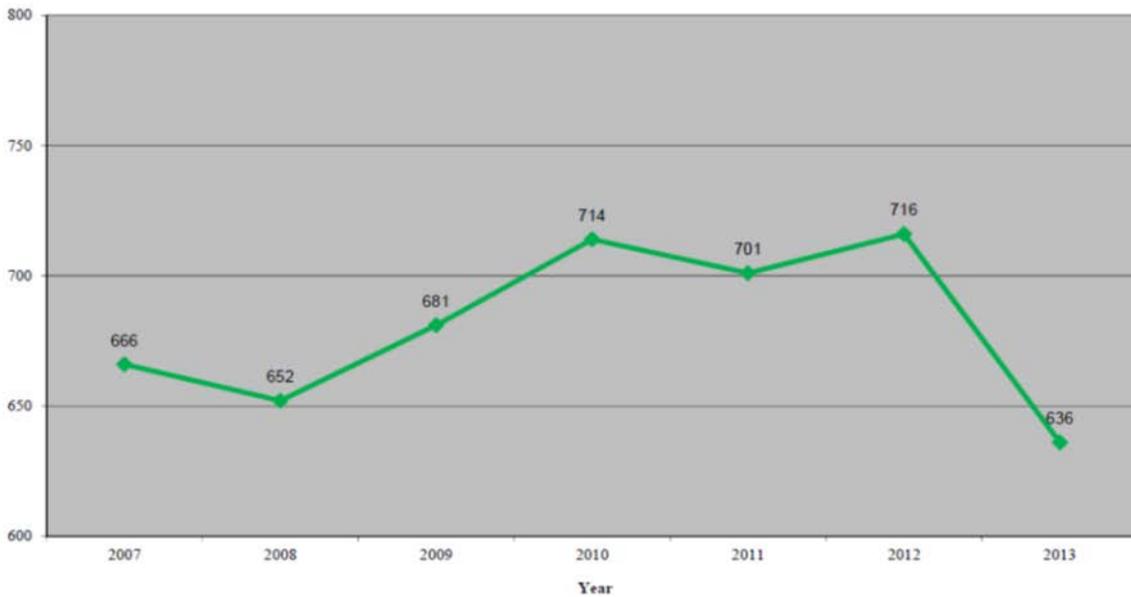
Hilmar Unified School District and Merquin Elementary School are requesting to establish an average of 25 students for all 4<sup>th</sup> and 5<sup>th</sup> grade classes combined and that no class in 4<sup>th</sup> to 5<sup>th</sup> grade exceed 27 students in any classroom for 2014-2015 and any future QEIA school years.

Hilmar Unified School District is also requesting that since the K-3 CSR Program targets of 20:1 were increased to 24:1 last year, that Merquin Elementary's QEIA K-3 targets

also be increased accordingly (from 20:1 to 24:1) for 2014-2015 and any future QEIA school years.

Through internal and external controls, Merquin Elementary School has been fully compliant with all QEIA program requirements for the past six years of implementation (07-08, 08-09, 09-10, 10-11, 11-12, 12-13). In addition, Merquin has made progress in narrowing the achievement gap of its significant subgroups and has generally made positive API school-wide growth. The chart below shows such growth from 2007 through 2013.

**API Growth  
Merquin Elementary**



Merquin Elementary School is committed to continued implementation of the QEIA program, in which significant gains in the API have already been realized. The school is requesting that the State Board of Education support the school's efforts and allow for an adjusted 4<sup>th</sup> and 5<sup>th</sup> grade QEIA class size reduction (average/target) of 25:1, and an adjusted QEIA class size target of 24:1 in K-3 (if the proposed K-3 CSR Program targets in the Governor's budget proposal go into effect).

**Waiver Number:** 11-5-2014

**Period of Request:** August 13, 2014, to June 5, 2015

**Period Recommended:** July 1, 2014, to June 30, 2015

Walnut Grove Elementary School  
River Delta Joint Unified School District

**CDS Code:** 34 67413 6033708

### **Local Educational Agency Request:**

River Delta Joint Unified School District (JUSD) is a rural district located in Sacramento County with a student population of approximately 2,299 students. Walnut Grove Elementary School (ES) serves 160 students in kindergarten and grades one through six. Monitoring performed by the Sacramento County Office of Education indicates that the class size reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were fully met by Walnut Grove ES in school year 2012–13 through a previous waiver, but the district is asking for a continuance of the QEIA CSR targets for school year 2014–15. Based on the previous waiver, the school's current QEIA CSR targets for core classes of English, mathematics, history-social science, and science are 22.0 in kindergarten and grades one and two; 24.0 in grade three; and an average of 24.0, 24.0, and 25.0 in grades four through six, respectively.

River Delta JUSD states that it is an isolated rural community with a small school. The district also states it foresees a need to increase class sizes as the targets were set during a year in which families removed their children from the school. The district further states that Walnut Grove ES is seeing an influx of students, and turning these students away displaces them from their own community and forces them to attend schools in neighboring towns. Uprooting the students from their cultural and social community, the district states, creates a hardship for families having to travel to attend their children's activities and meetings. In addition, the district states that because of the different CSR requirements per grade level, the school is often faced with the decision of splitting siblings as well, which is not beneficial or conducive for the families.

River Delta JUSD requests a waiver of the QEIA CSR targets for kindergarten and grades one through five at Walnut Grove ES for school year 2014–15; the establishment of alternative CSR targets of 24.0 students per class in core classes in kindergarten and grades one and two; and the continuance of the alternative CSR targets of 24.0 students per class in core classes in grade three, and 24.0 students on average in core classes in grades four and five.

### **California Department of Education Recommendation and Conditions:**

The California Department of Education (CDE) supports River Delta JUSD's request to increase its QEIA CSR targets for kindergarten and grades one through five at Walnut Grove ES for school year 2014–15.

The CDE recommends approval with the following conditions: (1) Applies only to kindergarten and grades one through five at Walnut Grove ES for school year 2014–15; (2) Walnut Grove ES increases enrollment to 24.0 students per class in core classes in kindergarten and grades one through three, and 24.0 students on average in core classes in grades four and five; (3) No core class in grades four through six may exceed 27 students per classroom regardless of the average classroom size; and (4) Within 30 days of approval of this waiver, River Delta JUSD must provide to the CDE a description, including costs

covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Walnut Grove ES Schoolsite Council on April 30, 2014.

Supported by River Delta Unified Teacher's Association, May 12, 2014

**Local Board Approval:** May 13, 2014.

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3467413

Waiver Number: 11-5-2014

Active Year: 2014

Date In: 5/14/2014 9:28:29 AM

Local Education Agency: River Delta Joint Unified School District  
Address: 445 Montezuma St.  
Rio Vista, CA 94571

Start: 8/13/2014

End: 6/5/2015

Waiver Renewal: Y

Previous Waiver Number: 20-11-2012-W-21 Previous SBE Approval Date: 3/14/2013

Waiver Topic: Quality Education Investment Act  
Ed Code Title: Class Size Reduction Requirements  
Ed Code Section: 520550.740(a)(b)  
Ed Code Authority: 33050

Ed Code or *CCR* to Waive: River Delta Unified School District requests that a portion of *Education Code (EC)* Section 52055.740 (a) be waived regarding the class size reduction requirements under the Quality Education Investment Act for Walnut Grove Elementary School. The River Delta Unified School District is requesting to waive *Education Code* section 52055.740 (C)(i), labeled below with the strike-out key.

52055.740. (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

[(A) For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).]

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

[(i) At least five pupils fewer per classroom than was the average in 2006-07.]

(ii) An average of 25 pupils per classroom.

[(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of self-contained classrooms in that grade at the school site. If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph.] A school that receives funding under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.

Outcome Rationale: River Delta Unified School District requests that a portion of *Education Code (EC)* Section 52055.740 (a)(b) regarding the class size reduction requirements under the Quality Education Investment Act (QEIA) be waived for Walnut Grove Elementary. The 2005-2006 school year was selected as our baseline year, and thus we were required to reduce class size to 20.4 in K-3, 19 in grade 4, 20 in grade 5 and 25 in grade 6. Lower class sizes have always been important to our District. Walnut Grove Elementary had a mass exodus out of the

school prior to QEIA. Due to administrative changes and QEIA supports among others, we are seeing an influx of students returning to their community school. We anticipate the need to increase class size as the targets were set during the year in which many families removed their children from the school. Our goal is to allow all students to return to their community school and increasing the CSR to 24 students in grades K-3, an average of 24 students in grades 4-6, not to exceed 27 students in any class.

It is important to note that we are an isolated rural community and small school. Overflowing students displaces them from their own community and forces them to attend school in a neighboring town. This uproots them from their cultural and social community and provides hardship for families to travel to a neighboring town to attend their children's activities and meetings. Because of the different CSR requirements per grade level, we are often faced with the decision of splitting siblings as well which is not beneficial or conducive for our families.

Student Population: 160

City Type: Rural

Public Hearing Date: 5/13/2014

Public Hearing Advertised: agendas posted on all schools, district office, and website

Local Board Approval Date: 5/13/2014

Community Council Reviewed By: School Site Council

Community Council Reviewed Date: 4/30/2014

Community Council Objection: N

Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Carrie Norris

Position: Principal

E-mail: [cnorris@riverdelta.k12.ca.us](mailto:cnorris@riverdelta.k12.ca.us)

Telephone: 916-776-1844

Fax: 916-776-2074

Bargaining Unit Date: 05/12/2014

Name: River Delta Unified Teacher's Association

Representative: Paul Delgado

Title: President

Position: Support

Comments:

**Waiver Number:** 15-6-2014

**Period of Request:** July 1, 2013, to June 29, 2014

**Period Recommended:** July 1, 2013, to June 30, 2014

Hillcrest Elementary School  
San Francisco Unified School District

**CDS Code:** 38 68478 6041156

**Local Educational Agency Request:**

San Francisco Unified School District (USD) is an urban district located in San Francisco County with a student population of approximately 57,620 students. Hillcrest Elementary School (ES) serves 448 students in kindergarten and grades one through five. Monitoring performed by the San Francisco County Office of Education indicates that the class size reduction (CSR) requirements of the Quality Education Investment Act (QEIA) were fully met by Hillcrest ES in school year 2012–13, but the district is asking for an alternative QEIA CSR target for school year 2013–14. The school's current QEIA CSR targets for core classes of English, mathematics, history-social science, and science are 20.44 in kindergarten and grades one through three, and an average of 17.5 and 21.7 in grades four and five, respectively.

San Francisco USD states that Hillcrest ES is challenged to maintain class size targets for grade four because of the very low class size target of 17.5, assigned to the grade at the onset of the program. In addition, the district states that although Hillcrest ES has met all other QEIA targets, including exceeding the schoolwide Academic Performance Index target, the class size average in grade four increased to 18.67 in 2013–14.

San Francisco USD requests a waiver of the QEIA CSR target for grade four at Hillcrest ES for school year 2013–14, and the establishment of an alternative CSR target of 20.4 students on average in core classes in grade four.

**California Department of Education Recommendation and Conditions:**

The California Department of Education (CDE) supports San Francisco USD's request to waive the QEIA CSR requirement for grade four at Hillcrest ES for school year 2013–14.

The CDE recommends approval with the following conditions: (1) Applies only to grade four at Hillcrest ES for school year 2013–14; (2) Hillcrest ES increases enrollment to 20.4 students on average in core classes in grade four; (3) No core class in grades four and five may exceed 27 students per classroom regardless of average classroom size; and (4) Within 30 days of approval of this waiver, San Francisco USD must provide to the CDE a description, including costs covered by QEIA funds, of professional development activities and any other school improvement activities added to the school improvement plan as a result of the additional funding now available, if any, through this waiver of the CSR requirement.

Reviewed by Hillcrest ES Schoolsite Council on May 19, 2014.

Supported by the United Educators of San Francisco, June 2, 2014.

**Local Board Approval:** June 10, 2014.

**California Department of Education**  
**WAIVER SUBMISSION - General**

CD Code: 3868478

Waiver Number: 15-6-2014

Active Year: 2014

Date In: 6/12/2014 4:40:24 PM

Local Education Agency: San Francisco Unified School District  
Address: 555 Franklin St.  
San Francisco, CA 94102

Start: 7/1/2013

End: 6/29/2014

Waiver Renewal: N

Previous Waiver Number:

Previous SBE Approval Date:

Waiver Topic: Quality Education Investment Act  
Ed Code Title: Class Size Reduction Requirements  
Ed Code Section: 52055.740(a)  
Ed Code Authority: 33050

Ed Code or CCR to Waive: EC 52055.740 (a) For each funded school, the county superintendent of schools for the county in which the school is located shall annually review the school and its data to determine if the school has met all of the following program requirements by the school by the end of the third full year of funding:

(1) Meet all of the following class size requirements:

(A) For kindergarten and grades 1 to 3, inclusive, no more than 20 pupils per class, as set forth in the Class Size Reduction Program (Chapter 6.10 (commencing with Section 52120)).

(B) For self-contained classrooms in grades 4 to 8, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

[ (i) At least five pupils fewer per classroom than was the average in 2006-07.]

(ii) An average of 25 pupils per classroom.

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of self-contained classrooms in that grade at the school site. If the self-contained classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph. A school that receives funding under this article shall not have a self-contained classroom in grades 4 to 8, inclusive, with more than 27 pupils regardless of its average classroom size.

(C) For classes in English language arts, reading, mathematics, science, or history and social science courses in grades 4 to 12, inclusive, an average classroom size that is the lesser of clause (i) or (ii), as follows:

(i) At least five pupils fewer per classroom than was the average in 2006-07.

(ii) An average of 25 pupils per classroom

(iii) For purposes of this subparagraph, average classroom size shall be calculated at the grade level based on the number of subject-specific classrooms in that grade at the school site. [If the subject-specific classrooms at the school averaged fewer than 25 pupils per classroom during the 2005-06 school year, that lower average shall be used as the "average in 2006-07" for purposes of this subparagraph.] A school that receives funding under this article shall not have a class in English language arts, reading, mathematics, science, or history and social

science in grades 4 to 12, inclusive, with more than 27 pupils regardless of its average classroom size.

Outcome Rationale: We request an adjustment to the QEIA regulation for class size reduction (CSR) achievement for Hillcrest Elementary School. In 2013-2014, Hillcrest has an enrollment of 448 students, 85.04% qualify for free or reduced lunch and 63.84% are English Learners.

The challenge for Hillcrest has been maintaining class size target for the 4th grade. Low enrollment at the onset of QEIA resulted in very low class size targets:

Grade: Target/Avg. to Date

K: 20.4/19.0

1: 20.4/20.0

2: 20.4/16.75

3: 20.4/20.0

4: 17.50/18.67

5: 21.70/20.33

While Hillcrest has maintained class size averages in most grades for 2013-14, however the class size average for 4th grade is currently at 18.67 which is slightly over the target of 17.50. Hillcrest has met all other QEIA targets, including exceeding the school wide API target with a 33 point growth in the 2012-13 school year. Hillcrest's API has increased from 663 in 2006-07 to 756 in 2012-13.

We ask that the class size targets for grade 4 be raised up to but not to exceed 20.4 at Hillcrest Elementary School. This target adjustment would still offer small class sizes at the site, with class size average across all grades below 25, and allow for primary grade matriculation into 4th and 5th grade.

Student Population: 448

City Type: Urban

Public Hearing Date: 6/10/2014

Public Hearing Advertised: email, website and office posting

Local Board Approval Date: 6/10/2014

Community Council Reviewed By: Schoolsite Council

Community Council Reviewed Date: 5/19/2014

Community Council Objection: N

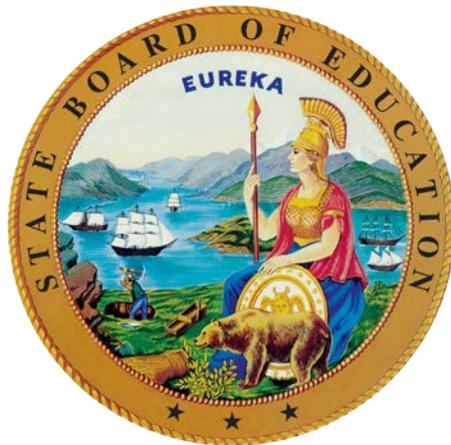
Community Council Objection Explanation:

Audit Penalty YN: N

Categorical Program Monitoring: N

Submitted by: Ms. Jill Hoogendyk  
Position: Executive Director  
E-mail: [hoogendykj@sfusd.edu](mailto:hoogendykj@sfusd.edu)  
Telephone: 415-379-7618  
Fax:

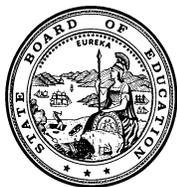
Bargaining Unit Date: 06/02/2014  
Name: United Educators of San Francisco  
Representative: Dennis Kelly  
Title: President  
Position: Support  
Comments:



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 06**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Update of the <i>History–Social Science Framework for California Public Schools</i> : Revised Timeline and Guidelines.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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Pursuant to Senate Bill 1540 (Chapter 288, Statutes of 2012), the State Board of Education (SBE) is authorized to complete work on the updated *History–Social Science Framework for California Public Schools (History–Social Science Framework)* that was suspended in 2009. The revised timeline presented for action in this item establishes a schedule of events for the project that is consistent with that statute and other curriculum frameworks currently under development. The revised guidelines update those originally adopted by the SBE in November 2008.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the SBE approve the revised timeline and guidelines for the completion of the *History–Social Science Framework for California Public Schools*.

#### **BRIEF HISTORY OF KEY ISSUES**

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The *History–Social Science Framework* was in the middle of a major update in July 2009 when the Legislature passed, and the Governor signed, Assembly Bill X4 2. The law suspended all work on instructional materials adoptions and curriculum framework development until July 1, 2013. The suspension was subsequently extended by SB 70 until July 1, 2015.

When the suspension took effect, the draft-updated framework had just been approved by the Curriculum Development and Supplemental Materials Commission (later renamed the Instructional Quality Commission [IQC]) for the first of two public field reviews required by the *California Code of Regulations*, Title 5 (5 CCR), Section 9515.

In 2012, SB 1540 authorized the SBE to complete work on the framework, with the stipulation that the project could only resume once the new frameworks in mathematics and English language arts were completed. The new *Mathematics Framework for*

*California Public Schools* was adopted by the SBE at its November 2013 meeting, while the new *English Language Arts/English Language Development Framework for California Public Schools* was adopted by the SBE at its July 2014 meeting.

The recommended changes to the timeline for the update of the *History–Social Science Framework* outline the events that have to happen consistent with SB 1540 and provisions of the *Education Code and 5 CCR* that govern the framework development process. The timeline anticipates final SBE action on the *History–Social Science Framework* in May 2015.

The revised guidelines incorporate statutory changes that have taken effect since the update was suspended in July 2009. Because the Curriculum Framework and Evaluation Criteria Committee (CFCC) has already completed its work and produced a draft, the revised guidelines will primarily serve to direct the work of the IQC as it conducts the first field review of the *History–Social Science Framework* and prepares the updated draft for recommendation to the SBE.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**March 12, 2008:** The SBE took action to approve the update plan, timeline, and CFCC application for the update of the *History–Social Science Framework*.

**November 5, 2008:** The SBE appointed 20 members to the CFCC and approved guidelines for the framework update.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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SB 1540 provided no additional funding for the completion of the *History–Social Science Framework*. If outside funding is provided, the CDE may work with an outside writer to help develop proposed revisions to the framework draft that incorporate civic education, the Common Core State Standards, and changes in statute that have been implemented since work on the draft was suspended in July 2009. Any such proposed revisions would be reviewed and approved in the public meetings of the IQC as noted in the schedule of events originally approved by the SBE and proposed modifications in Attachment 1. The remaining work, including the two field reviews required by 5 CCR and the meetings of the IQC related to the framework, will be funded out of the existing operating budget of the CDE and IQC.

## **ATTACHMENT(S)**

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Attachment 1: Revised Schedule of Significant Events for the Update of the *History–Social Science Framework* (4 Pages)

Attachment 2: Revised Guidelines for the Update of the *History–Social Science Framework* (7 Pages)

Timeline for Update of the *History–Social Science Framework for California Public Schools*

**Approved by the State Board of Education on March 12, 2008; Updated on November 5, 2008**

**Recommended Changes for 2014–15, Pursuant to Senate Bill 1540 (Chapter 288, Statutes of 2012)**

Proposed additions are italicized; proposed deletions are struck through. The bracketed comments have been added to conform to CDE Web posting accessibility requirements.

Event	Schedule
Curriculum Commission takes action on update plan, timeline, and Curriculum Framework and Evaluation Criteria Committee (CFCC) application	January 24–25, 2008
State Board of Education (SBE) takes action on update plan, timeline, and CFCC application	March 12–13, 2008
Recruitment of CFCC members (at least 90 days per 5 CCR 9513)	March 20, 2008–September 3, 2008
Focus Groups held to solicit public input on the framework update <ul style="list-style-type: none"> <li>• Bay Area</li> <li>• Sacramento</li> <li>• Los Angeles Area</li> <li>• San Diego Area</li> </ul>	May–June, 2008
Curriculum Commission reviews applications and makes recommendations on CFCC members	September 24–26, 2008
SBE action on CFCC recommendations	November 5–6, 2008
CFCC meets approximately every four weeks, for a total of five meetings to draft framework	February 5–6, 2009 March 4–5, 2009 April 2–3, 2009 April 30–May 1, 2009 June 4–5, 2009
<i>Work on draft suspended pursuant to Assembly Bill X4 2</i>  <i>[The preceding event has been italicized and it is proposed as an addition.]</i>	<i>July 2009</i>  <i>[The preceding date has been italicized and it is a proposed addition.]</i>

Event	Schedule
<p><i>Work on draft resumes pursuant to Senate Bill 1540</i></p> <p><i>[The preceding event has been italicized and it is proposed as an addition.]</i></p>	<p><i>July 2014</i></p> <p><i>[The preceding date has been italicized and it is a proposed addition.]</i></p>
<p><del>Curriculum</del> <i>Instructional Quality</i> Commission approves draft Framework for field review</p> <p><i>[Note that the word “Curriculum” in the preceding event has strikethrough and is proposed for deletion. The words “Instructional Quality” have been italicized and are proposed as an addition.]</i></p>	<p><del>July 2009</del> (additional meeting) <i>September 18–19, 2014</i></p> <p><i>[The preceding date, July 2009 has been proposed for deletion. The new proposed date is September 18–19, 2014.]</i></p>
<p>60-day field review of draft Framework (required by CCR 9515)</p>	<p><del>August–</del> <del>September–</del> <del>November 2009</del> <i>2014</i></p> <p><i>[The preceding date, August–September 2009 has been proposed for deletion. The new proposed date is September–November 2014.]</i></p>
<p><del>Curriculum</del> <i>Instructional Quality</i> Commission analyzes field review results and revises draft framework</p> <p><i>[Note that the word “Curriculum” in the preceding event has strikethrough and is proposed for deletion. The words “Instructional Quality” have been italicized and are proposed as an addition.]</i></p>	<p><del>September 2009</del> <del>December 2014–</del> <del>January 2015</del></p> <p><i>[The preceding date, September 2009 has been proposed for deletion. The new proposed date is</i></p>

Event	Schedule
	<del>December 2014– January 2015.]</del>
<p><del>Curriculum</del> <i>Instructional Quality</i> Commission holds hearings and takes action on draft framework/sends recommendation to SBE</p> <p><i>[Note that the word “Curriculum” in the preceding event has strikethrough and is proposed for deletion. The words “Instructional Quality” have been italicized and are proposed as an addition.]</i></p>	<p><del>November 2009</del> <i>February 5–6, 2015</i></p> <p><i>[The preceding date, November 2009 has been proposed for deletion. The new proposed date is February 5–6, 2015.]</i></p>
<p>Required 60-day period for public review and comment on <del>Curriculum</del> <i>Instructional Quality</i> Commission’s recommended framework (CCR 9515)</p> <p><i>[Note that the word “Curriculum” in the preceding event has strikethrough and is proposed for deletion. The words “Instructional Quality” have been italicized and are proposed as an addition.]</i></p>	<p><del>December 2009– January 2010</del> <i>February–March 2015</i></p> <p><i>[The preceding dates, December 2009–January 2010 have been proposed for deletion. The new proposed date is February–March 2015.]</i></p>
<p>SBE receives <del>Curriculum</del> <i>Instructional Quality</i> Commission recommendation, holds public hearing and acts on draft framework</p> <p><i>[Note that the word “Curriculum” in the preceding event has strikethrough and is proposed for deletion. The words “Instructional Quality” have been italicized and are proposed as an addition.]</i></p>	<p><del>March 2010 (final action in May 2010, if necessary)</del> <i>May 2015</i></p> <p><i>[The preceding date, March 2010, has been proposed for deletion. The new proposed date is May 2015.]</i></p>
<p>Document Preparation</p>	<p><del>Fall 2010</del> <i>Summer 2015</i></p> <p><i>[The preceding date, Fall 2010 has been proposed for deletion. The new</i></p>

Event	Schedule
	<i>proposed date is Summer 2015.]</i>
Final Publication	Winter <del>2010</del> 2015  <i>[The preceding date, Winter 2010 has been proposed for deletion. The new proposed date is Winter 2015.]</i>

## ***Curriculum Framework and Evaluation Criteria Committee Guidelines for History–Social Science Framework for California Public Schools Update***

### **Recommended Changes for 2014–15, Pursuant to Senate Bill 1540 (Chapter 288, Statutes of 2012)**

Proposed additions are italicized; proposed deletions are struck through. The bracketed comments have been added to conform to CDE Web posting accessibility requirements.

The following guidelines are based on statutory requirements, information provided to the Curriculum Development and Supplemental Materials Commission (*now renamed the Instructional Quality Commission*) and the State Board of Education (SBE) at their January and March 2008 meetings respectively, feedback from the four focus group meetings held in May and June 2008, and public comment. They were adopted by the SBE at its meeting on November 5, 2008. [*The phrase “(now renamed the Instructional Quality Commission)” is italicized and is proposed as an addition.*]

The guidelines recommended by the Curriculum Commission and approved by the SBE ~~will~~ directed the work of the Curriculum Framework and Evaluation Criteria Committee (CFCC) *when it completed its work in February–June 2009*. [*Note that the word “will” has strikethrough and it is proposed for deletion. The suffix “ed” has been added to the word “direct” and is proposed as an addition. The words “when it completed its work in February–June 2009” is italicized and is proposed as an addition.*]

#### **1. General principles. The updated *History–Social Science Framework for California Public Schools (History–Social Science Framework)* shall:**

- Retain its narrative format.
- Keep the basic overarching goals and objectives of the current *History–Social Science Framework*.
- Be aligned to the state-adopted history–social science standards adopted by the SBE in October 1998.
- Include accurate information based on current and confirmed research.
- When appropriate, follow the organization and design of other standards-based frameworks.
- Be easy to use both for teachers with educational backgrounds in history–social science, and those without such experience.
- Include information that supports the development of academic vocabulary.
- Be accessible and inclusive to all students.

- Promote the values of civic engagement and civic responsibility.
- The *History–Social Science Framework* should address the “big picture” by taking a look at global perspectives at particular eras in time (using broad, synthetic statements).
- *Align to the Literacy Standards for History/Social Studies within the California Common Core State Standards for English Language Arts and Literacy in History/Social Studies, Science, and Technical Subjects, as appropriate. [The preceding bullet is italicized and proposed for addition.]*

**2. Develop a new chapter on assessments, including information on entry-level/diagnostic, progress monitoring, and summative assessments, that inform teachers on how to use assessments to shape instruction.**

~~The CFCC should use as a model Chapter 6 in the *Reading/Language Arts Framework for California Public Schools, Kindergarten through Grade Twelve (Reading/Language Arts Framework)*, with adaptations for those elements that are unique to history–social science instruction. [The preceding sentence contains strikethrough and it is proposed for deletion]~~ The chapter should include the following information:

- Assessments should be based on multiple measures of student ability, and include a variety of techniques for various learning styles and levels of readiness.
- Guidance for teachers on how to use assessment data.
- The latest scholarly research on effective assessment strategies.
- Suggestions for performance assessments and other creative ways of assessing student mastery of the material.
- ~~Information about the current statewide assessment system in history–social science. [The preceding sentence contains strikethrough and it is proposed for deletion.]~~
- Examples of effective assessments and rubrics.
- Assessments should test student mastery of higher-order thinking skills, not just recitation of specific facts. The Historical and Social Sciences Analysis Skills should be an integral part of any assessment system.

**3. Develop a new chapter on universal access, which includes strategies for differentiating instruction to meet the needs of all students, including English language learners, students with disabilities, and advanced students. This chapter should support teachers in providing standards-aligned instruction to all learners to close the achievement gap.**

- ~~The CFCC should use as a model Chapter 7 in the *Reading/Language Arts Framework*, with adaptations for those elements that are unique to history–social science instruction. [The preceding sentence contains strikethrough and it is proposed for deletion.]~~ This chapter should include the following information:
- Suggestions for making academic vocabulary accessible to all students.
- Provide specific models of differentiating instruction.
- Provide specific support strategies for:
  - English language learners.
  - Advanced learners.
  - Students with disabilities.
  - Students with reading skills below grade level.
- Provide support for teachers in meeting the needs of students with diverse cultural and educational backgrounds.

**4. Develop a new chapter on instructional strategies and professional development, to provide guidance to both new and experienced teachers of history–social science.**

This new chapter should include the following information:

- Promote instructional strategies based on current and confirmed research that support student engagement in the history–social science curriculum.
- Provide support for the use of technology in the history–social science classroom.
- Provide examples of different methods of instruction.
- Provide support for a collaborative teaching model that encourages teachers to work with colleagues across subjects and grade levels.
- Provide resources on professional development opportunities.
- Provide information for district administrators to support the history–social science curriculum and instruction.
- Provide strategies for instruction that incorporate the history–social science analysis skills.

**5. Update the narrative to reflect current and confirmed scholarly research in history–social science, and changes in California, and the United States, and**

***the world* since the last edition of the *History–Social Science Framework* was published. [The commas after “California” and “States,” and the words “and the world” are italicized and proposed for addition. The word “and” after “California is strikethrough and proposed for deletion.]**

**6. Update the narrative to improve the inclusivity of the *History–Social Science Framework*, and to reflect the contributions of all groups to the history of California and United States.**

**Examples:**

- Include information about the *Mendez v. Westminster* court case, and its significance in the history of school desegregation.
- Insert a reference to Sikhism in the course description for the ninth-grade elective “World Religions.”

**7. Update the current appendices to reflect new scholarship and new emphases in history–social science education.**

- Either remove Appendix A (“Nationalism, Free Markets, and Democracy in the Contemporary World”), and integrate this material into the tenth grade narrative, or update with more relevant contemporary examples.
- Update and integrate the content of Appendix D (“The World History Sequence at Grades Six, Seven, and Ten: Content, Breadth/Depth, and Coverage Issues with Some Local Options”) into the narrative of the *History–Social Science Framework*.
- Remove Appendix E (“Examples of Careers in History–Social Science”) and incorporate information about the relevance of history–social science education to career paths into the narrative of the *History–Social Science Framework*.
- Update Appendix F (“Using Primary Sources in the Study of History”) and include information about the use of primary sources in all grades, including elementary.
- Remove Appendix G (“Bowling Alone: America’s Declining Social Capital”).
- Revise Appendix H (“History–Social Science and Service Learning”) or replace it with a broader emphasis on civic education throughout the *History–Social Science Framework*.
- ~~If possible, include the revised list of recommended literature in history–social science that is currently being updated by the California Department of Education on a CD-ROM attached to the *History–Social Science Framework*. This CD-ROM could also contain the primary source documents required to be included by~~

~~statute (see guideline #8 below).~~ *[The preceding sentences contain strikethrough and they are proposed for deletion.]*

- Consider adding new appendices based on the following:
  - The Environmental Principles and Concepts developed as part of the Education and the Environment Initiative
  - The Partnership for 21<sup>st</sup> Century Skills, and issues of technology in history education in general *(This issue was addressed in the body of the framework.)* *[The preceding parenthetical is in italics and is proposed for addition.]*

## 8. Statutory Requirements

The *History–Social Science Framework* update must reflect changes in statute affecting the history–social science curriculum that have been enacted since the last revision of the *History–Social Science Framework*, in addition to continuing statutes. These statutes specifically require that certain topics be referenced in the *History–Social Science Framework*. These include, but are not necessarily limited to, the following topics:

- ~~Financial preparedness~~ *literacy, including, but not limited to, budgeting and managing credit, student loans, consumer debt, and identity theft security (Education Code [EC] Section 51284) [Note that the word “preparedness” has strikethrough and it is proposed for deletion. The words, “literacy, including, but not limited to, budgeting and managing credit, student loans, consumer debt, and identity theft security” are italicized and are proposed for addition.]*
- The Great Irish Famine of 1845-1850 (EC Section 51226.3)
- Cesar Chavez and the history of the farm labor movement, *and the role of immigrants, including Filipino Americans, in that movement (EC Section 51008) [The words, “and the role of immigrants, including Filipino Americans, in that movement” are italicized and are proposed for addition.]*
- Inclusion of the Declaration of Independence, the United States Constitution, the Federalist Papers, the Emancipation Proclamation, the Gettysburg Address, ~~and~~ George Washington's Farewell Address, *the Magna Carta, the Articles of Confederation, and the California Constitution (EC Section 33540) [The words, “the Magna Carta, the Articles of Confederation, and the California Constitution” are italicized and are proposed for addition.]*
- *Encourage instruction that promotes an understanding of the governments of California and the United States of America, including, but not limited to, the development of democracy and the history of the development of the United States Constitution (EC Section 33540) [The sentence above is italicized and proposed for addition.]*

- *Description of how content can be delivered to intentionally build all of the following skills:*
  1. *Creativity and innovation, including, but not limited to, thinking creatively, working creatively with others, and implementing innovations*
  2. *Critical thinking and problem solving, including, but not limited to, reasoning effectively, using systems thinking, making judgments and decisions, and solving problems*
  3. *Collaboration, including, but not limited to, working effectively in diverse teams, adapting to change and being flexible, demonstrating initiative and self-direction, working independently, demonstrating productivity and accountability, and demonstrating leadership and responsibility*
  4. *Communication, including, but not limited to, communicating clearly and effectively through reading, writing, and speaking*
  5. *Construction and exploration of new understandings of knowledge through the integration of content from one subject area to another to provide pupils with multiple modes for demonstrating innovative learning. (EC 60207) [The five numbered items and the preceding sentence above are italicized and are proposed for addition.]*
  
- The Environmental Principles and Concepts developed by the California Environmental Protection Agency and adopted by the SBE (*Public Resources Code Section 71301*)

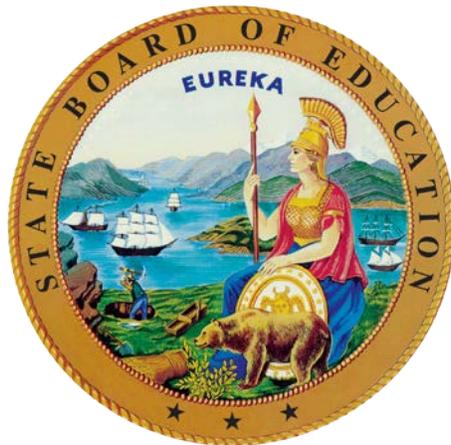
The ~~Curriculum~~ Commission and the SBE directs the CFCC to incorporate into the evaluation criteria for kindergarten through grade eight the following topics that are referenced in code that are required to be included in instructional materials. These topics include: *[Note that the word “Curriculum” has strikethrough and is proposed for deletion.]*

- *Information to guide the selection of textbooks that contain sections that highlight the life and contributions of Cesar Chavez, the history of the farm labor movement in the United States, and the role of immigrants, including Filipino Americans, in that movement (EC Section 51008). [The sentence above is italicized and proposed for addition.]*
  
- *Portrayal of the contributions of both genders, diverse ethnic and cultural groups, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and the role of entrepreneur and labor in the development of California and the United States (EC Section 60040). [The words “and cultural” and “lesbian, gay, bisexual, and transgender Americans, persons with disabilities” are italicized and proposed for addition.]*

- Humanity's place in ecological systems and the necessity for protection of our environment (*EC* Section 60041, and *Public Resources Code* Section 71301)
- Civics education, including material that impresses upon students the importance of American values and civic responsibilities (*EC* Section 60200.5)
- The life of Martin Luther King, Jr. (*EC* Section 60200.6)

The ~~Curriculum~~ Commission and the SBE recommend that the CFCC incorporate the following areas of study that are encouraged within code. *[Note that the word "Curriculum" has strikethrough and is proposed for deletion.]* These include:

- The Mexican Repatriation Program (Senate Concurrent Resolution 58, Chapter 128, Statutes of 2007)
- Labor History Week (*EC* Section 51009)
- Understanding the wise use of natural resources (*EC* Section 51221)
- Instruction on World War II, the Korean War, and the Vietnam War that incorporates oral or video history of American soldiers, *and instruction on the Bracero program that incorporates oral or video histories of individuals who were involved in that program* (*EC* Section 51221.3) *[Note that the words "and instruction on the Bracero program that incorporates oral or video histories of individuals who were involved in that program" are italicized and are proposed for addition.]*
- Instruction on the "Secret War" in Laos and the role of Southeast Asians in that war that includes personal testimony and oral/video histories. (*EC* Section 51221.4)
- Materials and content resources for teaching about civil rights, human rights violations, slavery, and the Holocaust (*EC* Section 51226.3)
- The federal Constitution Day requirement (118 Stat. 2809, 3344-45)



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 07**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b> STATE BOARD PROJECTS AND PRIORITIES. Including, but not limited to, future meeting plans; agenda items; and officer nominations and/or elections; State Board office budget, staffing, appointments, and direction to staff; declaratory and commendatory resolutions; Bylaw review and revision; Board policy; approval of minutes; Board liaison reports; training of Board members; and other matters of interest.	<input checked="" type="checkbox"/> <b>Action</b>  <input checked="" type="checkbox"/> <b>Information</b>  <input type="checkbox"/> <b>Public Hearing</b>
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#### **SUMMARY OF THE ISSUE(S)**

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1. State Board of Education (SBE) Preliminary Report of Actions/Draft Minutes for the July 9-10, 2014 SBE Meeting
2. Board member liaison reports

#### **RECOMMENDATIONS**

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The SBE staff recommends that the SBE:

1. Approve the Preliminary Report of Actions/Draft Minutes for the July 9-10, 2014 SBE meeting (Attachment 1).

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At each regular meeting, the SBE has traditionally had an agenda item under which to address "housekeeping" matters, such as agenda planning, non-closed session litigation updates, non-controversial proclamations and resolutions, bylaw review and revision, Board policy; Board minutes; Board liaison reports; and other matters of interest. The State Board has asked that this item be placed appropriately on each agenda.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

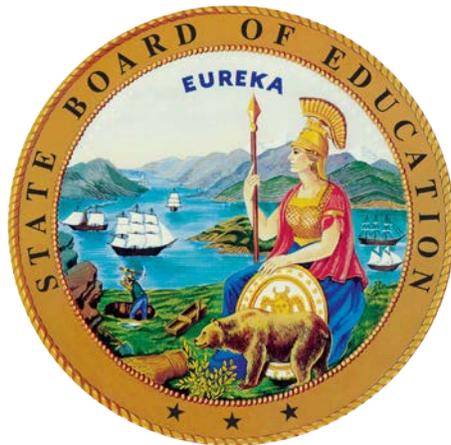
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Not applicable.

#### **ATTACHMENT(S)**

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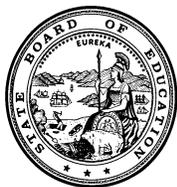
Attachment 1: The Preliminary Report of Actions/Draft Minutes for the July 9-10, 2014 SBE meeting (28 Pages) may be viewed at  
<http://www.cde.ca.gov/be/mt/ms/documents/pr0910jul2014.doc>.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 08**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Update on Issues Related to California's Implementation of the Elementary and Secondary Education Act and Other Federal Programs, Including, but Not Limited to, the School Improvement Grant Federal Targeted Monitoring Review.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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This standing item allows the California Department of Education (CDE) to brief the State Board of Education (SBE) on timely topics related to the Elementary and Secondary Education Act (ESEA) and other federal programs.

#### **RECOMMENDATION**

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The CDE recommends that the SBE take action as deemed necessary and appropriate. No specific action is recommended at this time.

#### **BRIEF HISTORY OF KEY ISSUES**

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The School Improvement Grant (SIG) program is authorized through Section 1003(g) of Title I of the ESEA. These grants are awarded to state educational agencies (SEAs) to provide competitive subgrants to help local educational agencies (LEAs) address the needs of schools in Program Improvement, corrective action, and restructuring to improve student achievement.

#### **Update on the School Improvement Grant**

During the week of January 27, 2014, two monitoring teams from the U.S. Department of Education (ED) reviewed the CDE's administration of SIG. In addition to interviewing CDE staff, the monitoring teams reviewed four LEAs that were awarded SIG funding. Specifically, the ED reviewed the San Francisco Unified School District (SFUSD), the Stockton Unified School District (SUSD), the Los Angeles Unified School District (LAUSD), and the Inglewood Unified School District (IUSD). On July 29, 2014, the CDE received the final *Targeted Monitoring Review of School Improvement Grants Report*. Within 30 business days of receipt of this report, the CDE must respond to the Targeted Monitoring Review Findings listed below.

## Targeted Monitoring Review Findings

### CDE Findings Related to LEA-level Implementation: Critical Element 2

1. The CDE has not ensured that schools implementing the transformation model are using teacher and principal evaluation systems that take into account data on student growth as a significant factor.
2. The CDE has not ensured that Monroe Middle School, in the IUSD, implemented a system of rewards, based in part on student growth, for teachers who have positively impacted student achievement.
3. The CDE has not ensured that the IUSD implemented strategies designed to recruit, place, and retain staff with the skills necessary to meet the needs of students in a transformation school.

Related to the two IUSD findings noted above, the CDE has scheduled a follow up on-site visit with the IUSD on November 3–7, 2014, to ensure continued progress toward meeting the SIG implementation requirements.

### CDE Finding Related to SEA-level Monitoring: Critical Element 5

1. The CDE did not conduct a thorough review of Cohort 1 LEA SIG implementation in order to determine which SIG schools would be permitted to utilize unspent SIG funds to continue full implementation of a SIG model in a fourth year. In addition, the CDE did not ensure that Cohort 1 schools permitted to continue implementing in a fourth year did so with fidelity to SIG requirements.

## SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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### Issues related to Cohort 1 LEA Year Four Implementation: Amendment to California's Fiscal Year 2009 SIG

On March 13, 2013, as part of Item 17, the SBE authorized SBE President Michael W. Kirst, in consultation with State Superintendent of Public Instruction (SSPI) Tom Torlakson, to approve California's request to the ED to extend the availability of California's fiscal year (FY) 2009 SIG allocation to September 30, 2014. (See <http://www.cde.ca.gov/be/ag/ag/yr13/documents/mar13item17.doc>.)

On May 13, 2013, the ED released an invitation to states to request a waiver previously granted under Section 421(b) of the General Education Provisions Act, 20 *United States Code (USC)* Section 1225(b), to extend the period of availability of the FY 2009 SIG funds awarded under Section 1003(g) of the ESEA until September 30, 2014. This request to extend availability of funds would permit an SEA to identify and allow LEAs with Cohort 1 SIG schools that meet specific conditions additional time to expend remaining FY 2009 SIG funds in those schools.

On July 11, 2013, as part of Item 28, the SBE authorized SBE President Michael W. Kirst, in consultation with SSPI Tom Torlakson, to approve the eligibility list, application, and criteria for eligible Cohort 1 SIG LEAs to apply for an extension of FY 2009 SIG funds through September 30, 2014, and approve funding for Cohort 1 SIG LEAs that submit an approvable application. (See <http://www.cde.ca.gov/be/ag/ag/yr13/documents/jul13item28.doc>.)

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

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SIG funds provide LEAs with grants ranging from \$50,000 to \$2 million per year, per school for up to three years.

#### **Cohort 2**

FYs 2010, 2011, and 2012 SIG funds of approximately \$191 million are currently being used to provide funding to 14 LEAs serving 39 schools beginning in 2012–13.

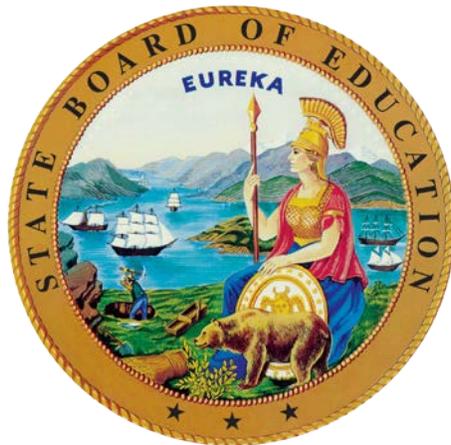
#### **Cohort 1**

FY 2009 SIG funds of \$412 million were awarded to 41 LEAs on behalf of 91 schools beginning in 2010–11.

#### **ATTACHMENT(S)**

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None.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 09**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Update on the State Implementation Plan for California Next Generation Science Standards for Public Schools, Kindergarten through Grade Twelve.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

As required by California *Education Code (EC)* Section 60605.85 (b), the State Superintendent of Public Instruction (SSPI), in consultation with the State Board of Education (SBE), must submit a schedule and implementation plan for integrating the adopted science content standards into the state educational system. It is anticipated the implementation plan will be presented to the SBE for action in November 2014.

The process for developing the California State Implementation Plan for the Next Generation Science Standards (NGSS) has encompassed several steps, including the convening of a Strategic Leadership Team (SLT). The SLT comprised of representatives from key education organizations, business representatives, and representatives from each level of education, pre-kindergarten through postsecondary. The SLT met in March, April, and May 2014, to develop implementation strategies for the California Department of Education (CDE), local educational agencies, and support providers. The K–12 Alliance of WestEd facilitated this process. The CDE then requested input from the CDE Division Directors and integrated that feedback into the draft document. The CDE posted the draft implementation plan for public comment from July 25–August 25, 2014. The comments and CDE response to them will be provided in Attachment 2 and the complete set of comments will be included in Attachment 3.

The State Implementation Plan for the NGSS is based on the following strategies presented in the SBE-adopted Common Core State Standards Systems Implementation Plan for California and for the English Language Development Standards Implementation Plan, with the addition of an eighth standard specific to CA NGSS.

1. Facilitate high quality professional learning opportunities for educators to ensure that every student has access to teachers who are prepared to teach to the levels of rigor and depth required by the NGSS.
2. Provide NGSS-aligned instructional resources designed to meet the diverse needs of all students.

3. Develop and transition to NGSS-aligned assessment systems to inform instruction, establish priorities for professional learning, and provide tools for accountability.
4. Collaborate with parents, guardians, and the early childhood and extended learning communities to integrate the NGSS into programs and activities beyond the kindergarten through grade twelve school setting.
5. Collaborate with the postsecondary and business communities and additional stakeholders to ensure that all students are prepared for success in career and college.
6. Seek, create, and disseminate resources to support stakeholders as NGSS systems implementation moves forward.
7. Design and establish systems of effective communication among stakeholders to continuously identify areas of need and disseminate information.
8. Build coalitions to ensure a common message and to sustain momentum during implementation.

The timeline for completion is:

## CA NGSS Implementation Plan

Date	Entity	Action
July 25, 2014	Professional Learning Services Division (PLSD)	Posting of initial draft plan on the CDE Web site and announcement of 30-day public comment
July 25-August 25, 2014	Public Review	Comments received by CDE at <a href="mailto:nggs@cde.ca.gov">nggs@cde.ca.gov</a>
September 3-4, 2014	State Board of Education	Receive information on draft plan and public comment
September-October, 2014	PLSD	Revise plan based on public comment and SBE input
October 15, 2014	PLSD	Post revised plan on the CDE Web site
November 13-14, 2014	SBE	Action on final plan

## **RECOMMENDATION**

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The CDE recommends that the SBE authorize SBE liaisons and staff to work with CDE to review public comments and develop a revised implementation plan for approval in November 2014.

## **BRIEF HISTORY OF KEY ISSUES**

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EC Section 60605.85 (a) required the SSPI to submit a set of revised *Science Content Standards for California Public Schools, Kindergarten through Grade Twelve* to the SBE by July 31, 2013, and the adoption, rejection, or modification of those standards by November 30, 2013. The revised science standards for California must be based upon the nationally developed NGSS. These standards were submitted and adopted by the SBE on September 4, 2013. The standards as well as additional information are available on the NGSS Web site at <http://www.nextgenscience.org/> and on the CDE Web site at <http://www.cde.ca.gov/pd/ca/sc/ngssintrod.asp>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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N/A

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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N/A

## **ATTACHMENT(S)**

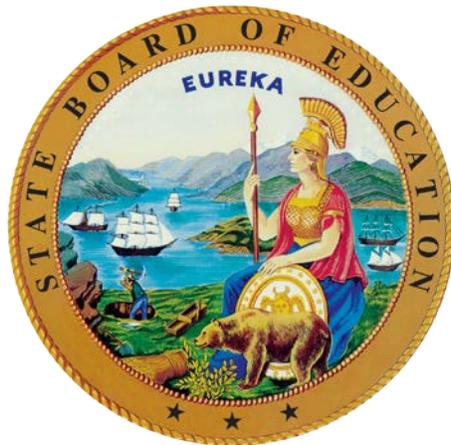
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Attachment 1: Draft State Implementation Plan for California Next Generation Science Standards for Public Schools, Kindergarten through Grade Twelve (79 Pages).  
<http://www.cde.ca.gov/pd/ca/sc/documents/scienceimplementationplan072414draft.pdf>

Attachment 2: Summary of Public Comment with the CDE Response

Attachment 3: Public Comment on Draft State Implementation Plan for California Next Generation Science Standards for Public Schools, Kindergarten through Grade Twelve

Expected Availability of Attachments 2 and 3: These documents will not be ready until August 28, 2014, due to the fact that they are dependent on the window for receiving public input, which does not conclude until August 25, 2014. The 30-day public review extends from July 25–August 25, 2014.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 10**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b> PUBLIC COMMENT. Public Comment is invited on any matter <b>not</b> included on the printed agenda. Depending on the number of individuals wishing to address the State Board, the presiding officer may establish specific time limits on presentations.	<input type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing
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#### **SUMMARY OF THE ISSUE(S)**

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This is a standing item on the agenda, which allows the members of the public to address the board on any matter that is not included in this meeting's agenda.

#### **RECOMMENDATION**

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Listen to public comment on matters not included on the agenda.

#### **BRIEF HISTORY OF KEY ISSUES**

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Not applicable.

#### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Not applicable.

#### **FISCAL ANALYSIS (AS APPROPRIATE)**

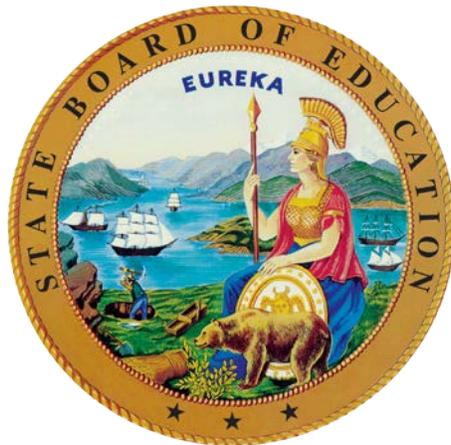
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Not applicable.

#### **ATTACHMENT(S)**

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Not applicable.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 11**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Approval of the Charter School Numbers Assigned to Newly Established Charter Schools.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

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The State Board of Education (SBE) is responsible for assigning a number to each approved charter petition. The California Department of Education (CDE) staff presents this routine request for assignment of charter numbers as a standard action item.

#### RECOMMENDATION

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The CDE recommends that the SBE assign charter numbers to the charter schools identified on the attached list.

#### BRIEF HISTORY OF KEY ISSUES

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Since the charter school law was enacted in 1992, the SBE has assigned numbers to 1,686 charter schools, including some approved by the SBE after denial by local educational agencies. Separate from that numbering system, eight all-charter districts that currently serve a total of 18 school sites, have been jointly approved by the State Superintendent of Public Instruction and the SBE.

California *Education Code (EC)* Section 47602 requires the SBE to assign a number to each charter school that has been approved by a local entity in the chronological order in which it was received. This numbering ensures that the state stays within a statutory cap on the total number of charter schools authorized to operate. The cumulative statutory cap of the fiscal year 2014–15 is 1,850. The statutory cap is not subject to waiver.

The charter schools listed in Attachment 1 were recently approved by local boards of education as noted. Copies of the charter petitions are on file in the Charter Schools Division.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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The SBE is responsible for assigning a number to each approved charter petition. CDE presents this routine request for assignment of charter numbers as a standard action item.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no fiscal impact to the state resulting from the assignment of numbers to recently authorized charter schools.

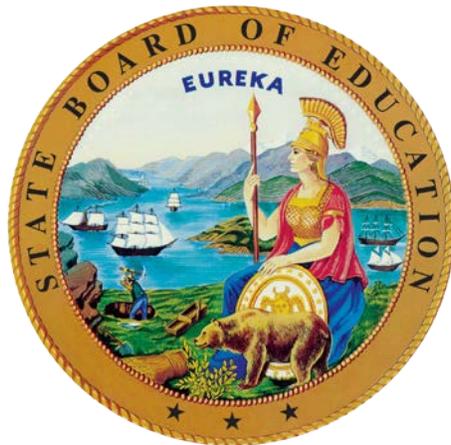
## **ATTACHMENT(S)**

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Attachment 1: Assignment of Numbers for Charter School Petitions (1 page)

**Assignment of Numbers for Charter School Petitions**

Number	Term	Charter Name	County	Authorizing Entity	Classroom Based/ Nonclassroom Based
1687	2014–19	Rocketship Fuerza Community Prep	Santa Clara	Santa Clara County Office of Education	Classroom Based
1688	2014–19	Emerson Community Charter School	Los Angeles	Los Angeles Unified School District	Classroom Based
1689	2014–19	Da Vinci Communications	Los Angeles	Wiseburn Unified School District	Classroom Based
1690	2014–19	New Joseph Bonnheim Community Charter School	Sacramento	Sacramento City Unified School District	Classroom Based
1691	2014–19	Alta Vista South Public Charter	San Bernardino	Helendale School District	Nonclassroom Based
1692	2014–19	Diego Springs Academy	San Diego	Borrego Springs Unified School District	Nonclassroom Based
1693	2014–19	Mosaica Online Academy of Southern California	San Diego	Dehesa School District	Nonclassroom Based
1694	2014–19	Albert Einstein Academy of Letters, Arts & Sciences – Agua Dulce Partnership	Los Angeles	Acton-Agua Dulce Unified School District	Classroom Based
1695	2014–17	Fusion Charter	Stanislaus	Turlock Unified School District	Nonclassroom Based
1696	2014–19	Thrive Public School	San Diego	State Board of Education	Classroom Based
1697	2014-18	Method Schools High School	Los Angeles	Acton-Agua Dulce Unified School District	Combination
1698	2014–18	Method Schools K–8	Los Angeles	Acton-Agua Dulce Unified School District	Combination
1699	2014–19	iLEAD Innovation Studios	Los Angeles	Acton-Agua Dulce Unified School District	Nonclassroom Based



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 12**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b>	
Elementary and Secondary Education Act: Approve Amendments to California's Consolidated State Application Accountability Workbook related to the Title III Accountability System.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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The purpose of this item is to seek approval from the State Board of Education (SBE) for an amendment to California's Consolidated State Application Accountability Workbook (California's Accountability Workbook) for the Title III Accountability System. California's Title III Accountability system reports annual increases in the number and percentage of students making progress in learning English and attaining English proficiency and is consistent with the Title III accountability program requirements authorized by the Elementary and Secondary Education Act (ESEA).

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends that the SBE approve the proposed amendment to California's Accountability Workbook. This amendment uses the same annual percentage growth interval previously approved by the SBE to extend the current Title III accountability target structure for annual measurable achievement objectives (AMAOs) 1 and 2 for two additional years (2014–15 and 2015–16) until the implementation of the English Language Proficiency Assessments for California (ELPAC) in 2016–17 (Attachment 1).

#### **BRIEF HISTORY OF KEY ISSUES**

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Title III, under the federal ESEA, provides supplemental funding to local educational agencies (LEAs) and consortia to implement programs designed to help English learner (EL) students attain English proficiency and meet the state's academic standards. Title III accountability is comprised of SBE-approved AMAOs, or targets, that Title III subgrantees must meet each year for their EL populations. The ESEA requires AMAOs to measure: (1) percentage of ELs making annual progress in learning English, (2) percentage of ELs attaining the English proficient level, and (3) Adequate Yearly Progress (AYP) requirements for the EL student group.

Since its establishment in 2003–04, California’s Title III accountability system has been updated several times to be in compliance with the ESEA. The target structures for AMAOs 1 and 2 were originally set by the SBE in 2003–04, with the ending target ten years later in 2013–14 fixed at the 75<sup>th</sup> percentile of the LEA distribution. Both targets were revised by the SBE in September 2007 to align the targets with the new California English Language Development Test (CELDT) performance level cut scores and the new CELDT common scale. Annual percentage growth between the starting point in 2006–07 and ending point in 2013–14 was set at equal intervals for both AMAOs 1 and 2.

Subsequently, AMAO 2 targets were revised in May 2010 in compliance with the U.S. Department of Education (ED) Notice of Final Interpretations (NOFI). The targets were set using a methodology consistent with that approved by the SBE in 2003–04 and 2006–07. The targets were established using equal annual percentage growth between years.

In November 2012, the SBE adopted new English Language Development (ELD) standards. The CELDT will be replaced by the ELPAC, which will be aligned to the 2012 ELD standards. The CDE will continue to administer the CELDT annually until the implementation of the ELPAC in 2016–17. During the transition from the CELDT to the ELPAC, the CDE proposes to use the same annual percentage growth interval previously approved by the SBE to extend the current target structure for two additional years (2014–15 and 2015–16) for the purpose of Title III accountability reporting (Attachment 1).

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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In May 2010, the SBE approved a new target structure for AMAO 2 to comply with the NOFI issued by the ED in October 2008.

In September 2007, the SBE approved adjustments to the targets for AMAOs 1 and 2 that were necessary due to changes in the performance levels and the establishment of a common scale for the CELDT.

In 2003, the SBE defined the AMAOs and targets for the Title III accountability system from 2003–04 through 2013–14 as required by the ESEA as follows:

1. AMAO 1 measures the percentage of ELs meeting their annual growth targets in learning English.
2. AMAO 2 measures the percentage of ELs that attain the English proficient level on the annual CELDT.
3. AMAO 3 measures whether the EL subgroup has met the Title I AYP targets in English–language arts and mathematics as measured by the ESEA AYP requirements.

These targets are applied only at the LEA level and only for LEAs that received Title III funds.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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Fiscal impact would be minimal. All expenses related to the Title III Accountability system would be included in the CDE's Analysis, Measurement, and Accountability Reporting Division's budget.

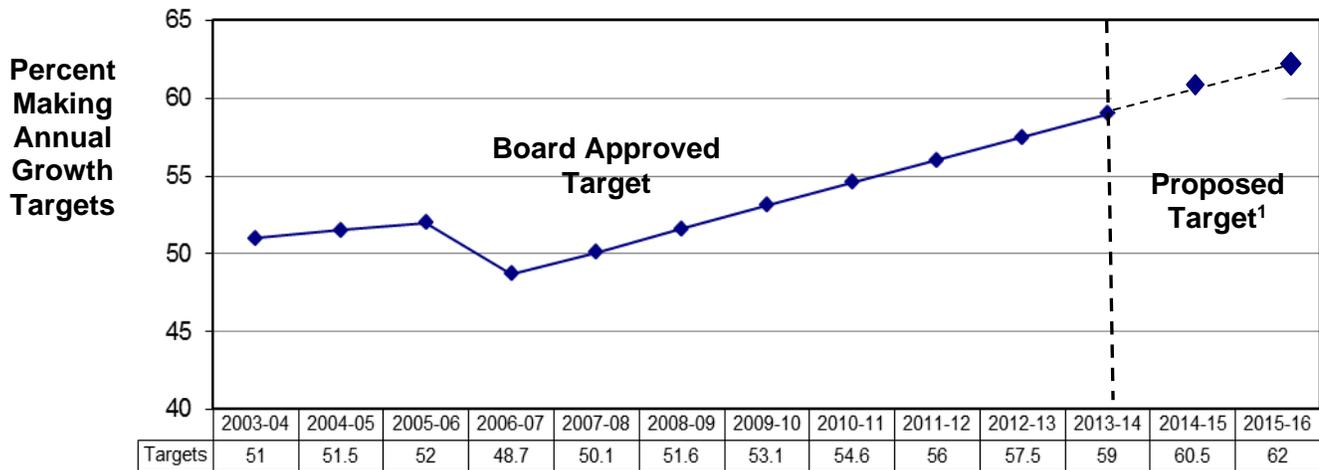
**ATTACHMENT(S)**

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Attachment 1: Proposed Target Structure for Annual Measurable Achievement Objectives (AMAOs) 1 and 2 (1 Page)

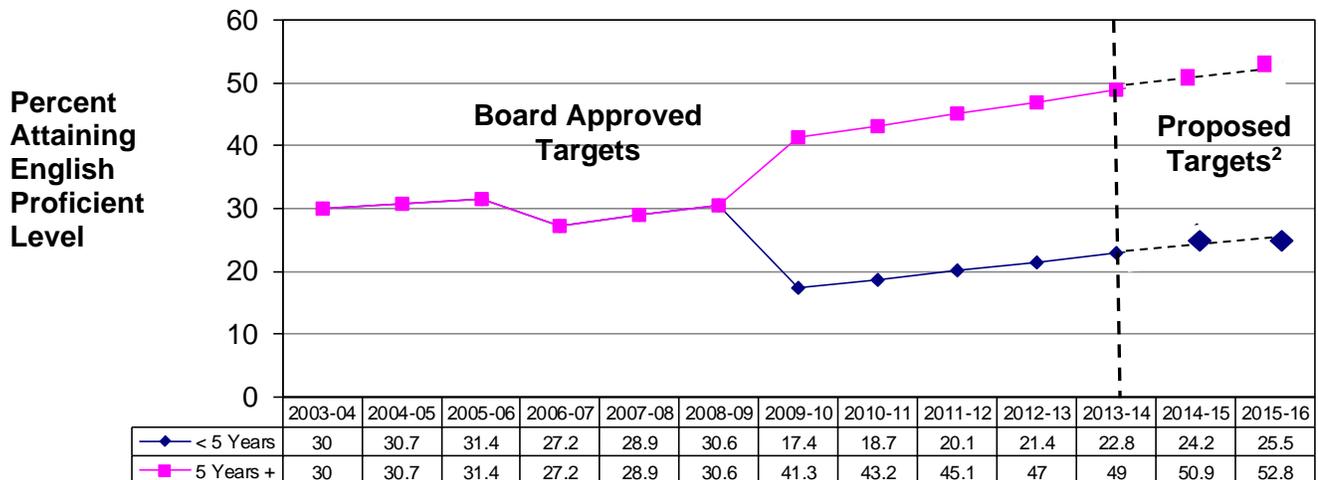
## Proposed Target Structure for Annual Measurable Achievement Objectives (AMAOs) 1 and 2

### AMAO 1: Percentage of English Learners Making Annual Progress in Learning English

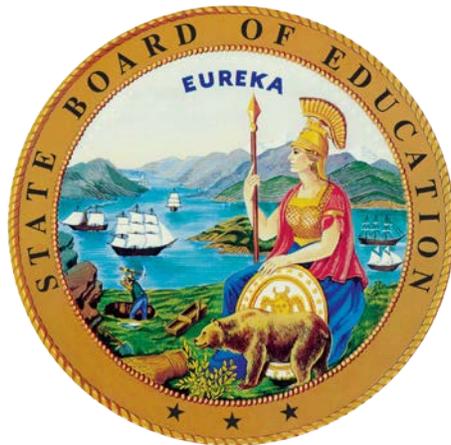


<sup>1</sup> Annual percentage growth rate is approximately 1.5 percentage points beginning with 2006–07.

### AMAO 2: Percentage of English Learners Attaining the English Proficient Level on the CELDT



<sup>2</sup> Beginning with 2009–10, two cohorts with two targets were established. The annual percentage growth rate for less than 5 years cohort is approximately 1.4 percentage points and 5 years or more cohort is approximately 1.9 percentage points.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 13**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Elementary and Secondary Education Act: Approval of Local Educational Agency Plans, Title I, Section 1112.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

---

The Elementary and Secondary Education Act (ESEA) provides federal funding that may be available to local educational agencies (LEAs) (defined as districts, county offices of education, and direct-funded charter schools) for a variety of programs. Currently, six direct-funded charter schools submitted an LEA Plan as part of the application for ESEA funding. California Department of Education (CDE) program staff review LEA Plans for compliance with the requirements of ESEA before recommending approval to the State Board of Education (SBE).

#### **RECOMMENDATION**

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The CDE recommends that the SBE approve six direct-funded charter school LEA Plans, listed in Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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The federal ESEA Section 1112(e)(2) states that the state educational agency (SEA) shall approve an LEA's Plan if the SEA determines that the LEA's Plan is designed to enable its schools to substantially help children meet the academic standards expected for all children. As a requirement for receiving federal funding sub-grants for ESEA programs, the local governing board and the SBE must approve the original LEA Plan. Subsequent approval of revisions to LEA Plans is made by the local governing board and kept on file with the original LEA Plan. The LEA Plan includes specific descriptions and assurances as outlined in the provisions included in ESEA.

The purpose of the LEA Plan is to develop an integrated, coordinated set of actions that LEAs will take to ensure that they meet certain programmatic requirements, including student academic services designed to increase student achievement and performance, coordination of services, needs assessments, consultations, school choice, supplemental services, services to homeless students, and others as required.

CDE program staff review LEA Plans for compliance with the requirements of the ESEA including evaluation of goals and activities designed to improve student performance in reading and mathematics; improve programs for English learner students; improve professional development and ensure the provision of highly qualified teachers; ensure that school environments are safe, drug-free, and conducive to learning; and promote efforts regarding graduation rates, dropout prevention, and advanced placement. If an LEA Plan lacks the required information, CDE program staff works with the LEA to ensure the necessary information is included in the LEA Plan before recommending approval.

Following initial CDE review and SBE approval, all LEAs are expected to annually review their Plans and update them as necessary. Any changes to the LEA Plan must be approved by an LEA's local governing board.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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Since the current LEA Plan process was developed in July 2003 as a requirement of the ESEA, the SBE has approved 1,750 LEA Plans.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no fiscal impact to state operations.

### **ATTACHMENT(S)**

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Attachment 1: Direct-Funded Charter Schools Recommended for State Board of Education Approval (1 Page)

Attachment 2: Academic Performance for Direct-Funded Charter Schools Recommended for State Board of Education Approval of Local Educational Agency Plans (1 Page)

**Direct-Funded Charter Schools Recommended  
for State Board of Education Approval**

<b>Local Educational Agency Name</b>	<b>County-District-School Code</b>	<b>Academic Performance Data</b>
City Charter Elementary	19-64733-0127886	None available; opened in August 2013
e3 Civic High	37-68338-0127647	None available; opened in September 2013
KIPP Academy of Innovation	19-64733-0128512	None available; opened in August 2014
KIPP Heritage Academy	43-69450-0129205	None available; opened in August 2014
KIPP Vida Preparatory Academy	19-64733-0129460	None available; opened in August 2014
Laurel Tree Charter	12-62687-0124263	See Attachment 2.

**Academic Performance for Direct-Funded Charter Schools Recommended for State Board of Education Approval  
of Local Educational Agency Plans**

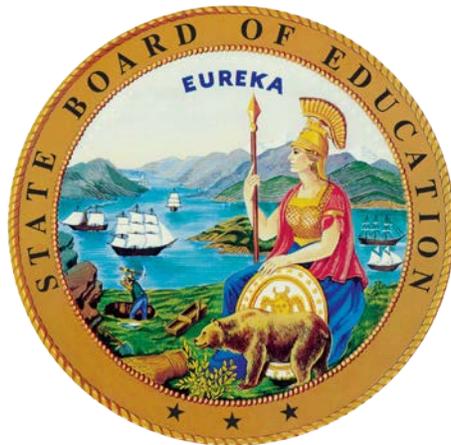
LEA Name: Laurel Tree Charter CDS CODE: 12-62687-0124263	Met All Adequate Yearly Progress (AYP) Criteria	English-Language Arts		Mathematics		Academic Performance Index (API)		
		Percent At or Above Proficient (89.2%)	Met 2013 AYP Criteria?	Percent At or Above Proficient (89.5%)	Met 2013 AYP Criteria?	2012 Base API	2013 Growth API	Met 2012–13 Growth API Targets***
<b>Schoolwide</b>	<b>No, met 4 of 5</b>	<b>51.3</b>	<b>No</b>	<b>36.3</b>	<b>Yes (SH)</b>	<b>707</b>	<b>714</b>	<b>Yes</b>
African American or Black (not of Hispanic origin)		--	--	--	--			
American Indian or Alaska Native		**	**	**	**			
Asian		**	**	**	**			
Filipino		--	--	--	--			
Hispanic or Latino		**	**	**	**			
Native Hawaiian or Pacific Islander		--	--	--	--			
White (not of Hispanic origin)		50.0	**	37.9	**			
Two or More Races		**	**	**	**			
Socioeconomically Disadvantaged		--	--	--	--			
English Learners		--	--	--	--			
Students with Disabilities		50.0	**	35.0	**			

-- Indicates no data are available.

\*\* Indicates AYP criteria are not applied because there are too few students in this subgroup to be numerically significant.

\*\*\*Growth targets are 5 percent difference between the Base API and statewide target of 800. The 2013 API criteria for meeting federal AYP: a minimum “2013 Growth API” score of 740 OR “2012–13 Growth” of at least one point.

SH = Passed by safe harbor: The school, LEA, or student group met the criteria for safe harbor, which is an alternate method of meeting the percent proficient (AMO) if a school, an LEA, or a student group shows progress in moving students from scoring at the below proficient level to the proficient level.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 14**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b>	
Elementary and Secondary Education Act: Supplemental Educational Services Providers: Approval of Additional Providers to the 2014–16 State Board of Education-Approved Supplemental Educational Services Provider List.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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Section 1116(e)(4)(C) of the Elementary and Secondary Education Act (ESEA) requires the state educational agency (SEA) to develop and maintain a list of approved Supplemental Educational Services (SES) providers to provide services to eligible students.

#### **RECOMMENDATION**

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The California Department of Education (CDE) recommends the State Board of Education (SBE) approve providers for a two-year period beginning July 1, 2014, through June 30, 2016, including local educational agencies (LEAs) identified for improvement or corrective action as SES providers based on the waiver granted by the U.S. Department of Education (ED) and the September 2014 SBE Item W-13 located at <http://www.cde.ca.gov/be/ag/ag/yr14/documents/sep14w13.doc>. The summary list of providers recommended for approval is provided as Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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Title I, Part A Section 1116(e)(1) and (4) of the ESEA requires an SES provider be approved by the SBE before offering tutoring services to low-income students attending schools advancing to Program Improvement (PI) Year 2 and beyond. The CDE has established and maintained a list of SBE-approved SES providers since June 2003.

Title 34, *Code of Federal Regulations* (34 CFR), Section 200.47(b)(1)(iv)(A) and (B) prohibits an SEA from approving requests to provide SES services from LEAs identified for improvement or corrective action. However, the SEA may request a waiver of these provisions. A waiver request was submitted to the ED on August 26, 2013, and on November 19, 2013, the ED granted the request for a two-year period. A copy of the response letter from the ED can be found at <http://www.cde.ca.gov/be/ag/ag/yr14/documents/mar14item25a3.pdf> and an accessible alternative version of the letter is available at <http://www.cde.ca.gov/be/ag/ag/yr14/mar14item25a3aav.asp>.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its July 2014 meeting, the SBE approved additional providers based on appeal for the SBE-approved list of SES providers to begin services on July 1, 2014, through June 30, 2016.

At its May 2014 meeting, the SBE approved additional providers for the SBE-approved list of SES providers to begin services on July 1, 2014, through June 30, 2016.

At its March 2014 meeting, the SBE approved providers for the SBE-approved list of SES providers to begin services on July 1, 2014, through June 30, 2016.

At its January 2014 meeting, the SBE removed 27 SES providers for failing to submit, correct, and/or provide evidence of compliance for the 2012–13 SES Accountability Report.

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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There is no fiscal impact to the state.

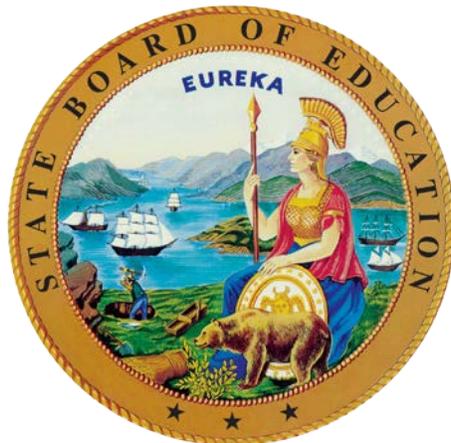
## **ATTACHMENT(S)**

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Attachment 1: California Department of Education Recommended 2014–16 Local Educational Agencies Supplemental Educational Services Provider Applicant List (1 Page)

**California Department of Education  
Recommended 2014–16 Local Educational Agencies  
Supplemental Educational Services Provider Applicant List**

<b>Provider Name</b>	<b>English- Language Arts</b>	<b>Math</b>	<b>Science</b>	<b>English Learners (EL)</b>	<b>Students with Disabilities (SWD)</b>	<b>Online</b>	<b>Type of Entity</b>
Lake Tahoe Unified School District	X	X		X	X		LEA in Program Improvement
Sacramento City Unified School District	X	X		X	X		LEA in Program Improvement



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 15**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Local Control Funding Formula Spending Requirements (LCFF) and Local Control and Accountability Plan (LCAP) – Second Readoption of the Finding of Emergency and Proposed Emergency Regulations for Additions to the <i>California Code of Regulations</i> , Title 5, Sections 15494-15497.5.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

In order for the State Board of Education (SBE) to meet the statutorily established deadlines for the adoption of the Local Control Funding Formula (LCFF) expenditure of funds regulations and the Local Control and Accountability Plan (LCAP) template, as set forth in Assembly Bill (AB) 97 (Chapter 47, Statutes of 2013) and amended by Senate Bill (SB) 91 (Chapter 49, Statutes of 2013) and SB 97 (Chapter 357, Statutes of 2013), the SBE adopted the attached regulations on an emergency basis at its January 2014 Board meeting. The Office of Administrative Law (OAL) approved the emergency regulations effective February 6, 2014, and they were in effect until August 6, 2014. At its July 2014 meeting, the SBE readopted the emergency regulations, to be in effect for an additional 90 days and expiring October 28, 2014.

The SBE also approved proposed permanent regulations at its January 2014 meeting, beginning the permanent rulemaking process for the LCFF expenditure of funds and LCAP regulations. A 45-day public comment period on the proposed permanent regulations commenced on February 1, 2014, and ended at 5:00 p.m. on March 17, 2014. During this comment period, the California Department of Education (CDE) received approximately 2,300 written comments. At its July 2014 meeting, the SBE approved changes to the proposed permanent regulations and directed that those changes be circulated for a 15-day public comment period, between July 11, 2014, and July 28, 2014. In addition, a public hearing on the proposed changes to the permanent regulations was held on July 22, 2014. Approximately 122 written comments were received.

The SBE and CDE staff reviewed and considered public comments received in response to the proposed changes to the permanent regulations, and the September 2014 SBE Agenda Item 18 requests action to approve additional changes to the proposed permanent regulations and circulation of those changes for a 15-day public comment period, between September 6, 2014 and September 22, 2014. The SBE and CDE staff will review and consider public comments received in response to the proposed additional changes to the regulations. Accordingly, it is very likely the permanent rulemaking process will not be completed prior to the expiration of the

approved emergency regulations. Thus, it is necessary to readopt the emergency regulations in order to ensure regulations governing the expenditure of LCFF funds and LCAP are in place in accordance with the LCFF statute.

The LCFF requires local educational agencies (LEAs) to prepare an LCAP on or before July 1, 2014, and an annual LCAP update by July 1 of each year thereafter, using the template adopted by the SBE. Upon adoption by the LEA governing board, the LCAP is required to be submitted to the County Superintendent of Schools or State Superintendent of Public Instruction (SSPI), as specified in the LCFF statute, for approval on or before October 8, 2014 and October 8 of each year thereafter. The LCAP and annual update must describe annual goals for each identified state priority, describe specific actions necessary to achieve those goals, and list and describe annual expenditures necessary to implement the specific actions. The priorities are outlined in California *Education Code (EC)* sections 52060(d), 52066(d), and 47605(b)(5)(A) and (B), and include: increasing pupil achievement; improving pupil engagement; school climate and pupil safety; and ensuring facilities are maintained in good repair. LEAs are currently engaged in obtaining final approval of their LCAPs, and will begin the annual update process early in the 2014-2015 school year. Statute requires LEAs to consult with a broad range of stakeholders, including school personnel, parents, and pupils in developing the LCAP and annual update. The regulations enable LEAs and stakeholders to develop meaningful LCAPs and annual updates, and direct expenditures of LCFF funds to address pupil needs in the state priority areas.

In the event the emergency regulations were to lapse without adoption of permanent regulations, there would be great disruption to the on-going processes underway by LEAs to adopt LCAPs and annual updates under the LCFF. Without these regulations, stakeholders will be unable to provide input necessary to ensure LCFF funds are spent to address pupil needs in the critical state priority areas. In addition, County Superintendents and the SSPI will be unable to properly perform their review and approval responsibilities, and pupils will thus not receive the benefits of actions and expenditures to address their needs in these areas. As a result, pupils, along with members of the general public, will suffer serious immediate harm to their academic achievement, as well as their safety and well-being. In order to avoid serious harm to the public peace, health, safety, or general welfare, especially the welfare of students attending California's public schools, the SBE's readoption of the emergency regulations is required.

## **RECOMMENDATION**

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It is recommended the SBE take the following actions:

- Approve the revised Finding of Emergency;
- Readopt the proposed Emergency Regulations;
- Direct the CDE to circulate the required Notice of Proposed Emergency Action, and then submit the Emergency Regulations to the OAL for approval; and

- Authorize the CDE, in consultation with SBE staff, to take any necessary action, consistent with SBE's action, to respond to any direction or concern expressed by the OAL during its review of the Finding of Emergency and proposed emergency regulations.

## **BRIEF HISTORY OF KEY ISSUES**

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On July 1, 2013, Governor Brown signed AB 97 (Chapter 47, Statutes of 2013) to enact the historic education funding legislation called the LCFF. Subsequently amended by SB 91 (Chapter 41, Statutes of 2013) and SB 97 (Chapter 57, Statutes of 2013), the LCFF requires the SBE to adopt by January 31, 2014, regulations that govern how the expenditure of funds should be managed to demonstrate compliance as specified in *EC* Section 42238.07. In addition, *EC* Section 52064 requires the SBE to adopt on or before March 31, 2014, the LCAP templates for use by LEAs to support local adoption and annual review of the LCAP.

The LCFF is more than a new funding formula for California's schools. When fully implemented, the LCFF will result in significantly more funding for LEAs and significantly more flexibility in the use of funds. It is also anticipated that the LCFF will help address historic achievement gaps encountered by students of poverty, English learners, and foster youth.

Several key issues led to the creation of the LCFF. Local school leaders, parents, teachers, advocates, pupils, and other stakeholders have noted that the revenue limit funding model is overly complex and inefficient. The goal of the LCFF is to reduce state bureaucracy and increase flexibility and accountability at the local level so those closest to the pupils can make the decisions and ensure that pupil needs are met. The formula, which primarily consists of base, supplemental, and concentration grant funding, allocates resources based on an LEA's pupil demographics and replaces most state-funded programs for LEAs. The Department of Finance estimates that the formula will be fully funded in eight years, but implementation of the LCFF begins in 2013-14. As such, LEAs were expected to begin operating under LCFF rules and requirements immediately.

In addition to changing the way that funding is provided to LEAs, the LCFF also requires LEAs to prepare an LCAP prior to the submission of LEA budgets to oversight agencies. LEAs must also provide an annual update to the LCAP. The LCAP must describe annual goals for each identified state priority, describe specific actions necessary to achieve those goals, and list and describe annual expenditures necessary to implement the specific actions. The specific priorities are outlined in *EC* sections 52060(d), 52066(d), and 47605(b)(5)(A) and (B).

Since Governor Brown signed this historic legislation, the SBE and CDE with assistance from WestEd initiated an iterative process to gather information to inform the development of the LCFF expenditure of funds regulations, template, and resources to support local implementation. In addition to relying on the intent of the LCFF statute and using the LCAP eight state priorities as context, the stakeholder input process was structured around the following guiding principles:

- Implementation, not advocacy, focusing on implementation of the current law and abiding by the legislative direction and intent.
- Simplicity and transparency, creating a funding mechanism that is focused on the needs of students and is equitable and easy to understand.
- Local flexibility, allowing LEAs maximum flexibility in allocating resources to meeting local needs.
- Unique contexts for implementation, differentiating as needed to support local flexibility within the unique contexts that exist for LEAs (e.g., size, type, needs, etc.).
- LEA finance, recognizing county offices of education, school districts, and charter schools as the fiscal agents, with site allocation methodologies and management practices within the purview of LEAs.
- Accountability, holding LEAs accountable for academic and fiscal outcomes.
- Stakeholder input, allowing for meaningful and purposeful stakeholder input during the development process that supports the identification of LCFF guiding principles.

From July 2013 through December 2013, the LCFF stakeholder input process included a monthly convening of an implementation working group comprised of representatives from approximately 20 statewide organizations directly involved with local implementation, conducting a series of regional stakeholder input and community forum sessions, hosting conference calls with representatives from LEAs and various education stakeholder groups, soliciting public comments at the scheduled SBE meetings, and collecting written comments from the public through the LCFF Web portal (<http://lcff.wested.org/>). As noted above, following the November 2013 SBE meeting, staff engaged in focused conversations about the draft regulations and template that informed the regulations set forth in Attachment 3, adopted as emergency regulations by the SBE in January 2014, and proposed for a second emergency readoption.

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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**July 2013:** The CDE and WestEd presented to the SBE an informational update on the implementation of the LCFF (<http://www.cde.ca.gov/be/ag/ag/yr13/documents/jul13item07.doc>).

**September 2013:** The CDE and WestEd presented to the SBE an informational update that provided an overview of the process used to guide the LCFF stakeholder engagement activities. Included was a summary of the preliminary themes that emerged from stakeholders that related to the LCFF spending regulations and LCAP templates (<http://www.cde.ca.gov/be/ag/ag/yr13/documents/sep13item06.doc>).

**November 2013:** The CDE and WestEd presented to the SBE an informational update that outlined a preliminary draft of the expenditure of funds regulations and a concept for the LCAP template. Attachment 1 presents an overview of the key issues that were identified from the public comment, the responses to these comments and the rationale for the potential changes incorporated into the regulations based on this feedback (<http://www.cde.ca.gov/be/ag/aq/yr13/documents/nov13item13.doc>).

**January 2014 SBE meeting:** The SBE took the following actions:

- Approved the initial Finding of Emergency (FOE);
- Adopted the proposed Emergency Regulations;
- Directed the CDE to circulate the required notice of proposed emergency action and submit the Emergency Regulations to the OAL for approval.

After the SBE approved the FOE and Emergency Regulations, the documents were sent on January 17, 2014, to the CDE's interested parties' list. A mandatory five working day pre-notification period was held from January 20–24, 2014.

On January 27, 2014, the CDE filed the FOE and proposed Emergency Regulations with the OAL. The OAL approved the FOE and Emergency regulations on February 6, 2014. The regulations are effective for 180 days and will expire on August 6, 2014.

At its January SBE meeting, the SBE also took the following actions:

- Approved the Notice of Proposed Rulemaking (Notice);
- Approved the Initial Statement of Reasons (ISOR);
- Approved the proposed regulations;
- Directed the CDE to commence the rulemaking process; and
- Authorized the CDE to take any necessary ministerial action to respond to any direction or concern expressed by the OAL during its review of the Notice, ISOR, and proposed regulations.

The 45-day public comment period commenced on February 1, 2014, and ended at 5:00 p.m. on March 17, 2014. Approximately 2,300 written comments were received.

At its July SBE meeting, the SBE took the following actions:

- Approved the revised Finding of Emergency;
- Readopted the proposed Emergency Regulations;

- Directed the CDE to circulate the required Notice of Proposed Emergency Action, and then submit the Emergency Regulations to the OAL for approval; and
- Authorized the CDE, in consultation with SBE staff, to take any necessary action, consistent with SBE's action, to respond to any direction or concern expressed by the OAL during its review of the FOE and proposed emergency regulations.

After the SBE approved the FOE and Emergency Regulations, the documents were sent on July 9, 2014, to the CDE's interested parties' list. A mandatory five working day pre-notification period was held from July 10-16, 2014.

On July 16, 2014, the CDE filed the FOE and proposed Emergency Regulations with the OAL. The OAL approved the readoption of the emergency regulations and the FOE on July 28, 2014. The regulations are effective for an additional 90 days and will expire on October 28, 2014.

At its July SBE meeting, the SBE also took the following actions:

- Approved the proposed changes to the proposed regulations;
- Directed that the proposed changes be circulated for a 15-day public comment period in accordance with the Administrative Procedure Act;
- Authorized the CDE, in consultation with SBE staff, to finalize the FSOR to reflect the SBE's comments or considerations or make any necessary technical formatting edits or corrections;
- Directed the CDE to convene a public meeting during the 15-day public comment period for the purpose of receiving input from practitioners and other interested groups regarding the proposed changes to the LCAP template;
- If no relevant comments to the proposed changes were received during the 15-day public comment period, the proposed regulations with changes were deemed adopted, and directed the CDE to complete the rulemaking package and submit it to the OAL for approval;
- If any relevant comments to the proposed changes were received during the 15-day public comment period, directed the CDE to place the proposed regulations on the September 2014 agenda for action; and
- Authorized the CDE, in consultation with SBE staff, to take any necessary action or make technical edits or corrections consistent with the SBE's action, to respond to any direction or concern expressed by the OAL during its review of the rulemaking file.

The 15-day public comment period commenced on July 12, 2014, and ended at 5:00 p.m. on July 28, 2014. In addition, a public hearing on the proposed changes to the

permanent regulations was held on July 22, 2014. Approximately 122 written comments were received.

**FISCAL ANALYSIS (AS APPROPRIATE)**

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A Fiscal Impact Statement is provided as Attachment 4.

**ATTACHMENT(S)**

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Attachment 1: Notice of Proposed Emergency Action (1 Page)

Attachment 2: Finding of Emergency (8 Pages)

Attachment 3: Emergency Regulations (16 Pages)

Attachment 4: The Economic and Fiscal Impact Statement (STD. 399) (5 Pages). The Economic and Fiscal Impact Statement will be available for viewing at the State Board of Education office.



**CALIFORNIA DEPARTMENT OF EDUCATION**

**TOM TORLAKSON**, State Superintendent of Public Instruction  
916-319-0800

1430 N Street Sacramento, CA 95814-5901

**CALIFORNIA STATE BOARD OF EDUCATION**

**MICHAEL W. KIRST**, President  
916-319-0827

October 9, 2014

**NOTICE OF PROPOSED EMERGENCY ACTION**  
**READOPTION OF EMERGENCY REGULATIONS, TITLE 5, SECTIONS**  
Local Control Funding Formula (LCFF) Spending Requirements For Supplemental And  
Concentration Grants And Local Control And Accountability Plan Template

Pursuant to the requirements of Government Code section 11346.1(a)(1), the State Board of Education (SBE) is providing notice of proposed emergency action with regards to the above-entitled emergency regulation.

**SUBMISSION OF COMMENTS**

Government Code section 11346.1(a)(2) requires that, at least five working days prior to submission of the proposed emergency action to the Office of Administrative Law (OAL), the adopting agency provide a Notice of the Proposed Emergency Action to every person who has filed a request for notice of regulatory action with the agency. After submission of the proposed emergency to the OAL, the OAL shall allow interested persons five calendar days to submit comments on the proposed emergency regulations as set forth in Government Code section 11349.6.

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed emergency regulatory action. Written comments must be received at the OAL and the California Department of Education within five days after the SBE submits the emergency regulations to the OAL for review.

Please reference submitted comments as regarding "LCFF Spending Requirements and Local Control and Accountability Plan Template" addressed to:

Mailing Address: Reference Attorney  
Office of Administrative Law  
300 Capitol Mall, Suite 1250  
Sacramento, CA 95814

Debra Thacker, Reg Coordinator  
California Department of Education  
Administrative Support &  
Regulations Adoption  
1430 N Street, Suite 5319  
Sacramento, CA 95814

E-mail Address: [staff@oal.ca.gov](mailto:staff@oal.ca.gov)  
Fax No.: 916-323-6826

[regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov)  
916-319-0155

For the status of the SBE submittal to the OAL for review, and the end of the five-day written submittal period, please consult the Web site of the OAL at <http://www.oal.ca.gov> under the heading "Emergency Regulations."

## **FINDING OF EMERGENCY**

### **Second Readoption of Emergency Regulations**

#### **LOCAL CONTROL FUNDING FORMULA SPENDING REQUIREMENTS FOR SUPPLEMENTAL AND CONCENTRATION GRANTS AND LOCAL CONTROL AND ACCOUNTABILITY PLAN TEMPLATE**

The State Board of Education (SBE) finds that an emergency continues to exist and the emergency regulations, California Code of Regulations, title 5, sections 15494 – 15497 effective February 6, 2014, must be readopted pursuant to Government Code section 11346.1(h) in order to avoid serious harm to the public peace, health, safety, or general welfare, especially the welfare of pupils attending California's public schools.

#### **NECESSITY FOR SECOND EXTENSION**

At its January 2014 board meeting, the State Board of Education (SBE) approved the Finding of Emergency, Proposed Emergency Regulations (California Code of Regulations, title 5, sections 15494 – 15497), and directed the California Department of Education (CDE) to circulate the required Notice of Proposed Emergency Action and submit the emergency regulations to the Office of Administrative Law (OAL) for approval. As discussed below, the SBE was required to adopt regulations by January 31, 2014, to govern expenditures of local control funding formula (LCFF) funds, and to adopt a template by March 14, 2014, for the Local Control and Accountability Plan (LCAP) and annual update. These regulations were necessary on an emergency basis in order to ensure the SBE met statutorily-established deadlines, and to ensure meaningful stakeholder input and expenditure of LCFF funds directed to meeting pupil needs in critical state priorities areas, including increasing pupil achievement, improving pupil engagement, school climate and staff safety, and other state priorities identified in Education Code sections 52060(d), 52066(d) and 47605(b)(5)(B). The OAL approved the emergency regulations effective February 6, 2014, and these emergency regulations, prior to the readoption described below, were set to expire on August 6, 2014.

LEA's are required to adopt LCAPs by July 1, 2014 and to adopt annual updates by July 1 for each year thereafter. LCAPs and annual updates must be approved by the County Superintendent of Schools or State Superintendent of Public Instruction (SSPI), as specified in statute, by October 8, 2014, and by October 8 in each year thereafter. According to statute, adoption of LCAPs and annual updates requires extensive stakeholder involvement. Many LEAs will commence the annual update process early in the 2014-2015 school year. Expiration of the emergency regulations prior to adoption of permanent regulations would cause great disruption to, including cessation of, the on-going process of LCAP adoption and review by stakeholders, local educational agencies (LEAs), and County Superintendents of Schools.

In January 2014, the SBE commenced the permanent rulemaking package by approving the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and

the proposed regulations at its Board meeting and sent the regulations out for a 45-day comment period, commencing on January 31, 2014, and ending on March 17, 2014. The CDE received approximately 2,300 written public comments on the proposed permanent regulations. The LCFF legislation enacts historic change to LEA funding, directing planning, resources and oversight responsibilities to critical areas of need, and incorporating specific stakeholder input. The CDE and SBE staff worked diligently and as expeditiously as possible to review, respond and recommend changes to the proposed permanent regulations.

At its July 2014 board meeting, the SBE approved changes to the proposed regulations and directed that they be circulated for a 15-day public comment period. The comment period took place between July 11, 2014, and July 28, 2014. On July 10, 2014, the SBE issued a Notice of Public Meeting and conducted an additional public hearing on July 22, 2014. The purpose of the meeting was to allow CDE and SBE staff to hear public comment regarding the proposed amendments to the LCAP Template. Two individuals submitted oral and written comments at the hearing. Approximately 122 written comments on the changes to the proposed regulations were received. The SBE also readopted the emergency regulations. The OAL approved the readoption of the emergency regulations effective July 28, 2014 (which were set to expire on August 6, 2014). The emergency regulations will expire on October 28, 2014.

The SBE and CDE staff reviewed and considered responses to the proposed changes to the regulations, and recommended the SBE adopt additional changes to the proposed permanent regulations. At its September 2014 board meeting, the SBE approved changes to the proposed regulations and directed that they be circulated for a second 15-day public comment period, which will take place between September 6, 2014, and September 22, 2014. The SBE and CDE staff will review and consider responses to the proposed changes to the regulations, and may recommend the SBE adopt additional changes to the proposed permanent regulations.

To ensure that the permanent regulations ultimately adopted by the SBE provide the necessary direction and clarification required, the extension of the existing emergency regulations is necessary for an additional 90-day period, which is currently set to expire on October 28, 2014, until permanent regulations can be finalized. In the absence of these emergency regulations, the public process for development of LCAPs will be seriously disrupted or will cease, and LCFF funds will not be directed to improving educational outcomes for pupils, particularly pupils eligible for free or reduced price meals, foster youth, and English learners, limiting their opportunities and resulting in serious harm to pupils and the general public.

## **SPECIFIC FACTS DEMONSTRATING THE EXISTENCE OF AN EMERGENCY AND THE NEED FOR IMMEDIATE ACTION**

### **Overview**

The proposed regulations must be readopted on an emergency basis in order for the SBE to meet the statutorily-established deadlines for adoption of regulations. Assembly

Bill (AB) 97 (Chapter 47, Statutes of 2013), as amended by Senate Bill (SB) 91 (Chapter 49, Statutes of 2013) and SB 97 (Chapter 357, Statutes of 2013), enacted the LCFF. Senate Bill (SB) 859 (Chapter 33, Statutes of 2014, amended the LCFF statutes. Education Code section 42238.07, as added by AB 97, requires the SBE to adopt regulations by January 31, 2014, that govern the expenditure of funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03. The legislation authorizes the SBE to adopt emergency regulations for purposes of the section.

In addition, Education Code section 52064, as added by AB 97 and amended by SB 97 and SB 859, requires the SBE to adopt a template by March 31, 2014, for the LCAP and annual update. Education Code section 52064 authorizes the template to be adopted pursuant to the Administrative Procedure Act and authorizes the SBE to adopt emergency regulations for purposes of implementing the section.

Education Code sections 52060 and 52064 require LEAs to adopt an LCAP by July 1, 2014, and annual updates by July 1 in each year thereafter, using the template adopted by the SBE. Prior to adopting a local LCAP or annual update, Education Code sections 52062 and 52068 require school districts and county offices of education to present their LCAP to the parent advisory and English learner parent advisory committees, provide public notification, and hold a public hearing before the governing board or county board of education. The governing board or county board of education must then adopt the LCAP or annual update at a public meeting which must be held after the public hearing.

If these regulations are not continued in effect, there will be immediate serious harm to the general welfare, and particularly to the welfare of pupils attending California's low-achieving public schools, because the regulations direct LEAs to determine, with extensive local stakeholder input, appropriate expenditure of supplemental and concentration grant funds and development of the LCAP to address the needs of pupils in state priority areas outlined in Education Code sections 52060(d), 52066(d), or 47605(b)(5)(B) for LEAs. These priorities include increasing pupil achievement; improving student engagement, school climate and pupil and staff safety; and ensuring school facilities are maintained in good repair. LEAs are in the process of obtaining final approval of LCAPs adopted for the 2104-2015 year. LEAs are required to update the LCAP annually, and many are engaging in a process of continuous review, such that they will begin working with stakeholders early in the 2014-2105 school year to revise and appropriately prepare an annual update to the LCAP, as specified in the LCFF statute. If the emergency regulations lapse, LEAs, stakeholders and members of the public will be without guidance regarding expending of funds and the form and content of the required LCAP and annual update template. Without the regulations, members of the public will be limited in their ability to have meaningful input into the content of the LCAP, and supplemental and concentration grant funds will not be directed toward improving educational outcomes for pupils eligible for free or reduced price meals, foster youth, and English learners, as intended, diminishing their life opportunities and resulting in serious harm to pupils and general public. Emergency regulations are

necessary for LEAs to meet the statutory requirements for public participation and the July 1 deadline for adoption of the LCAP and approval by October 8.

## **Background**

AB 97 (Chapter 47, Statutes of 2013), as amended by SB 91 (Chapter 41, Statutes of 2013) and SB 97 (Chapter 357, Statutes of 2013), enacted the LCFF. According to the California Department of Finance (DOF), the LCFF is designed to address funding inequities and to reform the overly complex and inequitable revenue limit system that allocated state funding to California's LEAs, i.e., school districts, county offices of education, and charter schools. The goal of the LCFF is to reduce state bureaucracy and increase flexibility and accountability at the local level so those closest to the pupils can make the decisions and ensure that pupil needs are met. The formula primarily consists of base, supplemental, and concentration grant funding that allocates resources based on an LEA's pupil demographics.

The passage of LCFF replaces most state funded programs for LEAs. The DOF estimates that the formula will be fully funded in eight years, but implementation of LCFF begins in 2013-14. As such, LEAs are expected to begin operating under LCFF rules and requirements immediately.

The funding formula associated with LCFF calls for providing state funding to LEAs based on an equal amount per pupil, with two adjustments, or weights. The first adjustment is based on the grade level of the pupil. The rate for pupils in Kindergarten through grade 3 includes additional funding for grade span adjustments that require, upon full implementation, that LEAs reduce class sizes in such grades to an average of no more than 24 pupils. In addition, the formula is adjusted for pupils in grades 9-12 to reflect higher operating costs as well as a focus on college and career readiness. The second adjustment is based on demographics. The formula provides additional funding in the form of supplemental and concentration amounts based on the unduplicated count of low-income, English learner, and foster youth enrolled by the LEA (unduplicated pupils). For school districts, the formula provides an additional 20 percent of the base amount for each unduplicated pupil; and, when the number of unduplicated pupils exceeds 55 percent of a school district's enrollment, an additional 50 percent of the base amount for each unduplicated pupil that exceeds 55 percent of enrollment. Different formulas are provided for county offices of education and charter schools. All LEAs are required to increase or improve services to these unduplicated pupils in proportion to the increase in funds apportioned on that basis.

In addition to changing the way that funding is provided to LEAs, LCFF also requires LEAs to prepare an LCAP prior to the submission of LEA budgets to oversight agencies. LEAs must also provide an annual update to the LCAP. The LCAP must describe annual goals for each identified state priority, describe specific actions necessary to achieve those goals, and list and describe annual expenditures implementing the specific actions. The specific priorities are outlined in Education Code sections 52060(d), 52066(d), or 47605(b)(5)(B) for LEAs. LCAPs must be approved by the

County Superintendent of Schools or SSPI, as specified in statute, by October 8, 2014, and by October 8 of each year thereafter.

### **Specific Basis for the Finding of Emergency**

The LCFF is intended to provide a funding mechanism that is simple and transparent and focused on “unduplicated pupils,” while allowing LEAs maximum flexibility in allocating resources to meet locally-determined needs. Education Code sections 2574 and 42238.02 define an unduplicated pupil as a pupil who is classified as an English learner, is eligible for a free or reduced-price meal, or is a foster youth. The Legislature directed the SBE to adopt emergency regulations in two key areas: (1) By January 31, 2014, regulations that clarify how expenditures of funds should be managed to demonstrate compliance (Education Code section 42238.07), and (2) On or before March 31, 2014, regulations adopting the LCAP template for use by LEAs to support local adoption and annual review of the LCAP (Education Code section 52064). Education Code sections 42238.07 and 52064 authorize the SBE to adopt emergency regulations for these purposes.

These emergency regulations are necessary in order for LEAs to successfully implement the LCFF. Pursuant to Education Code sections 2574 and 42238.02, in addition to the base grant, LEAs receive a supplemental grant based on its percentage of unduplicated pupils. LEAs with a specified percentage of unduplicated pupils receive an additional concentration grant. The law specifies that each LEA is required to expend its supplemental and concentration grants in accordance with the spending regulations adopted by the SBE. Thus, these emergency regulations are necessary in order for LEAs to determine appropriate expenditure of LCFF funds.

Education Code sections 52060 and 52064 require school districts and county offices of education to adopt an LCAP by July 1, 2014 and an annual update by July 1 in each following year, using the template adopted by the SBE. The LCAP will identify how LEAs will use LCFF funds to address pupils’ needs and ensure, among other state priorities delineated in Education Code section 52060, 52066(d), and 47605(b)(5)(B), that school facilities are maintained in good repair and action is taken to improve pupil achievement, school climate, and student and staff safety. In addition, County Superintendents of Schools and the SSPI are required to approve LCAPs by October 8, 2014, and annual updates by October 8 in each year thereafter, as specified in statute.

The LCAP focuses on pupil needs as determined locally in each LEA. Education Code sections 52060(g) and 52066(g) require schools districts and county offices of education to consult with a broad range of school personnel, parents, and pupils in developing the local LCAP. In addition, prior to adopting the local LCAP or annual update to the plan, Education Code sections 52062 and 52069 require school districts and county offices of education to present their LCAP or annual update to the parent advisory and English learner parent advisory committees, provide public notification, and hold a public hearing before the governing board or county board of education, respectively. The governing board or county board of education must then adopt the LCAP or annual update at a public meeting which must be held after the public hearing. The County

Superintendents and SSPI are in the process of finalizing approvals of LCAPs. In addition, many LEAs will begin the process for preparation and adoption of the annual update to the LCAP, including engaging with stakeholders and members of the public. Without an adopted template and regulations directing appropriate expenditure of supplemental and concentration grant funds, the stakeholders will be unable to provide the local input necessary to ensure LCFF funds are spent to address pupil needs in the critical state priority areas, including increasing pupil achievement, improving student engagement, school climate, and pupil and staff safety; and other state priorities identified in Education Code sections 52060(d), 52066(d), and 47605(b)(5)(B). In addition, County Superintendents and the SSPI will be unable to properly carry out their responsibilities to review and approve LCAPs and annual updates, as specified in the LCFF statute. As a result, pupils will not receive the benefits of actions and expenditures to address their needs in the priority areas, and they, along with the general public, will suffer serious immediate harm to their academic achievement, as well as to their safety and well-being. Emergency regulations are necessary in order for LEAs to meet the statutory requirements for public participation and the July 1 and October 8 deadlines for adoption and approval of the LCAP, and to ensure pupils' needs in the state priority areas are addressed.

Extensive stakeholder input was necessary in order for the SBE to receive feedback on the spending regulations and template. Between July and October 2013, staff from the CDE and the SBE convened an implementation working group and held a series of four meetings consisting of representatives from over 20 statewide organizations. The SBE also convened three regional hearings (with video conference linkages to three additional locations) in August and partnered with the California Endowment to convene 12 regional forums across the state from September through November. Based on this public feedback, draft regulation concepts were presented to the SBE at its September and November meetings. SBE staff also continued conducting informal feedback sessions through the month of December. Concepts raised during the feedback sessions were the basis for discussions by SBE members at the September 2013 and November 2013 meetings and resulted in the presentation of regulations to the SBE at its January 2014 meeting. At its July 2014 meeting, the SBE adopted proposed changes to the proposed permanent regulations, and readopted the January 2014 emergency regulations. The SBE received approximately 117 comments in response to the proposed changes to the permanent regulations. At its September 2014 meeting, the SBE adopted additional changes to the proposed permanent regulations and directed they be sent out for additional public comment.

### **These Issues Could Not Be Addressed Through Nonemergency Regulations**

The legislation established the statutory deadlines of January 31 and March 31, 2014, for the SBE to adopt spending regulations and the LCAP template, respectively. These deadlines did not allow for sufficient time to complete the regular rulemaking process. In addition, the CDE received approximately 2,417 written public comments over the course of the permanent rulemaking which require thorough and careful review in order to ensure the proposed permanent regulations provide the necessary clarity and direction regarding expenditure of LCFF funds and LCAPs.

## **NON-DUPLICATION**

Government Code section 11349 prohibits unnecessary duplication of state or federal statutes in regulation. In this case, duplication of certain state statutes in the proposed emergency regulations is necessary in order to provide additional specific detail not included in state statute.

## **AUTHORITY AND REFERENCE**

Authority: Sections 42238.07 and 52064, Education Code.

Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.

## **INFORMATIVE DIGEST**

On June 26, 2013, Governor Brown signed AB 97 (Chapter 47, Statutes of 2013), as amended by SB 41 (Chapter 49, Statutes of 2013) and SB 97 (Chapter 357, Statutes of 2013), which enacted the LCFF. Education Code section 42238.07, as added by AB 97, requires the SBE to adopt regulations by January 31, 2014, that govern the expenditure of funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03. The legislation authorizes the SBE to adopt emergency regulations for purposes of the section.

The proposed regulations must be adopted on an emergency basis in order for the SBE to meet the statutorily-established deadlines for adoption of regulations.

In addition, Education Code section 52064, as added by AB 97 and amended by SB 97, requires the SBE to adopt a template by March 31, 2014, for the LCAP. Education Code section 52064 authorizes the template be adopted pursuant to the Administrative Procedure Act and authorizes the SBE to adopt emergency regulations for purposes of implementing the section.

To inform the development of the proposed regulations, extensive efforts were made to solicit public input. This included convening an implementation working group comprised of representatives from statewide organizations with diverse interests and responsibility for supporting local implementation, a series of regional input sessions held in six locations throughout the state in August 2013, and 20 community input sessions throughout the state from September through October 2013. In addition, the SBE heard extensive public testimony at its September and November 2013 meetings.

The proposed regulations are intended to support the local implementation of the LCFF.

The CDE reviewed all state regulations relating to the LCFF requirements for supplemental and concentration grants and found that none exist that are inconsistent

or incompatible with these regulations.

### **SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS**

The benefit of enacting the proposed regulations will be to provide direction and definitions that LEAs can follow to support local implementation of LCFF.

### **TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS**

The SBE did not consider any technical, theoretical, empirical studies, reports, or other documents in the drafting these regulations.

### **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

The proposed regulations do not impose a mandate on LEAs.

### **COSTS OR SAVINGS TO ANY STATE AGENCY**

The emergency regulations will not result in any additional costs or savings to local educational agencies, state agencies, or federal funding to the State.

### **NON-DISCRETIONARY COSTS OR SAVINGS IMPOSED UPON LOCAL AGENCIES**

The emergency regulations will not result in any additional non-discretionary costs or savings upon local agencies.

- 1 • The State Board of Education has illustrated changes to the original text in the  
2 following manner: text originally proposed to be added is underlined.  
3

4 **Title 5. EDUCATION**

5 **Division 1. California Department of Education**

6 **Chapter 14.5. Local Control Funding Formula**

7 **Subchapter 1. Local Control Funding Formula Spending Regulations for**  
8 **Supplemental and Concentration Grants and Local Control and Accountability**  
9 **Plan Template**

10 **Article 1. Local Control and Accountability Plan and Spending Requirements for**  
11 **Supplemental and Concentration Grants**

12  
13 **§ 15494. Scope.**

14 (a) This chapter applies to all local educational agencies (LEAs) as defined in  
15 section 15495(b).

16 (b) Funding restrictions specified in Education Code section 42238.07 apply to local  
17 control funding formula (LCFF) funds apportioned on the basis of unduplicated pupils  
18 pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03.

19 (c) The local control and accountability plan (LCAP) shall demonstrate how services  
20 are provided according to this chapter to meet the needs of unduplicated pupils and  
21 improve the performance of all pupils in the state priority areas.

22 NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:  
23 Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,  
24 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section  
25 6312.

26  
27 **§ 15495. Definitions.**

28 In addition to those found in Education Code sections 2574, 42238.01, and  
29 42238.02, the following definitions are provided:

1 (a) “Local control and accountability plan (LCAP)” means the plan created by an LEA  
2 pursuant to Education Code sections 47606.5, 52060, or 52066, and completed in  
3 conformance with the LCAP and annual update template found in section 15497.

4 (b) “Local educational agency (LEA)” means a school district, county office of  
5 education, or charter school.

6 (c) “Prior year” means one fiscal year immediately preceding the fiscal year for which  
7 an LCAP is approved.

8 (d) “Services” as used in Education Code section 42238.07 may include, but are not  
9 limited to, services associated with the delivery of instruction, administration, facilities,  
10 pupil support services, technology, and other general infrastructure necessary to  
11 operate and deliver educational instruction and related services.

12 (e) “State priority areas” means the priorities identified in Education Code sections  
13 52060 and 52066. For charter schools, “state priority areas” means the priorities  
14 identified in Education Code section 52060 that apply for the grade levels served or the  
15 nature of the program operated by the charter school.

16 (f) “to improve services” means to grow services in quality.

17 (g) “to increase services” means to grow services in quantity.

18 (h) “unduplicated pupil” means any of those pupils to whom one or more of the  
19 definitions included in Education Code section 42238.01 apply, including low income,  
20 foster youth, and English learner.

21 NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:  
22 Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,  
23 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section  
24 6312.

25  
26 **§ 15496. Requirements for LEAs to Demonstrate Increased or Improved Services**  
27 **for Unduplicated Pupils in Proportion to the Increase in Funds Apportioned for**  
28 **Supplemental and Concentration Grants.**

29 (a) An LEA shall provide evidence in its LCAP to demonstrate how funding  
30 apportioned on the basis of the number and concentration of unduplicated pupils,  
31 pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03 is used to

1 support such pupils. This funding shall be used to increase or improve services for  
2 unduplicated pupils as compared to the services provided to all pupils in proportion to  
3 the increase in funds apportioned on the basis of the number and concentration of  
4 unduplicated pupils as required by Education Code section 42238.07(a)(1). An LEA  
5 shall include in its LCAP an explanation of how expenditures of such funding meet the  
6 LEA's goals for its unduplicated pupils in the state priority areas. An LEA shall  
7 determine the percentage by which services for unduplicated pupils must be increased  
8 or improved above services provided to all pupils in the fiscal year as follows:

9 (1) Estimate the amount of the LCFF target attributed to the supplemental and  
10 concentration grants for the LEA calculated pursuant to Education Code sections  
11 42238.02 and 2574 in the fiscal year for which the LCAP is adopted.

12 (2) Estimate the amount of LCFF funds expended by the LEA on services for  
13 unduplicated pupils in the prior year that is in addition to what was expended on  
14 services provided for all pupils. The estimated amount of funds expended in 2013-14  
15 shall be no less than the amount of Economic Impact Aid funds the LEA expended in  
16 the 2012-13 fiscal year.

17 (3) Subtract subdivision (a)(2) from subdivision (a)(1).

18 (4) Multiply the amount in subdivision (a)(3), by the most recent percentage  
19 calculated by the Department of Finance that represents how much of the statewide  
20 funding gap between current funding and full implementation of LCFF is eliminated in  
21 the fiscal year for which the LCAP is adopted.

22 (5) Add subdivision (a)(4) to subdivision (a)(2).

23 (6) Subtract subdivision (a)(5) from the LEA's total amount of LCFF funding pursuant  
24 to Education Code sections 42238.02 and 2574, as implemented by Education Code  
25 sections 42238.03 and 2575 respectively, excluding add-ons for the Targeted  
26 Instructional Improvement Grant program and the Home to School Transportation  
27 program, in the fiscal year for which the LCAP is adopted.

28 (7) Divide the amount in subdivision (a)(5) by the amount in subdivision (a)(6).

29 (8) If the calculation in subdivision (a)(3) yields a number less than or equal to zero  
30 or when LCFF is fully implemented statewide, then an LEA shall determine its  
31 percentage for purposes of this section by dividing the amount of the LCFF target

1 attributed to the supplemental and concentration grant for the LEA calculated pursuant  
2 to Education Code sections 42238.02 and 2574 in the fiscal year for which the LCAP is  
3 adopted by the remainder of the LEA's LCFF funding, excluding add-ons for the  
4 Targeted Instructional Improvement Grant program and the Home to School  
5 Transportation program.

6 (b) This subdivision identifies the conditions under which an LEA may use funds  
7 apportioned on the basis of the number and concentration of unduplicated pupils for  
8 districtwide, schoolwide, countywide, or charterwide purposes: Pursuant to Education  
9 Code section 42238.07(a)(2), an LEA may demonstrate it has increased or improved  
10 services for unduplicated pupils under subdivision (a) of this section by using funds to  
11 upgrade the entire educational program of a school site, a school district, a charter  
12 school, or a county office of education as follows:

13 (1) A school district that has an enrollment of unduplicated pupils in excess of 55  
14 percent of the district's total enrollment in the fiscal year for which an LCAP is adopted  
15 or in the prior year may expend supplemental and concentration grant funds on a  
16 districtwide basis. A school district expending funds on a districtwide basis shall do all of  
17 the following:

18 (A) Identify in the LCAP those services that are being provided on a districtwide  
19 basis.

20 (B) Describe in the LCAP how such services are directed towards meeting the  
21 district's goals for its unduplicated pupils in the state priority areas.

22 (2) A school district that has an enrollment of unduplicated pupils that is less than 55  
23 percent of the district's total enrollment in the fiscal year for which an LCAP is adopted  
24 or in the prior year may expend supplemental grant funds on a districtwide basis. A  
25 school district expending funds on a districtwide basis shall do all of the following:

26 (A) Identify in the LCAP those services that are being provided on a districtwide  
27 basis.

28 (B) Describe in the LCAP how such services are directed towards meeting the  
29 district's goals for its unduplicated pupils in the state priority areas.

30 (C) Describe how these services are the most effective use of the funds to meet the  
31 district's goals for its unduplicated pupils in the state priority areas.

1       (3) A school district that has an enrollment of unduplicated pupils at a school that is  
2 in excess of 40 percent of the school's total enrollment in the fiscal year for which an  
3 LCAP is adopted or in the prior year may expend supplemental and concentration grant  
4 funds on a schoolwide basis. A school district expending funds on a schoolwide basis  
5 shall do all of the following:

6       (A) Identify in the LCAP those services that are being provided on a schoolwide  
7 basis.

8       (B) Describe in the LCAP how such services are directed towards meeting the  
9 district's goals for its unduplicated pupils in the state priority areas.

10       (4) A school district that has an enrollment of unduplicated pupils that is less than 40  
11 percent of the school site's total enrollment in the fiscal year for which an LCAP is  
12 adopted or in the prior year may expend supplemental and concentration grant funds on  
13 a schoolwide basis. A school district expending funds on a schoolwide basis shall do all  
14 of the following:

15       (A) Identify in the LCAP those services that are being provided on a schoolwide  
16 basis.

17       (B) Describe in the LCAP how such services are directed towards meeting the  
18 district's goals for its unduplicated pupils in the state priority areas.

19       (C) Describe how these services are the most effective use of the funds to meet the  
20 district's goals for its unduplicated pupils in the state priority areas.

21       (5) A county office of education expending supplemental and concentration grant  
22 funds on a countywide basis or a charter school expending supplemental and  
23 concentration grant funds on a charterwide basis shall do all of the following:

24       (A) Identify in the LCAP those services that are being provided on a countywide or  
25 charterwide basis.

26       (B) Describe in the LCAP how such services are directed towards meeting the  
27 county office of education's or charter school's goals for its unduplicated pupils in the  
28 state priority areas.

29       (c) County superintendent of schools oversight of demonstration of proportionality: In  
30 making the determinations required under Education Code section 52070(d)(3), the  
31 county superintendent of schools shall review any descriptions provided under

1 subdivisions (b)(2)(B) and (b)(2)(C) or subdivisions (b)(4)(B) and (b)(4)(C) when  
2 determining whether the LEA has fully demonstrated that it will increase or improve  
3 services for unduplicated pupils under subdivision (a). If a county superintendent of  
4 schools does not approve an LCAP because the LEA has failed to meet its  
5 proportionality requirement as specified in this section, it shall provide technical  
6 assistance to the LEA in meeting that requirement pursuant to Education Code section  
7 52071.

8 NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:  
9 Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,  
10 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section  
11 6312.

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**§ 15497. Local Control and Accountability Plan and Annual Update Template.**

**Introduction:**

LEA: \_\_\_\_\_ Contact (Name, Title, Email, Phone Number): \_\_\_\_\_ LCAP Year: \_\_\_\_\_

***Local Control and Accountability Plan and Annual Update Template***

*The Local Control and Accountability Plan (LCAP) and annual update template shall be used to provide details regarding local educational agencies' (LEAs) actions and expenditures to support pupil outcomes and overall performance pursuant to Education Code sections 52060, 52066, 47605, 47605.5, and 47606.5.*

*For school districts, pursuant to Education Code section 52060, the LCAP must describe, for the school district and each school within the district, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities and any locally identified priorities.*

*For county offices of education, pursuant to Education Code section 52066, the LCAP must describe, for each county office of education-operated school and program, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, who are funded through the county office of education Local Control Funding Formula as identified in Education Code section 2574 (pupils attending juvenile court schools, on probation or parole, or mandatorily expelled) for each of the state priorities and any locally identified priorities. School districts and county offices of education may additionally coordinate and describe in their LCAPs services provided to pupils funded by a school district but attending county-operated schools and programs, including special education programs.*

*Charter schools, pursuant to Education Code sections 47605, 47605.5, and 47606.5, must describe goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities as applicable and any locally identified priorities. For charter schools, the inclusion and description of goals for state priorities in the LCAP may be modified to meet the grade levels served and the nature of the programs provided, including modifications to reflect only the statutory requirements explicitly applicable to charter schools in the Education Code.*

*The LCAP is intended to be a comprehensive planning tool. LEAs may reference and describe actions and expenditures in other plans and funded by a variety of other fund sources when detailing goals, actions, and expenditures related to the state and local priorities. LCAPs must be consistent with school plans submitted pursuant to Education Code section 64001. The information contained in the LCAP, or annual update, may be supplemented by information contained in other plans (including the LEA plan pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110) that are incorporated or referenced as relevant in this document.*

*For each section of the template, LEAs should comply with instructions and use the guiding questions as prompts (but not limits) for completing the information as required by statute. Guiding questions do not require separate narrative responses. Data referenced in the LCAP must be consistent with the school accountability report card where appropriate. LEAs may resize pages or attach additional pages as necessary to facilitate completion of the LCAP.*

### **State Priorities**

*The state priorities listed in Education Code sections 52060 and 52066 can be categorized as specified below for planning purposes, however, school districts and county offices of education must address each of the state priorities in their LCAP. Charter schools must address the priorities in Education Code section 52060(d) that apply to the grade levels served, or the nature of the program operated, by the charter school.*

#### *A. Conditions of Learning:*

***Basic:*** *degree to which teachers are appropriately assigned pursuant to Education Code section 44258.9, and fully credentialed in the subject areas and for the pupils they are teaching; pupils have access to standards-aligned instructional materials pursuant to Education Code section 60119; and school facilities are maintained in good repair pursuant to Education Code section 17002(d). (Priority 1)*

***Implementation of State Standards:*** *implementation of academic content and performance standards adopted by the state board for all pupils, including English learners. (Priority 2)*

***Course access:*** *pupil enrollment in a broad course of study that includes all of the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable. (Priority 7)*

***Expelled pupils (for county offices of education only):*** *coordination of instruction of expelled pupils pursuant to Education Code section 48926. (Priority 9)*

***Foster youth (for county offices of education only):*** *coordination of services, including working with the county child welfare agency to share information, responding to the needs of the juvenile court system, and ensuring transfer of health and education records. (Priority 10)*

#### *B. Pupil Outcomes:*

***Pupil achievement:*** *performance on standardized tests, score on Academic Performance Index, share of pupils that are college and career ready, share of English learners that become English proficient, English learner reclassification rate, share of pupils that pass Advanced Placement exams with 3 or higher, share of pupils determined prepared for college by the Early Assessment Program. (Priority 4)*

**Other pupil outcomes:** *pupil outcomes in the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Education Code section 51220, as applicable. (Priority 8)*

C. Engagement:

**Parent involvement:** *efforts to seek parent input in decision making, promotion of parent participation in programs for unduplicated pupils and special need subgroups. (Priority 3)*

**Pupil engagement:** *school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, high school graduations rates. (Priority 5)*

**School climate:** *pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness. (Priority 6)*

**Section 1: Stakeholder Engagement**

*Meaningful engagement of parents, pupils, and other stakeholders, including those representing the subgroups identified in Education Code section 52052, is critical to the LCAP and budget process. Education Code sections 52062 and 52063 specify the minimum requirements for school districts; Education Code sections 52068 and 52069 specify the minimum requirements for county offices of education, and Education Code section 47606.5 specifies the minimum requirements for charter schools. In addition, Education Code section 48985 specifies the requirements for translation of documents.*

**Instructions:** Describe the process used to engage parents, pupils, and the community and how this engagement contributed to development of the LCAP or annual update. Note that the LEA's goals related to the state priority of parental involvement are to be described separately in Section 2, and the related actions and expenditures are to be described in Section 3.

**Guiding Questions:**

- 1) How have parents, community members, pupils, local bargaining units, and other stakeholders (e.g., LEA personnel, county child welfare agencies, county office of education foster youth services programs, court-appointed special advocates, foster youth, foster parents, education rights holders and other foster youth stakeholders, English learner parents, community organizations representing English learners, and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?
- 2) How have stakeholders been included in the LEA's process in a timely manner to allow for engagement in the development of the LCAP?

- 3) What information (e.g., quantitative and qualitative data/metrics) was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal setting process?
- 4) What changes, if any, were made in the LCAP prior to adoption as a result of written comments or other feedback received by the LEA through any of the LEA’s engagement processes?
- 5) What specific actions were taken to meet statutory requirements for stakeholder engagement pursuant to Education Code sections 52062, 52068, and 47606.5, including engagement with representative parents of pupils identified in Education Code section 42238.01?
- 6) In the annual update, how has the involvement of these stakeholders supported improved outcomes for pupils related to the state priorities?

Involvement Process	Impact on LCAP

**Section 2: Goals and Progress Indicators**

*For school districts, Education Code sections 52060 and 52061, for county offices of education, Education Code sections 52066 and 52067, and for charter schools, Education Code section 47606.5 require(s) the LCAP to include a description of the annual goals, for all pupils and each subgroup of pupils, for **each** state priority and any local priorities and require the annual update to include a review of progress towards the goals and describe any changes to the goals.*

**Instructions:** Describe annual goals and expected and actual progress toward meeting goals. This section must include specifics projected for the applicable term of the LCAP, and in each annual update year, a review of progress made in the past fiscal year based on an identified metric. Charter schools may adjust the chart below to align with the term of the charter school’s budget that is submitted to the school’s authorizer pursuant to Education Code section 47604.33. The metrics may be quantitative or qualitative, although LEAs must, at minimum, use the specific metrics that statute explicitly references as required elements for measuring progress within a particular state priority area. Goals must address each of the state priorities and any additional local priorities; however, one goal may address multiple priorities. The LEA may identify which school sites and subgroups have the same goals, and group and describe those goals together. The LEA may also indicate those goals that are not

applicable to a specific subgroup or school site. The goals must reflect outcomes for all pupils and include specific goals for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and, where applicable, at the school site level. To facilitate alignment between the LCAP and school plans, the LCAP shall identify and incorporate school-specific goals related to the state and local priorities from the school plans submitted pursuant to Education Code section 64001. Furthermore, the LCAP should be shared with, and input requested from, school site-level advisory groups (e.g., school site councils, English Learner Advisory Councils, pupil advisory groups, etc.) to facilitate alignment between school-site and district-level goals and actions. An LEA may incorporate or reference actions described in other plans that are being undertaken to meet the goal.

**Guiding Questions:**

- 1) What are the LEA's goal(s) to address state priorities related to "Conditions of Learning"?
- 2) What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes"?
- 3) What are the LEA's goal(s) to address state priorities related to "Engagement" (e.g., pupil and parent)?
- 4) What are the LEA's goal(s) to address locally-identified priorities?
- 5) How have the unique needs of individual school sites been evaluated to inform the development of meaningful district and/or individual school site goals (e.g., input from site level advisory groups, staff, parents, community, pupils; review of school level plans; in-depth school level data analysis, etc.)?
- 6) What are the unique goals for subgroups as defined in Education Code sections 42238.01 and 52052 that are different from the LEA's goals for all pupils?
- 7) What are the specific predicted outcomes/metrics/noticeable changes associated with each of the goals annually and over the term of the LCAP?
- 8) What information (e.g., quantitative and qualitative data/metrics) was considered/reviewed to develop goals to address each state or local priority and/or to review progress toward goals in the annual update?
- 9) What information was considered/reviewed for individual school sites?
- 10) What information was considered/reviewed for subgroups identified in Education Code section 52052?
- 11) In the annual update, what changes/progress have been realized and how do these compare to changes/progress predicted? What modifications are being made to the LCAP as a result of this comparison?



### **Section 3: Actions, Services, and Expenditures**

*For school districts, Education Code sections 52060 and 52061, for county offices of education, Education Code sections 52066 and 52067, and for charter schools, Education Code section 47606.5 require the LCAP to include a description of the specific actions an LEA will take to meet the goals identified. Additionally Education Code section 52604 requires a listing and description of the expenditures required to implement the specific actions.*

**Instructions:** Identify annual actions to be performed to meet the goals described in Section 2, and describe expenditures to implement each action, and where these expenditures can be found in the LEA's budget. Actions may describe a group of services that are implemented to achieve identified goals. The actions and expenditures must reflect details within a goal for the specific subgroups identified in Education Code section 52052, including pupils with disabilities, and for specific school sites as applicable. In describing the actions and expenditures that will serve low-income, English learner, and/or foster youth pupils as defined in Education Code section 42238.01, the LEA must identify whether supplemental and concentration funds are used in a districtwide, schoolwide, countywide, or charterwide manner. In the annual update, the LEA must describe any changes to actions as a result of a review of progress. The LEA must reference all fund sources used to support actions and services. Expenditures must be classified using the California School Accounting Manual as required by Education Code sections 52061, 52067, and 47606.5.

#### **Guiding Questions:**

- 1) What actions/services will be provided to all pupils, to subgroups of pupils identified pursuant to Education Code section 52052, to specific school sites, to English learners, to low-income pupils, and/or to foster youth to achieve goals identified in the LCAP?
- 2) How do these actions/services link to identified goals and performance indicators?
- 3) What expenditures support changes to actions/services as a result of the goal identified? Where can these expenditures be found in the LEA's budget?
- 4) In the annual update, how have the actions/services addressed the needs of all pupils and did the provisions of those services result in the desired outcomes?
- 5) In the annual update, how have the actions/services addressed the needs of all subgroups of pupils identified pursuant to Education Code section 52052, including, but not limited to, English learners, low-income pupils, and foster youth; and did the provision of those actions/services result in the desired outcomes?

- 6) In the annual update, how have the actions/services addressed the identified needs and goals of specific school sites and did the provision of those actions/services result in the desired outcomes?
  - 7) In the annual update, what changes in actions, services, and expenditures have been made as a result of reviewing past progress and/or changes to goals?
- A. What annual actions, and the LEA may include any services that support these actions, are to be performed to meet the goals described in Section 2 for ALL pupils and the goals specifically for subgroups of pupils identified in Education Code section 52052 but not listed in Table 3B below (e.g., Ethnic subgroups and pupils with disabilities)? List and describe expenditures for each fiscal year implementing these actions, including where these expenditures can be found in the LEA’s budget.

Goal (Include and identify all goals from Section 2)	Related State and Local Priorities (from Section 2)	Actions and Services	Level of Service (Indicate if school-wide or LEA-wide)	Annual Update: Review of actions/services	What actions are performed or services provided in each year (and are projected to be provided in years 2 and 3)? What are the anticipated expenditures for each action (including funding source)?		
					LCAP Year Year 1: 20XX-XX	Year 2: 20XX-XX	Year 3: 20XX-XX

- B. Identify additional annual actions, and the LEA may include any services that support these actions, above what is provided for all pupils that will serve low-income, English learner, and/or foster youth pupils as defined in Education Code section 42238.01 and pupils redesignated as fluent English proficient. The identified actions must include, but are not limited to, those actions that are to be performed to meet the targeted goals described in Section 2 for low-income pupils, English learners, foster youth and/or pupils

redesignated as fluent English proficient (e.g., not listed in Table 3A above). List and describe expenditures for each fiscal year implementing these actions, including where those expenditures can be found in the LEA’s budget.

Goal (Include and identify all goals from Section 2, if applicable)	Related State and Local Priorities (from Section 2)	Actions and Services	Level of Service (Indicate if school-wide or LEA-wide)	Annual Update: Review of actions/services	What actions are performed or services provided in each year (and are projected to be provided in years 2 and 3)? What are the anticipated expenditures for each action (including funding source)?		
					LCAP Year Year 1: 20XX-XX	Year 2: 20XX-XX	Year 3: 20XX-XX
		For low income pupils:					
		For English learners:					
		For foster youth:					
		For redesignated fluent English proficient pupils:					

C. Describe the LEA’s increase in funds in the LCAP year calculated on the basis of the number and concentration of low income, foster youth, and English learner pupils as determined pursuant to 5 CCR 15496(a)(5). Describe how the LEA is expending these funds in the LCAP year. Include a description of, and justification for, the use of any funds in a districtwide, schoolwide, countywide, or charterwide manner as specified in 5 CCR 15496. For school districts with below 55 percent of enrollment of unduplicated pupils in the district or below 40 percent of enrollment of unduplicated pupils at a school site in the LCAP year, when using supplemental and concentration funds in a districtwide or schoolwide manner, the school district must additionally describe how the services provided are the most effective use of funds to meet the district’s goals for unduplicated pupils in the state priority areas. (See 5 CCR 15496(b) for guidance.)

D. Consistent with the requirements of 5 CCR 15496, demonstrate how the services provided in the LCAP year for low income pupils, foster youth, and English learners provide for increased or improved services for these pupils in proportion to the increase in funding provided for such pupils in that year as calculated pursuant to 5 CCR 15496(a)(7). Identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all pupils in the LCAP year as calculated pursuant to 5 CCR 15496(a). An LEA shall describe how the proportionality percentage is met using a quantitative and/or qualitative description of the increased and/or improved services for unduplicated pupils as compared to the services provided to all pupils.

NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.

This is the official scanned version of Item 15 Attachment 4 from the California State Board of Education (SBE) Meeting Agenda for September 2014 posted at <http://www.cde.ca.gov/be/ag/ag/yr14/agenda201409.asp>

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The scanned document starts following this initial page.

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT**

DEPARTMENT NAME Education	CONTACT PERSON Carolyn Nealon	EMAIL ADDRESS cnealon@cde.ca.gov	TELEPHONE NUMBER 916-319-0295
DESCRIPTIVE TITLE FROM NOTICE REGISTER OR FORM 400 Local Control Funding Formula (LCFF) & Local Control and Accountability Plan (LCAP) - Emergency Regs 1/3/14			NOTICE FILE NUMBER Z

**A. ESTIMATED PRIVATE SECTOR COST IMPACTS** *Include calculations and assumptions in the rulemaking record.*

1. Check the appropriate box(es) below to indicate whether this regulation:

- a. Impacts business and/or employees       e. Imposes reporting requirements  
 b. Impacts small businesses                       f. Imposes prescriptive instead of performance  
 c. Impacts jobs or occupations                       g. Impacts individuals  
 d. Impacts California competitiveness               h. None of the above (Explain below):

The regulations would not impose any additional costs to the private sector.

***If any box in Items 1 a through g is checked, complete this Economic Impact Statement.***

***If box in Item 1.h. is checked, complete the Fiscal Impact Statement as appropriate.***

2. The \_\_\_\_\_ estimates that the economic impact of this regulation (which includes the fiscal impact) is:  
(Agency/Department)

- Below \$10 million  
 Between \$10 and \$25 million  
 Between \$25 and \$50 million  
 Over \$50 million *[If the economic impact is over \$50 million, agencies are required to submit a Standardized Regulatory Impact Assessment as specified in Government Code Section 11346.3(c)]*

3. Enter the total number of businesses impacted: \_\_\_\_\_

Describe the types of businesses (Include nonprofits): \_\_\_\_\_

Enter the number or percentage of total businesses impacted that are small businesses: \_\_\_\_\_

4. Enter the number of businesses that will be created: \_\_\_\_\_ eliminated: \_\_\_\_\_

Explain: \_\_\_\_\_

5. Indicate the geographic extent of impacts:  Statewide  
 Local or regional (List areas): \_\_\_\_\_

6. Enter the number of jobs created: \_\_\_\_\_ and eliminated: \_\_\_\_\_

Describe the types of jobs or occupations impacted: \_\_\_\_\_

7. Will the regulation affect the ability of California businesses to compete with other states by making it more costly to produce goods or services here?  YES  NO

If YES, explain briefly: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

**B. ESTIMATED COSTS** *Include calculations and assumptions in the rulemaking record.*

1. What are the total statewide dollar costs that businesses and individuals may incur to comply with this regulation over its lifetime? \$ \_\_\_\_\_

a. Initial costs for a small business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

b. Initial costs for a typical business: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

c. Initial costs for an individual: \$ \_\_\_\_\_ Annual ongoing costs: \$ \_\_\_\_\_ Years: \_\_\_\_\_

d. Describe other economic costs that may occur: \_\_\_\_\_

2. If multiple industries are impacted, enter the share of total costs for each industry: \_\_\_\_\_

3. If the regulation imposes reporting requirements, enter the annual costs a typical business may incur to comply with these requirements. *Include the dollar costs to do programming, record keeping, reporting, and other paperwork, whether or not the paperwork must be submitted.* \$ \_\_\_\_\_

4. Will this regulation directly impact housing costs?  YES  NO

If YES, enter the annual dollar cost per housing unit: \$ \_\_\_\_\_

Number of units: \_\_\_\_\_

5. Are there comparable Federal regulations?  YES  NO

Explain the need for State regulation given the existence or absence of Federal regulations: \_\_\_\_\_

Enter any additional costs to businesses and/or individuals that may be due to State - Federal differences: \$ \_\_\_\_\_

**C. ESTIMATED BENEFITS** *Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. Briefly summarize the benefits of the regulation, which may include among others, the health and welfare of California residents, worker safety and the State's environment: \_\_\_\_\_

2. Are the benefits the result of:  specific statutory requirements, or  goals developed by the agency based on broad statutory authority?

Explain: \_\_\_\_\_

3. What are the total statewide benefits from this regulation over its lifetime? \$ \_\_\_\_\_

4. Briefly describe any expansion of businesses currently doing business within the State of California that would result from this regulation: \_\_\_\_\_

**D. ALTERNATIVES TO THE REGULATION** *Include calculations and assumptions in the rulemaking record. Estimation of the dollar value of benefits is not specifically required by rulemaking law, but encouraged.*

1. List alternatives considered and describe them below. If no alternatives were considered, explain why not: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**ECONOMIC IMPACT STATEMENT (CONTINUED)**

2. Summarize the total statewide costs and benefits from this regulation and each alternative considered:

Regulation: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 1: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

Alternative 2: Benefit: \$ \_\_\_\_\_ Cost: \$ \_\_\_\_\_

3. Briefly discuss any quantification issues that are relevant to a comparison of estimated costs and benefits for this regulation or alternatives:

\_\_\_\_\_

4. Rulemaking law requires agencies to consider performance standards as an alternative, if a regulation mandates the use of specific technologies or equipment, or prescribes specific actions or procedures. Were performance standards considered to lower compliance costs?

YES  NO

Explain: \_\_\_\_\_

**E. MAJOR REGULATIONS** *Include calculations and assumptions in the rulemaking record.*

***California Environmental Protection Agency (Cal/EPA) boards, offices and departments are required to submit the following (per Health and Safety Code section 57005). Otherwise, skip to E4.***

1. Will the estimated costs of this regulation to California business enterprises exceed \$10 million?  YES  NO

***If YES, complete E2. and E3  
If NO, skip to E4***

2. Briefly describe each alternative, or combination of alternatives, for which a cost-effectiveness analysis was performed:

Alternative 1: \_\_\_\_\_

Alternative 2: \_\_\_\_\_

*(Attach additional pages for other alternatives)*

3. For the regulation, and each alternative just described, enter the estimated total cost and overall cost-effectiveness ratio:

Regulation: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 1: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

Alternative 2: Total Cost \$ \_\_\_\_\_ Cost-effectiveness ratio: \$ \_\_\_\_\_

4. Will the regulation subject to OAL review have an estimated economic impact to business enterprises and individuals located in or doing business in California exceeding \$50 million in any 12-month period between the date the major regulation is estimated to be filed with the Secretary of State through 12 months after the major regulation is estimated to be fully implemented?

YES  NO

*If YES, agencies are required to submit a Standardized Regulatory Impact Assessment (SRIA) as specified in Government Code Section 11346.3(c) and to include the SRIA in the Initial Statement of Reasons.*

5. Briefly describe the following:

The increase or decrease of investment in the State: \_\_\_\_\_

The incentive for innovation in products, materials or processes: \_\_\_\_\_

The benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state's environment and quality of life, among any other benefits identified by the agency: \_\_\_\_\_

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

SAM Section 6601-6616

STD. 399 (REV. 12/2013)

**FISCAL IMPACT STATEMENT**

**A. FISCAL EFFECT ON LOCAL GOVERNMENT** *Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year which are reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

a. Funding provided in \_\_\_\_\_  
Budget Act of \_\_\_\_\_ or Chapter \_\_\_\_\_, Statutes of \_\_\_\_\_

b. Funding will be requested in the Governor's Budget Act of \_\_\_\_\_  
Fiscal Year: \_\_\_\_\_

2. Additional expenditures in the current State Fiscal Year which are NOT reimbursable by the State. (Approximate)  
(Pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code).

\$ \_\_\_\_\_

*Check reason(s) this regulation is not reimbursable and provide the appropriate information:*

a. Implements the Federal mandate contained in \_\_\_\_\_

b. Implements the court mandate set forth by the \_\_\_\_\_ Court.  
Case of: \_\_\_\_\_ vs. \_\_\_\_\_

c. Implements a mandate of the people of this State expressed in their approval of Proposition No. \_\_\_\_\_  
Date of Election: \_\_\_\_\_

d. Issued only in response to a specific request from affected local entity(s).  
Local entity(s) affected: \_\_\_\_\_

e. Will be fully financed from the fees, revenue, etc. from: \_\_\_\_\_  
Authorized by Section: \_\_\_\_\_ of the \_\_\_\_\_ Code;

f. Provides for savings to each affected unit of local government which will, at a minimum, offset any additional costs to each;

g. Creates, eliminates, or changes the penalty for a new crime or infraction contained in \_\_\_\_\_

3. Annual Savings. (approximate)

\$ \_\_\_\_\_

4. No additional costs or savings. This regulation makes only technical, non-substantive or clarifying changes to current law regulations.

5. No fiscal impact exists. This regulation does not affect any local entity or program.

6. Other. Explain Current law provides that the LCFF funds apportioned to a school district shall be available to implement the required activities.

**ECONOMIC AND FISCAL IMPACT STATEMENT  
(REGULATIONS AND ORDERS)**

STD. 399 (REV. 12/2013)

**FISCAL IMPACT STATEMENT (CONTINUED)**

**B. FISCAL EFFECT ON STATE GOVERNMENT** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

*It is anticipated that State agencies will:*

a. Absorb these additional costs within their existing budgets and resources.

b. Increase the currently authorized budget level for the \_\_\_\_\_ Fiscal Year

2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

3. No fiscal impact exists. This regulation does not affect any State agency or program.

4. Other. Explain The proposed regulations do not impose any costs upon the state, as current law provides that the LCFF funds apportioned to a school district shall be available to implement the activities required [EC Section 42238.02(n)].

**C. FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS** *Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.*

1. Additional expenditures in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

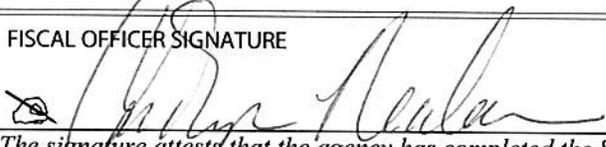
2. Savings in the current State Fiscal Year. (Approximate)

\$ \_\_\_\_\_

3. No fiscal impact exists. This regulation does not affect any federally funded State agency or program.

4. Other. Explain \_\_\_\_\_

FISCAL OFFICER SIGNATURE

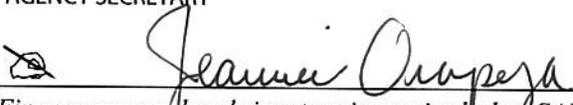


DATE

1/13/14

*The signature attests that the agency has completed the STD. 399 according to the instructions in SAM sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or departments not under an Agency Secretary must have the form signed by the highest ranking official in the organization.*

AGENCY SECRETARY



DATE

1/14/14

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

DEPARTMENT OF FINANCE PROGRAM BUDGET MANAGER



DATE

## AAV of Item 15 Attachment 4

Accessible Alternative Version (AAV) of Items 15 Attachment 4 for the September 2014 SBE Meeting Agenda.

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This page is the Accessible Alternative Version (AAV) of Item 15 Attachment 4 from the California State Board of Education (SBE) [Meeting Agenda for September 2014](#). The scanned [Item 15 Attachment 4](#) (PDF) version is considered to be the official version of the document.

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### Economic and Fiscal Impact Statement

(REGULATIONS AND ORDERS). *User entries from the STD. 399 (REV. 12/2013) Form.*

**Department Name:** Education

**Contact Person:** Carolyn Nealon

**E-mail Address:** [cnealon@cde.ca.gov](mailto:cnealon@cde.ca.gov)

**Telephone Number:** 916-319-0295

**Descriptive Title From Notice Register Or From 400:** Local Control Funding Formula (LCFF) & Local Control and Accountability Plan (LCAP) - Emergency Regs January 3, 2014

**Notice File Number:** Z

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### Economic Impact Statement

**Section A.** ESTIMATED PRIVATE SECTOR COST IMPACTS (Include calculations and assumptions in the rulemaking record.)

**Section A.1.** Check the appropriate box(es) below to indicate whether this regulation:

- Selected option is H: None of the above.
- Option H explanation: The regulations would not impose any additional costs to the private sector.

If any box in Items 1a through g is checked, complete this Economic Impact Statement. If box in Item 1h is checked, complete the Fiscal Impact Statement as appropriate.

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### Fiscal Impact Statement

**Section A.** FISCAL EFFECT ON LOCAL GOVERNMENT (Indicate appropriate boxes 1 through 6 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 6: Other. Explain. Current law provides that the LCFF funds apportioned to a school district shall be available to implement the required activities.

**Section B.** FISCAL EFFECT ON STATE GOVERNMENT (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 4: Other. Explain. The proposed regulations do not impose any costs upon the state, as current law provides that the LCFF funds apportioned to a school district shall be available to implement the activities required [EC Section 42238.02(n)].

**Section C.** FISCAL EFFECT ON FEDERAL FUNDING OF STATE PROGRAMS (Indicate appropriate boxes 1 through 4 and attach calculations and assumptions of fiscal impact for the current year and two subsequent Fiscal Years.)

- Selected option is 3: No fiscal impact exists. This regulation does not affect any federally funded State agency or program.
- 

**Fiscal Officer Signature:** Signed by Carolyn Nealon dated January 13, 2014

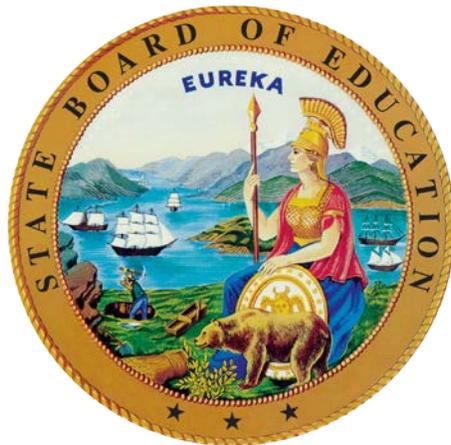
*The signature attests that the agency has completed the STD. 399 according to the instructions in the State Administrative Manual (SAM) sections 6601-6616, and understands the impacts of the proposed rulemaking. State boards, offices, or department not under*

*an Agency Secretary must have the form signed by the highest ranking official in the organization.*

**Agency Secretary:** Signed by Jeannie Oropeza dated January 14, 2014

*Finance approval and signature is required when SAM sections 6601-6616 require completion of Fiscal Impact Statement in the STD. 399.*

**Department of Finance Program Budget Manager:** No signature.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 16**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

<b>SUBJECT</b>	
Approval of 2014–15 Consolidated Applications.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### **SUMMARY OF THE ISSUE(S)**

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Each local educational agency (LEA) must submit a complete and accurate Consolidated Application (ConApp) for Funding each fiscal year in order for the California Department of Education (CDE) to send funding to LEAs for any or all of the categorical funds contained in the ConApp for which they are eligible. The ConApp is the annual fiscal companion to the LEA Plan. The State Board of Education (SBE) is asked to annually approve ConApps for approximately 1,700 school districts, county offices of education, and direct-funded charter schools.

#### **RECOMMENDATION**

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The CDE recommends that the SBE approve the 2014–15 ConApps submitted by LEAs in Attachment 1.

#### **BRIEF HISTORY OF KEY ISSUES**

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Each year, the CDE, in compliance with *California Code of Regulations*, Title 5, Section 3920, recommends that the SBE approve applications for funding Consolidated Categorical Aid Programs submitted by LEAs. Prior to receiving funding, the LEA must also have a SBE-approved LEA Plan that satisfies the SBE's and CDE's criteria for utilizing federal categorical funds.

Approximately \$2.9 billion of federal funding is distributed annually through the ConApp process. The 2014–15 ConApp consists of six federal-funded programs. The funding sources include:

- Title I, Part A Basic Grant (Low Income);
- Title I, Part D (Delinquent);
- Title II, Part A (Teacher Quality);
- Title III, Part A (Immigrant);
- Title III, Part A (Limited English Proficient Students); and
- Title VI, Part B (Rural, Low-Income).

The CDE recommends regular approval of the 2014–15 ConApps for the 1,526 LEAs in Attachment 1. Attachment 1 includes ConApp entitlement figures from school year 2013–14 because the figures for 2014–15 have not yet been determined. Fiscal data are absent if an LEA is new or is applying for direct funding for the first time.

### **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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For fiscal year 2013–14, the SBE approved ConApps for 1,658 LEAs. Attachment 1 represents the first set of 2014–15 ConApps presented to the SBE for approval.

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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The CDE provides resources to track the SBE approval status of the ConApps for approximately 1,700 LEAs. The cost to track the noncompliant status of LEAs related to programs within the ConApp is covered through a cost pool of federal funds. CDE staff communicate with LEA staff on an ongoing basis to determine the evidence needed to resolve issues, review the evidence provided by LEA staff, and maintain a tracking system to document the resolution process.

### **ATTACHMENT(S)**

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Attachment 1: Consolidated Applications List (2014–15) - Regular Approvals (45 pages)

### Consolidated Applications List (2014–15) – Regular Approvals

The following 1,526 local educational agencies have submitted a correct and complete Consolidated Application (ConApp), Spring Release, and have no compliance issues or are making satisfactory progress toward resolving one or two noncompliant issues that are less than 365 days. The California Department of Education (CDE) recommends regular approval of these applications.

CDS Code	Local Educational Agency Name	Total 2013–14 ConApp Entitlement	2013–14 Total Entitlement Per Student	Total 2013–14 Title I Entitlement	2013–14 Entitlement Per Free and Reduced Lunch K-12 Student
19642120000000	ABC Unified	\$4,025,353	\$194	\$2,962,603	\$385
15638260127258	Abernathy Collegiate Charter	\$250	\$0	\$0	\$0
19101990109926	Academia Avance Charter	\$156,246	\$311	\$153,506	\$334
19647330120097	Academia Moderna	\$100,771	\$242	\$84,040	\$259
36750773631207	Academy for Academic Excellence	\$7,357	\$0	\$0	\$0
45752670120170	Academy of Personalized Learning	\$87,324	\$182	\$85,390	\$270
19647330126185	Academy of Science and Engineering	\$117,402	\$479	\$115,829	\$589
07616300000000	Acalanes Union High	\$86,912	\$16	\$0	\$325
19647336112536	Accelerated	\$349,806	\$481	\$300,371	\$490
23656152330454	Accelerated Achievement Academy	\$41,918	\$254	\$41,130	\$335
19647330100743	Accelerated Elementary Charter	\$60,762	\$280	\$59,385	\$224
43694270125617	ACE Charter High	\$59,520	\$321	\$58,571	\$384
43104390116814	ACE Empower Academy	\$127,161	\$282	\$124,497	\$299
01612590111476	Achieve Academy	\$107,857	\$521	\$96,158	\$521
31667610000000	Ackerman Charter	\$45,925	\$88	\$32,129	\$323
19753090000000	Acton-Agua Dulce Unified	\$221,588	\$150	\$157,796	\$472
42767866118202	Adelante Charter	\$75,026	\$303	\$60,464	\$781
36675870000000	Adelanto Elementary	\$1,869,612	\$236	\$1,499,450	\$273
19647330118588	Alain Leroy Locke College Prep Academy	\$959,775	\$490	\$866,367	\$516
01611190130609	Alameda Community Learning Center	\$426	\$0	\$0	\$0
01611190000000	Alameda Unified	\$1,958,432	\$206	\$1,414,863	\$650
01611270000000	Albany City Unified	\$372,063	\$96	\$187,135	\$464
37683380111898	Albert Einstein Academy Charter Middle	\$36,611	\$112	\$35,668	\$271
19753090128603	Albert Einstein Academy Elementary	\$914	\$0	\$0	\$0
19651360121731	Albert Einstein Academy for Letters, Arts and Sciences	\$303	\$0	\$0	\$0
12630320111203	Alder Grove Charter	\$57,148	\$183	\$55,958	\$270
49705990000000	Alexander Valley Union Elementary	\$20,038	\$169	\$16,977	\$527
19757130000000	Alhambra Unified	\$6,274,275	\$348	\$4,616,591	\$544

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
27659610000000	Alisal Union	\$3,742,164	\$423	\$2,799,675	\$540
37754166119275	All Tribes Charter	\$346	\$0	\$0	\$0
37754160122796	All Tribes Elementary Charter	\$165	\$0	\$0	\$0
54717950000000	Allensworth Elementary	\$50,758	\$634	\$45,128	\$757
19647330127217	Alliance Alice M. Baxter College-Ready High	\$0	\$0	\$0	\$0
19647330121285	Alliance Cindy and Bill Simon Technology Academy High	\$162,935	\$359	\$160,499	\$337
19647330123141	Alliance College-Ready Academy High No. 16	\$110,041	\$579	\$108,404	\$447
19647330111492	Alliance College-Ready Academy High No. 5	\$214,946	\$347	\$211,560	\$352
19647330128058	Alliance College-Ready Middle Academy No. 12	\$738	\$0	\$0	\$0
19647330120030	Alliance College-Ready Middle Academy No. 4	\$186,019	\$389	\$182,973	\$389
19647330120048	Alliance College-Ready Middle Academy No. 5	\$97,904	\$388	\$96,287	\$278
19647330121277	Alliance College-Ready Middle Academy No. 7	\$167,054	\$359	\$164,406	\$376
19647330128033	Alliance College-Ready Middle Academy No. 8	\$0	\$0	\$0	\$0
19647330128041	Alliance College-Ready Middle Academy No. 9	\$0	\$0	\$0	\$0
19647330108936	Alliance Collins Family College-Ready High	\$214,041	\$356	\$210,481	\$380
19647330111500	Alliance Dr. Olga Mohan High	\$176,289	\$364	\$173,556	\$404
19647330117606	Alliance Environmental Science and Technology High	\$152,177	\$258	\$149,254	\$352
19647330106864	Alliance Gertz-Ressler Richard Merkin 6-12 Complex	\$387,951	\$689	\$382,385	\$399
19647330117598	Alliance Health Services Academy High	\$123,057	\$233	\$120,474	\$280
19647330111518	Alliance Jack H. Skirball Middle	\$164,756	\$357	\$162,148	\$390
19647330108894	Alliance Judy Ivie Burton Technology Academy High	\$214,903	\$358	\$211,567	\$379
19647330111658	Alliance Marc & Eva Stern Math and Science	\$201,378	\$335	\$198,064	\$358
19647330116509	Alliance Media Arts and Entertainment Design High	\$110,554	\$295	\$108,612	\$382
19647330111641	Alliance Ouchi-O'Donovan 6-12 Complex	\$349,097	\$603	\$343,498	\$351
19647330124891	Alliance Renee and Meyer Luskin Academy High	\$148,417	\$341	\$146,016	\$324
19647330123133	Alliance Susan and Eric Smidt Technology High	\$125,401	\$418	\$123,570	\$516
19647330121293	Alliance Tennenbaum Family Technology High	\$124,116	\$288	\$122,012	\$506
40688250125807	Almond Acres Charter Academy	\$173	\$0	\$0	\$0
54718030000000	Alpaugh Unified	\$215,519	\$702	\$176,433	\$828
43693690129213	Alpha Middle School 2	\$0	\$0	\$0	\$0
43693690125526	Alpha: Blanca Alvarado Middle	\$102,705	\$270	\$100,846	\$284
02100250000000	Alpine County Office of Education	\$4	\$0	\$0	\$0
02613330000000	Alpine County Unified	\$58,189	\$564	\$47,185	\$1,119
37679670000000	Alpine Union Elementary	\$202,995	\$112	\$131,223	\$371
36675950000000	Alta Loma Elementary	\$634,985	\$105	\$446,305	\$321

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
54718110000000	Alta Vista Elementary	\$430,233	\$782	\$356,013	\$850
36675870120592	Alta Vista Public	\$32,955	\$0	\$0	\$0
31667790000000	Alta-Dutch Flat Union Elementary	\$33,362	\$340	\$26,060	\$813
43693690000000	Alum Rock Union Elementary	\$4,500,342	\$382	\$3,137,278	\$450
20651770000000	Alview-Dairyland Union Elementary	\$180,791	\$489	\$150,961	\$708
33669770000000	Alvord Unified	\$6,129,213	\$314	\$4,671,492	\$400
03100330000000	Amador County Office of Education	\$1,881	\$0	\$0	\$0
03739810000000	Amador County Unified	\$642,238	\$173	\$500,471	\$401
10623800124982	Ambassador Phillip V. Sanchez Public Charter	\$1,010	\$0	\$0	\$0
37683380124206	America's Finest Charter	\$57,070	\$259	\$55,895	\$279
01612590114363	American Indian Public Charter School II	\$179,205	\$352	\$176,009	\$501
30664230000000	Anaheim City	\$7,577,346	\$392	\$5,701,783	\$452
30664310000000	Anaheim Union High	\$8,834,210	\$275	\$7,202,636	\$386
45698560000000	Anderson Union High	\$419,561	\$206	\$353,908	\$361
19647330124008	Animo Charter Middle No. 2	\$952	\$0	\$0	\$0
19647330124016	Animo Charter Middle No. 3	\$194,730	\$312	\$170,124	\$339
19647330124024	Animo Charter Middle No. 4	\$118,541	\$189	\$115,533	\$227
19647330124883	Animo College Preparatory Academy	\$130,887	\$310	\$114,901	\$305
19646341996586	Animo Inglewood Charter High	\$226,841	\$371	\$223,354	\$412
19647330111583	Animo Jackie Robinson High	\$237,514	\$407	\$218,569	\$620
19647330122481	Animo Jefferson Charter Middle	\$220,489	\$403	\$202,407	\$406
19647091996313	Animo Leadership High	\$242,259	\$410	\$220,075	\$435
19647330106849	Animo Pat Brown	\$233,027	\$399	\$216,170	\$394
19647330111575	Animo Ralph Bunche High	\$306,061	\$511	\$281,251	\$511
19647330102434	Animo South Los Angeles Charter	\$214,515	\$346	\$210,935	\$373
19647330106831	Animo Venice Charter High	\$181,245	\$309	\$178,309	\$363
19647330111625	Animo Watts College Preparatory Academy	\$215,561	\$414	\$197,809	\$421
19647330122499	Animo Westside Charter Middle	\$87,500	\$251	\$85,795	\$390
52714720000000	Antelope Elementary	\$219,207	\$309	\$177,164	\$564
19648570112714	Antelope Valley Learning Academy	\$2,776	\$0	\$0	\$0
19642460000000	Antelope Valley Union High	\$6,247,781	\$269	\$5,513,076	\$448
07616480000000	Antioch Unified	\$3,898,923	\$214	\$3,128,488	\$339
19647330117077	APEX Academy	\$8,118	\$0	\$0	\$0
19647330126078	Apple Academy Charter Public	\$151,168	\$400	\$148,769	\$524
19647330121079	Ararat Charter	\$97,870	\$355	\$79,128	\$461

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
19642610000000	Arcadia Unified	\$1,140,332	\$116	\$836,892	\$584
12626790000000	Arcata Elementary	\$274,968	\$435	\$215,216	\$787
56725460120634	Architecture, Construction & Engineering Charter High (ACE)	\$35,121	\$191	\$34,385	\$444
34672800000000	Arcohe Union Elementary	\$133,056	\$344	\$113,950	\$604
23655570000000	Arena Union Elementary	\$74,559	\$284	\$56,795	\$380
01612590115238	ARISE High	\$91,688	\$380	\$75,396	\$393
16638750000000	Armona Union Elementary	\$322,747	\$323	\$251,131	\$316
35752590000000	Aromas/San Juan Unified	\$272,711	\$220	\$197,570	\$382
37683380114520	Arroyo Paseo Charter High	\$50,687	\$395	\$50,079	\$399
37680236116859	Arroyo Vista Charter	\$57,992	\$56	\$38,883	\$347
19647330123158	Arts In Action Community Charter	\$86,709	\$304	\$70,350	\$310
15633130000000	Arvin Union	\$2,044,367	\$652	\$1,685,425	\$808
01612596118608	ASCEND	\$180,499	\$415	\$153,686	\$453
34674470120469	Aspire Alexander Twilight College Preparatory Academy	\$98,557	\$236	\$97,079	\$327
34674470121467	Aspire Alexander Twilight Secondary Academy	\$67,368	\$211	\$66,367	\$276
19101990109660	Aspire Antonio Maria Lugo Academy	\$124,956	\$675	\$123,557	\$709
39686760121541	Aspire APEX Academy	\$88,557	\$312	\$87,464	\$408
39685850101956	Aspire Benjamin Holt College Preparatory Academy	\$75,859	\$106	\$73,960	\$312
01612590109819	Aspire Berkley Maynard Academy	\$163,266	\$291	\$160,572	\$361
01100170118489	Aspire California College Preparatory Academy	\$155,066	\$674	\$141,920	\$1,020
34674390102343	Aspire Capitol Heights Academy	\$91,424	\$306	\$89,913	\$352
19647330126797	Aspire Centennial College Preparatory Academy	\$1,751	\$0	\$0	\$0
01612590128413	Aspire College Academy	\$84,844	\$334	\$83,416	\$347
41689996114953	Aspire East Palo Alto Charter	\$205,620	\$385	\$176,994	\$421
01612590120188	Aspire ERES Academy	\$96,805	\$436	\$83,738	\$448
19647330122622	Aspire Firestone Academy	\$157,156	\$401	\$142,374	\$458
19647330122614	Aspire Gateway Academy	\$153,319	\$396	\$138,444	\$454
01612590118224	Aspire Golden State College Preparatory Academy	\$157,836	\$301	\$155,258	\$346
19647330117960	Aspire Huntington Park Charter	\$86,664	\$370	\$85,292	\$383
19647330124800	Aspire Inskeep Academy Charter	\$128,737	\$379	\$114,132	\$391
19647330124792	Aspire Juanita Tate Academy Charter	\$124,902	\$396	\$110,662	\$409
19647330114884	Aspire Junior Collegiate Academy	\$112,260	\$379	\$110,689	\$400
39686760118497	Aspire Langston Hughes Academy	\$201,911	\$307	\$198,470	\$367
01612590130666	Aspire Lionel Wilson College Preparatory Academy	\$188,285	\$377	\$185,391	\$401

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
01612596117568	Aspire Monarch Academy	\$186,404	\$474	\$156,738	\$490
19101990112128	Aspire Ollin University Preparatory Academy	\$205,640	\$377	\$202,447	\$404
19647330122721	Aspire Pacific Academy	\$169,115	\$380	\$165,680	\$404
39686760114876	Aspire Port City Academy	\$120,765	\$295	\$118,962	\$403
39685856118921	Aspire River Oaks Charter	\$209,308	\$546	\$69,833	\$951
39686760108647	Aspire Rosa Parks Academy	\$162,650	\$425	\$148,769	\$479
19647330124784	Aspire Slauson Academy Charter	\$128,046	\$406	\$112,687	\$415
50710430112292	Aspire Summit Charter Academy	\$73,758	\$181	\$72,217	\$333
19647330120477	Aspire Titan Academy	\$115,378	\$356	\$113,703	\$362
50712900118125	Aspire University Charter	\$10,861	\$41	\$10,450	\$187
50711750120212	Aspire Vanguard College Preparatory Academy	\$55,932	\$169	\$54,757	\$332
39685856116594	Aspire Vincent Shalvey Academy	\$30,971	\$79	\$26,712	\$281
19753090127100	Assurance Learning Academy	\$549	\$0	\$0	\$0
40687000000000	Atascadero Unified	\$833,361	\$175	\$625,259	\$423
24656310000000	Atwater Elementary	\$2,109,283	\$446	\$1,732,629	\$531
31667870000000	Auburn Union Elementary	\$506,315	\$243	\$380,566	\$443
37683383731395	Audeo Charter	\$171,560	\$278	\$168,348	\$355
19648810113464	Aveson Global Leadership Academy	\$40,015	\$107	\$38,997	\$231
19648810113472	Aveson School of Leaders	\$588	\$0	\$0	\$0
19642790000000	Azusa Unified	\$3,355,090	\$352	\$2,590,621	\$415
15633210000000	Bakersfield City	\$17,318,261	\$597	\$14,545,845	\$677
19642870000000	Baldwin Park Unified	\$5,143,392	\$355	\$3,956,550	\$398
13631230118455	Ballington Academy for the Arts and Sciences	\$27,184	\$93	\$26,821	\$405
04613820000000	Bangor Union Elementary	\$37,195	\$329	\$26,123	\$399
33669850000000	Banning Unified	\$1,968,182	\$440	\$1,563,112	\$507
39684860000000	Banta Elementary	\$87,655	\$275	\$78,297	\$403
19765470118760	Barack Obama Charter	\$111,666	\$311	\$109,791	\$343
37681896120901	Barona Indian Charter	\$143	\$0	\$0	\$0
36676110000000	Barstow Unified	\$1,956,040	\$339	\$1,548,289	\$447
20651850000000	Bass Lake Joint Union Elementary	\$276,684	\$337	\$232,806	\$515
01612590106906	Bay Area Technology	\$60,970	\$258	\$60,127	\$346
27102720124297	Bay View Academy	\$496	\$0	\$0	\$0
41688580000000	Bayshore Elementary	\$120,914	\$321	\$105,277	\$425
36676370000000	Bear Valley Unified	\$690,616	\$269	\$528,019	\$400
15633390000000	Beardsley Elementary	\$829,860	\$466	\$710,532	\$572

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
33669930000000	Beaumont Unified	\$1,551,939	\$175	\$1,213,257	\$292
37684520128223	Bella Mente Montessori Academy	\$536	\$0	\$0	\$0
45698720000000	Bella Vista Elementary	\$100,102	\$300	\$82,224	\$442
55723060000000	Bellevue Elementary	\$32,752	\$233	\$21,077	\$368
49706150000000	Bellevue Union Elementary	\$701,654	\$396	\$494,679	\$439
19643030000000	Bellflower Unified	\$3,025,100	\$220	\$2,344,916	\$315
41688660000000	Belmont-Redwood Shores Elementary	\$163,828	\$44	\$69,915	\$553
15633470000000	Belridge Elementary	\$3,591	\$87	\$1,834	\$108
48705240000000	Benicia Unified	\$388,213	\$79	\$247,589	\$360
49706230000000	Bennett Valley Union Elementary	\$69,352	\$66	\$45,804	\$359
01611430000000	Berkeley Unified	\$1,313,654	\$140	\$836,892	\$350
43693770000000	Berryessa Union Elementary	\$1,274,069	\$157	\$757,932	\$427
19647330106872	Bert Corona Charter	\$129,616	\$351	\$127,711	\$407
19643110000000	Beverly Hills Unified	\$649,859	\$152	\$486,155	\$3,185
10620260000000	Big Creek Elementary	\$22,057	\$334	\$18,417	\$1,297
12626950000000	Big Lagoon Union Elementary	\$7,556	\$104	\$1,943	\$164
10101080119628	Big Picture High School - Fresno	\$45,228	\$335	\$44,487	\$430
14632480000000	Big Pine Unified	\$40,498	\$221	\$28,606	\$285
47701850000000	Big Springs Union Elementary	\$37,070	\$276	\$30,783	\$463
27751500000000	Big Sur Unified	\$1,505	\$88	\$0	\$115
18640890000000	Big Valley Joint Unified	\$85,057	\$410	\$70,491	\$697
04614080000000	Biggs Unified	\$175,294	\$328	\$142,436	\$458
19647331931047	Birmingham Community Charter High	\$830,558	\$264	\$752,404	\$316
14766870000000	Bishop Unified	\$402,121	\$212	\$306,097	\$389
35674540000000	Bitterwater-Tully Elementary	\$1,006	\$40	\$0	\$0
45698800000000	Black Butte Union Elementary	\$236,711	\$1,239	\$212,623	\$1,715
09737830000000	Black Oak Mine Unified	\$195,031	\$143	\$121,956	\$327
15633540000000	Blake Elementary	\$335	\$41	\$0	\$47
42691120000000	Blochman Union Elementary	\$4,265	\$0	\$0	\$0
12627030000000	Blue Lake Union Elementary	\$42,311	\$267	\$33,343	\$509
04614246119523	Blue Oak Charter	\$81,979	\$204	\$80,357	\$321
47701930000000	Bogus Elementary	\$1,320	\$146	\$0	\$146
21653000000000	Bolinas-Stinson Union	\$27,731	\$235	\$21,200	\$711
19643290000000	Bonita Unified	\$980,454	\$99	\$706,065	\$297
44697320000000	Bonny Doon Union Elementary	\$36,162	\$267	\$28,463	\$1,808

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37679830000000	Borrego Springs Unified	\$103,572	\$245	\$66,495	\$282
27659790000000	Bradley Union Elementary	\$64,140	\$754	\$58,242	\$1,603
13630730000000	Brawley Elementary	\$1,878,075	\$493	\$1,460,365	\$667
13630810000000	Brawley Union High	\$543,569	\$291	\$420,648	\$426
30664490000000	Brea-Olinda Unified	\$532,484	\$90	\$355,185	\$320
05615560000000	Bret Harte Union High	\$67,238	\$80	\$43,124	\$238
12627290000000	Bridgeville Elementary	\$23,478	\$586	\$17,262	\$903
56724470000000	Briggs Elementary	\$76,503	\$133	\$54,675	\$165
19647330112508	Bright Star Secondary Charter Academy	\$102,227	\$200	\$99,928	\$217
41688740000000	Brisbane Elementary	\$52,589	\$109	\$37,239	\$424
51713570000000	Brittan Elementary	\$99,173	\$225	\$78,749	\$396
51713650000000	Browns Elementary	\$24,751	\$162	\$22,189	\$284
09618380000000	Buckeye Union Elementary	\$285,759	\$60	\$201,595	\$420
42691380000000	Buellton Union Elementary	\$134,426	\$208	\$90,538	\$553
30664560000000	Buena Park Elementary	\$1,425,020	\$272	\$991,497	\$369
54718290000000	Buena Vista Elementary	\$39,682	\$206	\$31,533	\$305
19643370000000	Burbank Unified	\$1,968,812	\$128	\$1,342,238	\$336
41688820000000	Burlingame Elementary	\$259,272	\$84	\$138,095	\$608
53716620000000	Burnt Ranch Elementary	\$70,537	\$727	\$66,459	\$1,119
10620420000000	Burrel Union Elementary	\$69,043	\$519	\$53,004	\$627
54718370000000	Burton Elementary	\$874,125	\$203	\$661,336	\$303
04100410000000	Butte County Office of Education	\$1,405,255	\$2,850	\$1,399,469	\$3,329
47736840000000	Butte Valley Unified	\$133,048	\$423	\$102,498	\$607
47702010000000	Butteville Union Elementary	\$47,934	\$240	\$44,310	\$431
15633700000000	Buttonwillow Union Elementary	\$185,147	\$546	\$144,866	\$569
41688900000000	Cabrillo Unified	\$330,919	\$98	\$170,975	\$257
37679910000000	Cajon Valley Union	\$5,528,858	\$354	\$4,161,657	\$545
05100580000000	Calaveras County Office of Education	\$167,570	\$327	\$163,744	\$491
05615640000000	Calaveras Unified	\$754,893	\$240	\$614,848	\$468
13630990000000	Calexico Unified	\$4,575,199	\$500	\$3,476,690	\$588
15633880000000	Caliente Union Elementary	\$28,407	\$535	\$24,548	\$835
39686500125849	California Connections Academy @ Ripon	\$23,494	\$39	\$22,928	\$137
10623310127175	California Virtual Academy @ Fresno	\$105,971	\$169	\$103,585	\$281
55723630100099	California Virtual Academy @ Jamestown	\$62,487	\$403	\$61,895	\$664
16638750112698	California Virtual Academy @ Kings	\$163,666	\$293	\$161,645	\$500

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19650940112706	California Virtual Academy @ Los Angeles	\$862,937	\$220	\$850,604	\$401
15636280127183	California Virtual Academy @ Maricopa	\$217,366	\$155	\$212,304	\$251
37684036120893	California Virtual Academy @ San Diego	\$463,844	\$150	\$454,681	\$289
39686270127191	California Virtual Academy @ San Joaquin	\$204,862	\$128	\$199,973	\$233
41689160112284	California Virtual Academy @ San Mateo	\$166,980	\$207	\$164,932	\$498
49707970107284	California Virtual Academy @ Sonoma	\$190,426	\$211	\$187,742	\$404
51714150129007	California Virtual Academy @ Sutter	\$0	\$0	\$0	\$0
15636280127209	California Virtual Academy High @ Maricopa	\$85,040	\$133	\$83,029	\$229
13631070000000	Calipatria Unified	\$460,540	\$392	\$335,206	\$506
56725460115105	Camarillo Academy of Progressive Education	\$560	\$0	\$0	\$0
43693850000000	Cambrian	\$273,697	\$79	\$156,640	\$463
19647330122861	Camino Nuevo Academy #2	\$207,399	\$418	\$182,061	\$446
19647336117667	Camino Nuevo Charter Academy	\$470,081	\$837	\$410,759	\$860
19647330124826	Camino Nuevo Charter Academy No. 4	\$211,365	\$323	\$185,830	\$351
19647330106435	Camino Nuevo Charter High	\$304,504	\$2,475	\$178,822	\$1,409
19647330122564	Camino Nuevo Elementary No. 3	\$252,928	\$1,019	\$233,890	\$344
19647330127910	Camino Nuevo High No. 2	\$220,859	\$618	\$181,593	\$640
09618460123125	Camino Science and Natural Resources Charter	\$183	\$0	\$0	\$0
09618460000000	Camino Union Elementary	\$56,136	\$127	\$43,416	\$243
43693930000000	Campbell Union	\$1,768,727	\$231	\$1,299,917	\$474
43694010000000	Campbell Union High	\$210,927	\$28	\$0	\$135
58727286115935	Camptonville Academy	\$40,372	\$93	\$39,199	\$174
58727280000000	Camptonville Elementary	\$31,475	\$582	\$22,410	\$1,311
07616710000000	Canyon Elementary	\$1,007	\$13	\$0	\$125
11625540000000	Capay Joint Union Elementary	\$34,430	\$172	\$29,900	\$324
30664640106765	Capistrano Connections Academy	\$198,724	\$90	\$193,793	\$227
30664640000000	Capistrano Unified	\$5,309,809	\$106	\$3,888,056	\$484
34674390123901	Capitol Collegiate Academy	\$66,735	\$385	\$65,743	\$409
37735510000000	Carlsbad Unified	\$1,121,168	\$102	\$798,442	\$584
27659870000000	Carmel Unified	\$216,116	\$87	\$161,960	\$587
42691460000000	Carpinteria Unified	\$448,506	\$196	\$315,643	\$305
10621661030840	Carter G. Woodson Public Charter	\$143,692	\$390	\$140,399	\$410
10755980000000	Caruthers Unified	\$572,476	\$411	\$460,105	\$465
36678760114405	Casa Ramona Academy for Technology, Community, and Education	\$152,216	\$427	\$132,313	\$441

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45699140000000	Cascade Union Elementary	\$921,916	\$750	\$772,779	\$856
19643450000000	Castaic Union	\$78,599	\$25	\$0	\$102
45699220000000	Castle Rock Union Elementary	\$2,767	\$36	\$0	\$49
01611500000000	Castro Valley Unified	\$667,344	\$71	\$453,213	\$339
40687260000000	Cayucos Elementary	\$146,050	\$666	\$136,791	\$1,947
44697990117804	Ceiba College Preparatory Academy	\$117,860	\$263	\$115,790	\$330
19647330123984	Celerity Cardinal Charter	\$102,396	\$423	\$89,305	\$364
19647330115766	Celerity Dyad Charter	\$283,597	\$425	\$241,512	\$436
19648810127126	Celerity Exa Charter	\$116,015	\$345	\$103,055	\$415
19647330108910	Celerity Nascent Charter	\$277,547	\$446	\$255,724	\$522
19647330122655	Celerity Octavia Charter	\$180,212	\$429	\$161,973	\$434
19647330123166	Celerity Palmati Charter	\$133,430	\$420	\$116,340	\$389
19101990124925	Celerity Sirius Charter	\$155,046	\$378	\$152,664	\$369
19647330115782	Celerity Troika Charter	\$144,530	\$281	\$141,973	\$404
19647330115139	Center for Advanced Learning	\$128,193	\$362	\$110,273	\$393
19643520000000	Centinela Valley Union High	\$2,356,334	\$312	\$1,938,207	\$390
54718030112458	Central California Connections Academy	\$34,006	\$104	\$33,163	\$204
19647330100800	Central City Value	\$154,260	\$342	\$141,274	\$366
36676450000000	Central Elementary	\$741,668	\$158	\$559,656	\$274
10739650000000	Central Unified	\$4,084,662	\$263	\$3,567,431	\$378
16638830000000	Central Union Elementary	\$322,243	\$176	\$231,737	\$318
13631150000000	Central Union High	\$1,128,437	\$277	\$863,175	\$379
30664720000000	Centralia Elementary	\$875,131	\$194	\$587,192	\$310
19647090112250	Century Academy for Excellence	\$106,576	\$386	\$104,947	\$431
19647090107508	Century Community Charter	\$103,688	\$233	\$101,351	\$280
50710430000000	Ceres Unified	\$3,400,210	\$266	\$2,652,250	\$327
36676520000000	Chaffey Joint Union High	\$4,919,769	\$198	\$4,092,438	\$354
19647330108878	CHAMPS - Charter HS of Arts-Multimedia & Performing	\$78,839	\$87	\$76,340	\$199
19643780000000	Charter Oak Unified	\$764,719	\$137	\$570,100	\$258
20756060000000	Chawanakee Unified	\$195,279	\$222	\$162,447	\$423
29663160000000	Chicago Park Elementary	\$6,286	\$0	\$0	\$0
04614240000000	Chico Unified	\$3,423,534	\$275	\$2,730,609	\$562
19646340121186	Children of Promise Preparatory Academy	\$70,869	\$290	\$69,738	\$326
36676780000000	Chino Valley Unified	\$4,808,456	\$161	\$3,666,897	\$357
20651930000000	Chowchilla Elementary	\$752,427	\$372	\$615,143	\$440

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20652010000000	Chowchilla Union High	\$232,269	\$223	\$191,036	\$324
45104540111674	Chrysalis Charter	\$25,501	\$139	\$24,904	\$268
27659950000000	Chualar Union	\$127,781	\$371	\$84,706	\$408
37680230000000	Chula Vista Elementary	\$6,164,451	\$270	\$4,669,631	\$539
37680236115778	Chula Vista Learning Community Charter	\$278,810	\$234	\$229,270	\$397
49706490000000	Cinnabar Elementary	\$87,396	\$432	\$81,558	\$556
19647330126177	Citizens of the World 2	\$34,730	\$127	\$33,862	\$302
19647330126193	Citizens of the World 3	\$19,299	\$125	\$18,831	\$3,859
19647330122556	Citizens of the World Charter	\$31,390	\$94	\$30,488	\$266
54718450000000	Citrus South Tule Elementary	\$10,376	\$225	\$7,495	\$230
38684780107300	City Arts and Tech High	\$91,750	\$212	\$90,019	\$283
19647330127886	City Charter Elementary	\$575	\$0	\$0	\$0
19647330126102	City Charter Middle	\$12,794	\$40	\$12,404	\$180
37683380124347	City Heights Preparatory Charter	\$35,578	\$555	\$17,468	\$547
19643940000000	Claremont Unified	\$621,761	\$88	\$452,059	\$223
10621090000000	Clay Joint Elementary	\$51,995	\$206	\$45,375	\$838
07100740731380	Clayton Valley Charter High	\$80,399	\$41	\$77,378	\$233
19647330129825	Clemente Charter	\$0	\$0	\$0	\$0
49706560000000	Cloverdale Unified	\$237,504	\$162	\$136,543	\$269
10621170000000	Clovis Unified	\$6,456,495	\$106	\$5,376,374	\$377
10621250000000	Coalinga-Huron Unified	\$3,095,611	\$706	\$2,659,071	\$801
40754650000000	Coast Unified	\$122,115	\$169	\$76,442	\$271
12626796120562	Coastal Grove Charter	\$38,117	\$170	\$37,312	\$315
53716700000000	Coffee Creek Elementary	\$1,426	\$129	\$0	\$129
37683380122788	Coleman Tech Charter High	\$15,124	\$84	\$14,698	\$193
42691790000000	College Elementary	\$98,049	\$408	\$82,673	\$1,127
36676860000000	Colton Joint Unified	\$6,878,294	\$297	\$5,456,968	\$359
45699480000000	Columbia Elementary	\$137,973	\$164	\$120,428	\$428
55723480000000	Columbia Union	\$171,138	\$293	\$141,371	\$496
54718520000000	Columbine Elementary	\$45,522	\$235	\$40,067	\$429
06100660000000	Colusa County Office of Education	\$596	\$0	\$0	\$0
06615980000000	Colusa Unified	\$395,150	\$272	\$277,062	\$411
34765050108837	Community Collaborative Charter	\$307,256	\$367	\$257,239	\$415
34765050101766	Community Outreach Academy	\$433,797	\$294	\$339,669	\$324
30664640123729	Community Roots Academy	\$299	\$0	\$0	\$0

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01100170123968	Community School for Creative Education	\$46,676	\$271	\$45,759	\$373
19734370000000	Compton Unified	\$17,364,103	\$704	\$13,956,385	\$826
56737590000000	Conejo Valley Unified	\$1,983,626	\$98	\$1,378,069	\$425
41690050127282	Connect Community Charter	\$18,146	\$129	\$17,644	\$221
50755725030317	Connecting Waters Charter	\$18,178	\$0	\$0	\$0
01612590114454	Conservatory of Vocal/Instrumental Arts	\$57,306	\$238	\$56,678	\$451
07100740000000	Contra Costa County Office of Education	\$927,964	\$1,094	\$922,227	\$2,528
16638910000000	Corcoran Joint Unified	\$1,465,999	\$440	\$1,161,132	\$477
04100410114991	CORE Butte Charter	\$71,956	\$113	\$70,186	\$250
43694500121483	Cornerstone Academy Preparatory	\$61,222	\$173	\$60,091	\$250
52714980000000	Corning Union Elementary	\$763,062	\$396	\$610,176	\$448
52715060000000	Corning Union High	\$276,764	\$271	\$230,740	\$380
33670330000000	Corona-Norco Unified	\$9,141,715	\$169	\$7,443,246	\$397
49738820000000	Cotati-Rohnert Park Unified	\$797,677	\$138	\$470,053	\$340
45699550000000	Cottonwood Union Elementary	\$226,852	\$206	\$163,047	\$402
19644360000000	Covina-Valley Unified	\$2,344,248	\$180	\$1,825,718	\$257
01100176001788	Cox Academy	\$232,047	\$415	\$196,903	\$421
19647330101659	Crenshaw Arts-Technology Charter High	\$87,410	\$434	\$85,904	\$460
54721400123273	Crescent Valley Public Charter	\$1,581	\$0	\$0	\$0
10625470120535	Crescent View South Charter	\$1,348	\$0	\$0	\$0
10101080109991	Crescent View West Charter	\$1,038	\$0	\$0	\$0
19647330121848	Crown Preparatory Academy	\$183,824	\$404	\$181,154	\$1,371
36676940000000	Cucamonga Elementary	\$771,491	\$304	\$616,489	\$445
12627370000000	Cuddeback Union Elementary	\$18,408	\$156	\$13,195	\$312
19644440000000	Culver City Unified	\$587,470	\$87	\$369,897	\$228
43694190000000	Cupertino Union	\$1,335,566	\$70	\$668,672	\$1,310
55723550000000	Curtis Creek Elementary	\$134,517	\$282	\$88,076	\$519
54718600000000	Cutler-Orosi Joint Unified	\$2,533,965	\$615	\$2,070,465	\$648
12627450000000	Cutten Elementary	\$118,310	\$210	\$101,976	\$448
30664800000000	Cypress Elementary	\$432,012	\$110	\$217,523	\$333
19768690119636	Da Vinci Design	\$90,109	\$156	\$88,069	\$338
19768690119016	Da Vinci Science	\$81,961	\$161	\$80,021	\$347
37683386039457	Darnall Charter	\$247,627	\$382	\$208,083	\$479
57726780000000	Davis Joint Unified	\$998,240	\$116	\$696,137	\$521
14632710000000	Death Valley Unified	\$25,325	\$974	\$21,444	\$1,489

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37680490000000	Dehesa Elementary	\$20,129	\$93	\$16,551	\$201
37680560000000	Del Mar Union Elementary	\$90,429	\$20	\$0	\$403
08100820000000	Del Norte County Office of Education	\$183,888	\$510	\$181,665	\$721
08618200000000	Del Norte County Unified	\$1,458,901	\$406	\$1,173,546	\$600
15634120000000	Delano Joint Union High	\$1,975,064	\$461	\$1,704,661	\$559
15634040000000	Delano Union Elementary	\$3,947,492	\$512	\$3,197,813	\$548
24753660000000	Delhi Unified	\$848,363	\$311	\$656,285	\$358
47702270000000	Delphic Elementary	\$1,097	\$0	\$0	\$0
34674130114660	Delta Elementary Charter	\$49,026	\$139	\$48,438	\$466
50710680000000	Denair Unified	\$386,877	\$277	\$308,767	\$471
33670410000000	Desert Center Unified	\$5,370	\$413	\$0	\$537
19642461996537	Desert Sands Charter	\$14,338	\$0	\$0	\$0
33670580000000	Desert Sands Unified	\$8,242,800	\$290	\$6,685,149	\$448
15634200000000	Di Giorgio Elementary	\$90,684	\$444	\$81,909	\$521
37680490119990	Diego Hills Charter	\$12,382	\$0	\$0	\$0
37681630124271	Diego Valley Charter	\$431	\$0	\$0	\$0
37680236111322	Discovery Charter	\$86,542	\$102	\$47,350	\$371
39754996118665	Discovery Charter	\$425	\$0	\$0	\$0
19647330115253	Discovery Charter Preparatory No. 2	\$148,392	\$432	\$146,407	\$462
21653180000000	Dixie Elementary	\$136,525	\$70	\$86,927	\$505
48705320000000	Dixon Unified	\$513,936	\$151	\$341,653	\$281
24753170000000	Dos Palos Oro Loma Joint Unified	\$1,245,692	\$527	\$1,021,413	\$583
53716960000000	Douglas City Elementary	\$27,753	\$168	\$20,329	\$330
19644510000000	Downey Unified	\$4,835,073	\$211	\$3,904,408	\$292
43104390123257	Downtown College Prep - Alum Rock	\$128,526	\$356	\$126,510	\$447
43696664330585	Downtown College Preparatory	\$134,767	\$321	\$113,901	\$388
19647336119903	Downtown Value	\$168,003	\$369	\$156,611	\$389
39686760117853	Dr. Lewis Dolphin Stallworth Sr. Charter	\$50,755	\$295	\$49,833	\$315
31668030000000	Dry Creek Joint Elementary	\$808,298	\$117	\$615,803	\$323
19644690000000	Duarte Unified	\$980,945	\$247	\$731,051	\$353
01750930000000	Dublin Unified	\$439,851	\$53	\$299,685	\$564
54718940000000	Ducor Union Elementary	\$98,911	\$537	\$71,590	\$578
49706720000000	Dunham Elementary	\$8,557	\$48	\$5,911	\$182
47702430000000	Dunsmuir Elementary	\$111,453	\$977	\$87,174	\$1,149
47702500000000	Dunsmuir Joint Union High	\$49,977	\$684	\$44,518	\$1,019

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04614320000000	Durham Unified	\$172,577	\$177	\$111,389	\$452
37683380127647	e3 Civic High	\$1,046	\$0	\$0	\$0
54719020000000	Earlimart Elementary	\$1,641,528	\$840	\$1,338,667	\$861
51713730000000	East Nicolaus Joint Union High	\$17,189	\$51	\$12,931	\$142
01612590100123	East Oakland Leadership Academy	\$7,336	\$40	\$7,088	\$64
41690620126722	East Palo Alto Academy	\$90,290	\$328	\$77,976	\$331
43694270000000	East Side Union High	\$4,655,940	\$198	\$3,460,324	\$385
19644850000000	East Whittier City Elementary	\$1,186,719	\$128	\$849,251	\$239
26736680000000	Eastern Sierra Unified	\$107,340	\$235	\$74,237	\$419
19644770000000	Eastside Union Elementary	\$946,218	\$280	\$770,972	\$317
38684786040935	Edison Charter Academy	\$198,048	\$317	\$164,174	\$392
15634380000000	Edison Elementary	\$303,624	\$274	\$234,215	\$301
10101086085112	Edison-Bethune Charter Academy	\$241,305	\$468	\$225,045	\$484
30666700101626	Edward B. Cole Academy	\$161,631	\$450	\$134,274	\$445
23656072330272	Eel River Charter	\$26,562	\$510	\$26,278	\$632
37683386120935	Einstein Academy	\$29,135	\$55	\$28,047	\$199
37679910108563	EJE Elementary Academy Charter	\$133,588	\$300	\$112,375	\$341
37679910119255	EJE Middle Academy	\$56,162	\$340	\$55,303	\$376
19647331932623	El Camino Real Charter High	\$163,478	\$43	\$157,680	\$178
13631230000000	El Centro Elementary	\$2,549,596	\$510	\$1,927,524	\$640
09100900000000	El Dorado County Office of Education	\$1,012,582	\$1,052	\$962,526	\$2,531
09618530000000	El Dorado Union High	\$517,249	\$75	\$392,093	\$377
19645010000000	El Monte City	\$4,348,825	\$467	\$3,264,194	\$512
19645190000000	El Monte Union High	\$3,477,152	\$365	\$2,787,929	\$404
24656800000000	El Nido Elementary	\$59,532	\$325	\$45,063	\$386
19645270000000	El Rancho Unified	\$2,838,371	\$295	\$2,203,978	\$366
19645350000000	El Segundo Unified	\$175,276	\$54	\$104,624	\$386
30666706119127	El Sol Santa Ana Science and Arts Academy	\$240,418	\$318	\$197,458	\$410
37683380129395	Elevate Elementary	\$0	\$0	\$0	\$0
34673140000000	Elk Grove Unified	\$14,553,284	\$237	\$12,328,838	\$462
15634460000000	Elk Hills Elementary	\$3,420	\$0	\$0	\$0
52715140000000	Elkins Elementary	\$2,246	\$140	\$0	\$160
34673220000000	Elverta Joint Elementary	\$50,644	\$158	\$42,786	\$228
01611680000000	Emery Unified	\$145,783	\$178	\$106,427	\$329
50710760000000	Empire Union Elementary	\$848,407	\$285	\$594,391	\$375

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37683380129387	Empower Charter	\$0	\$0	\$0	\$0
37680800000000	Encinitas Union Elementary	\$618,599	\$113	\$410,507	\$896
36750440116707	Encore Jr./Sr. High School for the Performing and Visual Arts	\$338,281	\$316	\$334,842	\$641
19647330120014	Endeavor College Preparatory Charter	\$240,416	\$404	\$236,788	\$424
37679670128595	Endeavour Academy	\$1,597	\$0	\$0	\$0
45699710000000	Enterprise Elementary	\$1,230,886	\$334	\$974,426	\$481
19646911996438	Environmental Charter High	\$161,723	\$301	\$158,259	\$378
19101990121772	Environmental Charter Middle	\$103,580	\$310	\$101,826	\$329
19101990127498	Environmental Charter Middle - Inglewood	\$51,380	\$398	\$50,351	\$398
01100170112607	Envision Academy for Arts & Technology	\$81,067	\$231	\$79,528	\$305
37683380126151	Epiphany Prep Charter	\$68,401	\$292	\$67,263	\$360
19647330119982	Equitas Academy Charter	\$174,949	\$390	\$154,501	\$410
19647330126169	Equitas Academy Charter #2	\$40,353	\$336	\$39,672	\$453
39685020000000	Escalon Unified	\$539,204	\$188	\$393,830	\$376
37680980000000	Escondido Union	\$5,465,558	\$312	\$3,964,654	\$429
37681060000000	Escondido Union High	\$1,877,776	\$244	\$1,521,024	\$361
57726860000000	Esparto Unified	\$242,956	\$248	\$178,138	\$380
36677020000000	Etiwanda Elementary	\$983,163	\$72	\$759,900	\$220
12755150000000	Eureka City Schools	\$1,460,091	\$394	\$1,139,550	\$630
31668290000000	Eureka Union	\$247,244	\$72	\$178,372	\$655
37683380121145	Evangeline Roberts Institute of Learning	\$60,939	\$495	\$59,910	\$451
41765880119503	Everest Public High	\$50,984	\$124	\$49,816	\$264
19647330129858	Everest Value	\$0	\$0	\$0	\$0
43694350000000	Evergreen Elementary	\$1,787,935	\$135	\$1,143,121	\$424
52715220000000	Evergreen Union	\$231,474	\$225	\$193,108	\$396
36678760121343	Excel Prep Charter	\$6,350	\$42	\$6,147	\$81
36679343630761	Excelsior Charter	\$187,495	\$104	\$179,629	\$201
19647330127852	Executive Preparatory Academy of Finance	\$889	\$0	\$0	\$0
37683386117683	Explorer Elementary	\$17,079	\$48	\$15,299	\$164
19647330124198	Extera Public	\$187,187	\$484	\$159,095	\$527
19647330128132	Extera Public School No. 2	\$756	\$0	\$0	\$0
20652430107938	Ezequiel Tafoya Alvarado Academy	\$156,172	\$409	\$135,586	\$432
15634610000000	Fairfax Elementary	\$753,538	\$313	\$572,093	\$341
48705400000000	Fairfield-Suisun Unified	\$4,260,593	\$204	\$3,313,229	\$335

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45699890000000	Fall River Joint Unified	\$274,030	\$234	\$219,500	\$366
37681140000000	Fallbrook Union Elementary	\$1,466,368	\$277	\$1,096,172	\$445
37681220000000	Fallbrook Union High	\$664,567	\$252	\$563,657	\$449
01100170109835	FAME Public Charter	\$42,260	\$0	\$0	\$0
54753250000000	Farmersville Unified	\$1,492,066	\$552	\$1,207,005	\$617
37680236037956	Feaster (Mae L.) Charter	\$359,116	\$320	\$298,648	\$381
04614400000000	Feather Falls Union Elementary	\$21,475	\$1,952	\$18,943	\$2,386
19647336017016	Fenton Avenue Charter	\$615,766	\$916	\$503,798	\$1,040
19647330115048	Fenton Primary Center	\$290,540	\$387	\$260,047	\$438
12753740000000	Ferndale Unified	\$71,962	\$142	\$57,371	\$356
12627940000000	Fieldbrook Elementary	\$22,826	\$163	\$16,428	\$447
56724540000000	Fillmore Unified	\$912,188	\$238	\$625,328	\$312
10738090000000	Firebaugh-Las Deltas Unified	\$1,120,222	\$493	\$905,144	\$511
52715300000000	Flournoy Union Elementary	\$7,642	\$231	\$2,864	\$424
34673300000000	Folsom-Cordova Unified	\$3,010,032	\$155	\$2,317,871	\$433
36677100000000	Fontana Unified	\$13,164,629	\$329	\$10,556,402	\$386
31668370000000	Foresthill Union Elementary	\$118,898	\$306	\$90,091	\$703
49706800000000	Forestville Union Elementary	\$102,565	\$283	\$74,822	\$554
47702920000000	Forks of Salmon Elementary	\$3,406	\$0	\$0	\$0
49706980000000	Fort Ross Elementary	\$3,448	\$123	\$1,873	\$344
18750360000000	Fort Sage Unified	\$63,726	\$216	\$55,975	\$358
12768020000000	Fortuna Elementary	\$446,158	\$377	\$374,630	\$562
12628100000000	Fortuna Union High	\$237,251	\$216	\$176,875	\$454
34103480124651	Fortune	\$228,093	\$322	\$223,902	\$374
30664980000000	Fountain Valley Elementary	\$489,839	\$77	\$293,961	\$386
10621580000000	Fowler Unified	\$742,188	\$306	\$597,750	\$395
51713810000000	Franklin Elementary	\$61,853	\$128	\$43,562	\$458
43694500000000	Franklin-McKinley Elementary	\$3,369,154	\$360	\$2,328,500	\$445
19647330117952	Frederick Douglass Academy Elementary	\$70,440	\$239	\$68,861	\$457
19647330112557	Frederick Douglass Academy High	\$75,280	\$206	\$73,659	\$545
19647330112433	Frederick Douglass Academy Middle	\$71,069	\$238	\$69,346	\$408
01611760000000	Fremont Unified	\$4,023,101	\$120	\$2,920,672	\$655
45699970000000	French Gulch-Whiskeytown Elementary	\$3,293	\$113	\$0	\$137
12628280000000	Freshwater Elementary	\$86,217	\$258	\$76,830	\$1,165

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10621660115196	Fresno Academy for Civic and Entrepreneurial Leadership	\$32,492	\$203	\$31,870	\$321
10101080000000	Fresno County Office of Education	\$1,449,648	\$2,579	\$1,415,689	\$1,442
10621660000000	Fresno Unified	\$48,057,235	\$677	\$41,263,581	\$805
15634790000000	Fruitvale Elementary	\$385,748	\$116	\$338,660	\$305
12626790109975	Fuente Nueva Charter	\$13,277	\$128	\$13,071	\$340
30665060000000	Fullerton Elementary	\$2,590,862	\$187	\$1,728,362	\$416
30665140000000	Fullerton Joint Union High	\$1,934,009	\$131	\$1,420,690	\$299
34765050101832	Futures High	\$126,431	\$368	\$109,657	\$402
19647330108886	Gabriella Charter	\$156,951	\$359	\$139,569	\$401
34673480000000	Galt Joint Union Elementary	\$819,526	\$216	\$642,761	\$330
34673550000000	Galt Joint Union High	\$380,117	\$165	\$315,504	\$292
12628360000000	Garfield Elementary	\$3,617	\$58	\$1,233	\$301
19647330112334	Garr Academy of Math and Entrepreneurial Studies	\$96,442	\$275	\$95,940	\$1,439
19645500000000	Garvey Elementary	\$3,044,987	\$580	\$2,302,544	\$691
38684783830437	Gateway High	\$55,827	\$118	\$54,333	\$284
34674470128124	Gateway International	\$134,942	\$336	\$133,014	\$396
38684780123265	Gateway Middle	\$39,354	\$126	\$38,416	\$327
45752670000000	Gateway Unified	\$1,414,325	\$548	\$1,188,712	\$745
47703180000000	Gazelle Union Elementary	\$4,097	\$136	\$1,749	\$170
15634870000000	General Shafter Elementary	\$81,251	\$410	\$74,574	\$3,385
52715480000000	Gerber Union Elementary	\$206,961	\$525	\$165,821	\$615
49707060000000	Geyserville Unified	\$45,120	\$172	\$21,552	\$260
43694840123760	Gilroy Prep	\$66,381	\$214	\$51,925	\$360
43694840000000	Gilroy Unified	\$1,977,518	\$178	\$1,351,545	\$330
19645680000000	Glendale Unified	\$7,804,778	\$298	\$5,726,608	\$610
19645760000000	Glendora Unified	\$574,709	\$75	\$380,297	\$260
11101160000000	Glenn County Office of Education	\$144,922	\$747	\$123,597	\$1,027
19647330114967	Global Education Academy	\$92,261	\$386	\$90,837	\$413
19647330129833	Global Education Academy 2	\$0	\$0	\$0	\$0
19647330128116	Global Education Academy Middle	\$53,971	\$658	\$53,038	\$739
19647330117978	Goethe International Charter	\$618	\$0	\$0	\$0
09618790000000	Gold Oak Union Elementary	\$81,181	\$175	\$54,819	\$412
55724130112276	Gold Rush Charter	\$1,080	\$0	\$0	\$0
09618870000000	Gold Trail Union Elementary	\$39,868	\$73	\$28,641	\$246

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47104700117168	Golden Eagle Charter	\$68,988	\$212	\$67,613	\$294
04614570000000	Golden Feather Union Elementary	\$95,922	\$904	\$76,218	\$1,169
10752340000000	Golden Plains Unified	\$1,407,746	\$732	\$1,156,877	\$842
20755800000000	Golden Valley Unified	\$180,168	\$91	\$140,777	\$244
42691950000000	Goleta Union Elementary	\$530,837	\$147	\$282,715	\$337
37683380119610	Gompers Preparatory Academy	\$327,048	\$339	\$290,456	\$350
27754730000000	Gonzales Unified	\$935,266	\$376	\$719,098	\$431
19645840000000	Gorman Elementary	\$1,964	\$19	\$0	\$31
19645841996305	Gorman Learning Center	\$178,759	\$94	\$168,630	\$274
19646340128991	Grace Hopper STEM Academy	\$0	\$0	\$0	\$0
19647331933746	Granada Hills Charter High	\$582,369	\$136	\$538,657	\$263
45700030000000	Grant Elementary	\$64,320	\$101	\$55,195	\$630
50710840000000	Gratton Elementary	\$22,840	\$169	\$17,301	\$1,427
49707140000000	Gravenstein Union Elementary	\$36,474	\$51	\$29,552	\$368
27660270000000	Graves Elementary	\$962	\$23	\$0	\$35
12628510000000	Green Point Elementary	\$1,906	\$238	\$0	\$381
24657550125575	Green Valley Charter	\$573	\$0	\$0	\$0
15635030000000	Greenfield Union	\$2,825,764	\$308	\$2,261,625	\$345
27660350000000	Greenfield Union Elementary	\$1,087,650	\$333	\$814,024	\$380
47703260000000	Grenada Elementary	\$46,269	\$247	\$41,958	\$424
04755070000000	Gridley Unified	\$627,642	\$310	\$460,942	\$409
15101570124040	Grimmway Academy	\$167,424	\$328	\$142,238	\$376
37681300000000	Grossmont Union High	\$3,927,048	\$220	\$3,034,847	\$400
36678433630928	Grove	\$920	\$0	\$0	\$0
42692030000000	Guadalupe Union Elementary	\$380,320	\$308	\$243,298	\$384
24736190000000	Gustine Unified	\$700,010	\$391	\$576,538	\$472
19734450000000	Hacienda la Puente Unified	\$5,457,825	\$268	\$4,369,249	\$358
11765620000000	Hamilton Unified	\$300,154	\$415	\$244,079	\$518
16639170000000	Hanford Elementary	\$2,497,538	\$429	\$2,073,064	\$528
16639250000000	Hanford Joint Union High	\$924,112	\$241	\$785,449	\$470
47703340000000	Happy Camp Union Elementary	\$67,081	\$559	\$53,311	\$808
44697570000000	Happy Valley Elementary	\$13,501	\$0	\$0	\$0
45700110000000	Happy Valley Union Elementary	\$154,912	\$312	\$117,863	\$446
36678760122317	Hardy Brown College Prep	\$1,963	\$0	\$0	\$0
49707300000000	Harmony Union Elementary	\$71,285	\$346	\$55,142	\$800

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37683386040018	Harriet Tubman Village Charter	\$170,629	\$426	\$114,640	\$528
19645920000000	Hawthorne	\$3,355,793	\$376	\$2,637,856	\$432
01611920000000	Hayward Unified	\$6,671,498	\$321	\$5,156,520	\$447
49753900000000	Healdsburg Unified	\$369,409	\$213	\$202,746	\$364
37683380114462	Health Sciences High	\$113,905	\$205	\$111,398	\$308
13631310000000	Heber Elementary	\$327,942	\$272	\$230,623	\$286
36677360000000	Helendale Elementary	\$52,761	\$62	\$35,704	\$132
37681303732732	Helix High	\$502,156	\$200	\$447,119	\$395
33670820000000	Hemet Unified	\$6,853,709	\$318	\$5,863,115	\$398
34765050108415	Heritage Peak Charter	\$215,910	\$194	\$212,407	\$318
19646000000000	Hermosa Beach City Elementary	\$118,487	\$82	\$82,162	\$2,821
36750440000000	Hesperia Unified	\$6,045,096	\$285	\$5,056,908	\$396
50711000000000	Hickman Community Charter	\$68,822	\$63	\$52,822	\$177
37683383731247	High Tech High	\$57,369	\$99	\$50,994	\$284
37683380106732	High Tech High International	\$49,648	\$123	\$48,573	\$308
37683380108787	High Tech High Media Arts	\$52,179	\$127	\$50,983	\$299
19647330100677	High Tech LA	\$55,471	\$160	\$54,386	\$320
37683380101204	High Tech Middle	\$31,976	\$96	\$30,942	\$223
37683380107573	High Tech Middle Media Arts	\$40,265	\$121	\$39,285	\$277
34765050113878	Higher Learning Academy	\$75,085	\$336	\$73,992	\$354
41689080000000	Hillsborough City Elementary	\$23,726	\$15	\$0	\$7,908
24656980000000	Hilmar Unified	\$572,052	\$260	\$431,680	\$439
35674700000000	Hollister	\$1,282,772	\$234	\$887,671	\$361
35674700127688	Hollister Prep	\$59,163	\$326	\$58,439	\$386
37683386117279	Holly Drive Leadership Academy	\$74,510	\$465	\$70,946	\$536
13631490000000	Holtville Unified	\$567,595	\$366	\$404,441	\$510
42692110000000	Hope Elementary	\$124,519	\$122	\$77,433	\$427
54719440000000	Hope Elementary	\$29,975	\$142	\$25,859	\$212
49707630000000	Horicon Elementary	\$21,439	\$345	\$19,501	\$376
31669513130168	Horizon Charter	\$30,118	\$0	\$0	\$0
47703590000000	Hornbrook Elementary	\$24,696	\$602	\$21,425	\$649
54719510000000	Hot Springs Elementary	\$12,546	\$738	\$10,099	\$965
37680230124321	Howard Gardner Community Charter	\$34,910	\$134	\$34,226	\$272
56724620000000	Hueneme Elementary	\$2,313,184	\$274	\$1,564,574	\$355
19646260000000	Hughes-Elizabeth Lakes Union Elementary	\$47,277	\$192	\$30,737	\$384

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50755490000000	Hughson Unified	\$437,511	\$204	\$304,717	\$378
12101240000000	Humboldt County Office of Education	\$202,581	\$429	\$199,509	\$942
39686270126755	Humphreys College Academy of Business, Law and Education	\$1,337	\$0	\$0	\$0
30665300000000	Huntington Beach City Elementary	\$636,690	\$90	\$430,418	\$498
30665480000000	Huntington Beach Union High	\$1,943,806	\$119	\$1,431,498	\$386
12628850000000	Hydesville Elementary	\$27,457	\$167	\$23,948	\$538
19646340120303	ICEF Inglewood Elementary Charter Academy	\$51,785	\$179	\$50,125	\$325
19646340120311	ICEF Inglewood Middle Charter Academy	\$60,724	\$319	\$59,781	\$1,124
19647330117937	ICEF Vista Elementary Academy	\$108,847	\$348	\$92,640	\$857
19647330115287	ICEF Vista Middle Academy	\$47,257	\$237	\$46,121	\$450
37683380108548	Iftin Charter	\$181,107	\$416	\$144,992	\$392
45700290000000	Igo, Ono, Platina Union Elementary	\$38,035	\$535	\$27,560	\$731
13631230121855	Imagine Schools at Imperial Valley	\$255,913	\$305	\$215,382	\$397
01611920113902	Impact Academy of Arts & Technology	\$78,124	\$177	\$76,344	\$256
13101320000000	Imperial County Office of Education	\$390,599	\$745	\$367,641	\$902
13631640000000	Imperial Unified	\$706,836	\$183	\$544,961	\$385
09618950000000	Indian Diggings Elementary	\$695	\$0	\$0	\$0
45700370000000	Indian Springs Elementary	\$3,903	\$229	\$1,657	\$650
19766790121137	Ingenium Charter	\$62,660	\$153	\$60,838	\$188
19647330127985	Ingenium Charter Middle	\$650	\$0	\$0	\$0
19646340000000	Inglewood Unified	\$6,892,559	\$591	\$5,576,859	\$640
37683380118083	Innovations Academy	\$48,896	\$126	\$48,170	\$504
37682210101360	Integrity Charter	\$68,528	\$262	\$52,586	\$305
19647250127506	Intellectual Virtues Academy of Long Beach	\$63	\$0	\$0	\$0
27660926118962	International School of Monterey	\$601	\$0	\$0	\$0
30736500000000	Irvine Unified	\$2,520,020	\$84	\$1,598,742	\$613
16639330000000	Island Union Elementary	\$131,949	\$379	\$95,147	\$977
19647330106351	Ivy Academia	\$45,514	\$39	\$43,332	\$128
19647330128389	Ivy Bound Academy Math, Science, and Technology Charter Middle #2	\$1,350	\$0	\$0	\$0
19647330115113	Ivy Bound Academy of Math, Science, and Technology Charter Middle	\$787	\$0	\$0	\$0
12628930000000	Jacoby Creek Elementary	\$29,734	\$67	\$20,656	\$479
19647330109884	James Jordan Middle	\$81,088	\$255	\$79,561	\$279

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55723630000000	Jamestown Elementary	\$119,541	\$323	\$101,915	\$430
37681550000000	Jamul-Dulzura Union Elementary	\$205,377	\$340	\$173,720	\$728
18641050000000	Janesville Union Elementary	\$94,525	\$278	\$81,924	\$651
19101990106880	Jardin de la Infancia	\$17,971	\$472	\$17,687	\$472
35674880000000	Jefferson Elementary	\$640	\$30	\$0	\$71
39685440000000	Jefferson Elementary	\$296,158	\$125	\$228,163	\$428
41689160000000	Jefferson Elementary	\$1,139,136	\$182	\$657,587	\$291
41689240000000	Jefferson Union High	\$451,779	\$97	\$272,004	\$274
07616970000000	John Swett Unified	\$463,377	\$272	\$371,644	\$408
18641130000000	Johnstonville Elementary	\$48,022	\$214	\$37,073	\$421
30664646117758	Journey	\$16,814	\$50	\$15,537	\$317
37681630000000	Julian Union Elementary	\$72,638	\$219	\$49,980	\$390
37681710000000	Julian Union High	\$7,354	\$51	\$0	\$93
53717380000000	Junction City Elementary	\$11,407	\$140	\$6,613	\$193
45700450000000	Junction Elementary	\$61,819	\$257	\$51,140	\$763
47703670000000	Junction Elementary	\$1,748	\$0	\$0	\$0
33670900000000	Jurupa Unified	\$6,450,421	\$335	\$5,142,563	\$434
49708880000000	Kashia Elementary	\$563	\$0	\$0	\$0
37683380126730	Kavod Elementary Charter	\$93	\$0	\$0	\$0
37683386039812	Keiller Leadership Academy	\$157,020	\$321	\$154,437	\$361
17640140000000	Kelseyville Unified	\$423,602	\$243	\$305,374	\$320
49707890000000	Kenwood	\$3,660	\$22	\$0	\$152
10621660127514	Kepler Neighborhood	\$51,831	\$261	\$50,529	\$332
19646420000000	Keppel Union Elementary	\$694,563	\$242	\$495,555	\$300
10739990000000	Kerman Unified	\$1,776,901	\$359	\$1,465,522	\$418
15101570000000	Kern County Office of Education	\$2,001,134	\$598	\$1,983,898	\$964
15635290000000	Kern High	\$11,269,930	\$305	\$9,963,407	\$481
15635450000000	Kernville Union Elementary	\$380,668	\$465	\$313,156	\$638
50711340000000	Keyes Union	\$257,691	\$249	\$184,684	\$366
27660500000000	King City Union	\$848,181	\$332	\$648,942	\$363
37683386119598	King-Chavez Academy of Excellence	\$147,614	\$473	\$126,739	\$459
37683380109033	King-Chavez Arts Academy	\$94,128	\$522	\$68,866	\$544
37683380109041	King-Chavez Athletics Academy	\$83,702	\$486	\$70,320	\$483
37683380118851	King-Chavez Community High	\$202,358	\$337	\$181,460	\$405
37683380111906	King-Chavez Preparatory Academy	\$178,226	\$495	\$157,718	\$540

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
37683386040190	King-Chavez Primary Academy	\$183,131	\$508	\$153,539	\$568
10622650000000	Kings Canyon Joint Unified	\$5,191,484	\$521	\$4,411,659	\$657
16101650000000	Kings County Office of Education	\$184,682	\$3,693	\$182,057	\$5,431
54719690000000	Kings River Union Elementary	\$478,133	\$1,053	\$380,431	\$1,127
16639410000000	Kings River-Hardwick Union Elementary	\$79,104	\$105	\$67,949	\$315
10622400000000	Kingsburg Elementary Charter	\$525,403	\$224	\$408,126	\$384
10622570000000	Kingsburg Joint Union High	\$470,402	\$391	\$435,098	\$1,031
19647330128512	KIPP Academy of Innovation	\$0	\$0	\$0	\$0
19647330101444	KIPP Academy of Opportunity	\$111,542	\$277	\$109,705	\$349
37683380101345	KIPP Adelante Preparatory Academy	\$172,717	\$473	\$153,811	\$515
38684780101337	KIPP Bayview Academy	\$76,070	\$285	\$74,720	\$316
01612590115014	KIPP Bridge Charter	\$72,742	\$228	\$71,290	\$332
19647330121707	KIPP Comienza Community Prep	\$180,414	\$416	\$150,765	\$474
19647330121699	KIPP Empower Academy	\$144,332	\$303	\$141,902	\$365
43693690106633	KIPP Heartwood Academy	\$124,400	\$301	\$122,217	\$364
43694500129205	KIPP Heritage Academy	\$0	\$0	\$0	\$0
19647330127670	KIPP Iluminar Academy	\$69,943	\$306	\$68,766	\$362
01613090114421	KIPP King Collegiate High	\$108,342	\$217	\$106,228	\$306
19647330100867	KIPP Los Angeles College Preparatory	\$159,326	\$331	\$156,610	\$356
19647330125609	KIPP Philosophers Academy	\$76,711	\$467	\$75,562	\$488
43693690129924	Kipp Prize Preparatory Academy	\$0	\$0	\$0	\$0
19647330117903	KIPP Raices Academy	\$178,137	\$338	\$149,206	\$371
38684780101352	KIPP San Francisco Bay Academy	\$97,056	\$265	\$95,284	\$325
38684780127530	KIPP San Francisco College Preparatory	\$40,671	\$341	\$39,961	\$428
43694270116889	KIPP San Jose Collegiate	\$86,963	\$192	\$85,093	\$258
19647330125625	KIPP Scholar Academy	\$80,923	\$372	\$79,793	\$400
19647330125641	KIPP Sol Academy	\$42,620	\$306	\$41,921	\$325
01613090101212	KIPP Summit Academy	\$136,115	\$336	\$90,569	\$466
19647330129460	KIPP Vida Preparatory Academy	\$0	\$0	\$0	\$0
52715550000000	Kirkwood Elementary	\$2,534	\$26	\$1,302	\$58
16639580000000	Kit Carson Union Elementary	\$98,640	\$237	\$82,672	\$315
08100820109777	Klamath River Early College of the Redwoods	\$23,418	\$289	\$22,956	\$403
47703750000000	Klamath River Union Elementary	\$3,905	\$300	\$1,593	\$300
12629010000000	Klamath-Trinity Joint Unified	\$533,548	\$521	\$441,687	\$576
12629190000000	Kneeland Elementary	\$4,335	\$127	\$1,200	\$433

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50711420000000	Knights Ferry Elementary	\$4,754	\$55	\$0	\$132
01611920127696	Knowledge Enlightens You (KEY) Academy	\$38,786	\$229	\$38,415	\$387
17640220000000	Konocti Unified	\$1,641,319	\$538	\$1,387,877	\$617
19646590000000	La Canada Unified	\$103,629	\$25	\$0	\$1,919
30665630000000	La Habra City Elementary	\$1,573,130	\$299	\$1,171,393	\$394
41689400000000	La Honda-Pescadero Unified	\$41,604	\$120	\$16,855	\$187
37681970000000	La Mesa-Spring Valley	\$2,728,753	\$225	\$1,971,722	\$375
07617130000000	Lafayette Elementary	\$132,803	\$39	\$63,671	\$1,341
30665550000000	Laguna Beach Unified	\$270,261	\$89	\$195,652	\$944
21653420000000	Laguna Joint Elementary	\$975	\$0	\$0	\$0
27660760000000	Lagunita Elementary	\$5,224	\$0	\$0	\$0
21653590000000	Lagunitas Elementary	\$32,263	\$111	\$26,730	\$537
17640550108340	Lake County International Charter	\$18,625	\$232	\$18,332	\$396
17101730000000	Lake County Office of Education	\$66,080	\$986	\$65,353	\$1,270
11625960000000	Lake Elementary	\$31,333	\$184	\$27,045	\$467
33751760000000	Lake Elsinore Unified	\$4,683,955	\$213	\$3,913,695	\$343
09619030000000	Lake Tahoe Unified	\$1,024,366	\$265	\$728,696	\$434
17640300000000	Lakeport Unified	\$558,568	\$362	\$471,683	\$652
43694920000000	Lakeside Joint	\$36,885	\$419	\$29,604	\$6,147
15635520000000	Lakeside Union	\$40,267	\$0	\$0	\$0
16639660000000	Lakeside Union Elementary	\$289,358	\$971	\$227,629	\$1,011
37681890000000	Lakeside Union Elementary	\$565,989	\$116	\$384,212	\$247
39767600000000	Lammersville Joint Unified	\$236,726	\$86	\$191,515	\$468
15635600000000	Lamont Elementary	\$1,521,177	\$518	\$1,198,683	\$578
19646670000000	Lancaster Elementary	\$5,123,633	\$357	\$4,327,970	\$446
19647330108928	Larchmont Charter	\$132,271	\$110	\$129,170	\$341
21653670000000	Larkspur-Corte Madera	\$80,803	\$55	\$63,247	\$542
41689570000000	Las Lomas Elementary	\$47,632	\$34	\$20,003	\$793
19646830000000	Las Virgenes Unified	\$937,683	\$84	\$679,658	\$1,304
18101810000000	Lassen County Office of Education	\$73,114	\$2,088	\$61,644	\$3,323
18641390000000	Lassen Union High	\$230,662	\$245	\$201,547	\$809
52715630000000	Lassen View Union Elementary	\$125,592	\$409	\$103,453	\$784
43694274330668	Latino College Preparatory Academy	\$187,563	\$489	\$163,276	\$540
10622810000000	Laton Joint Unified	\$299,332	\$419	\$210,020	\$502
09619110000000	Latrobe	\$19,099	\$4,774	\$15,368	\$6,366

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37683380128744	Laurel Preparatory Academy	\$21,403	\$152	\$20,912	\$264
12626870124263	Laurel Tree Charter	\$131	\$0	\$0	\$0
19646910000000	Lawndale Elementary	\$1,824,083	\$314	\$1,370,984	\$377
23739160000000	Laytonville Unified	\$159,442	\$393	\$133,359	\$547
01100176002000	Lazear Charter Academy	\$180,100	\$449	\$154,405	\$451
24657300000000	Le Grand Union High	\$233,313	\$434	\$190,949	\$556
38684783830411	Leadership High	\$61,538	\$251	\$55,259	\$320
01611920108670	Leadership Public Schools - Hayward	\$96,710	\$205	\$94,961	\$322
43104390102905	Leadership Public Schools - San Jose	\$96,858	\$313	\$95,247	\$378
07617960101477	Leadership Public Schools: Richmond	\$177,399	\$373	\$131,925	\$388
37683380106799	Learning Choice Academy	\$113,096	\$117	\$110,674	\$251
01612590115592	Learning Without Limits	\$151,470	\$390	\$130,606	\$417
19648810118075	Learning Works	\$88,653	\$267	\$87,348	\$267
23752180000000	Leggett Valley Unified	\$64,080	\$1,001	\$54,360	\$942
37682050000000	Lemon Grove	\$1,150,323	\$290	\$872,240	\$379
16639740000000	Lemoore Union Elementary	\$831,120	\$260	\$619,108	\$403
16639820000000	Lemoore Union High	\$335,725	\$164	\$280,942	\$389
19647090000000	Lennox	\$2,958,104	\$504	\$2,317,677	\$549
19647090100602	Lennox Mathematics, Science and Technology Academy	\$0	\$0	\$0	\$0
37680230119594	Leonardo da Vinci Health Sciences Charter	\$43,176	\$147	\$31,076	\$284
53717460000000	Lewiston Elementary	\$70,413	\$1,354	\$62,520	\$1,637
49707970000000	Liberty Elementary	\$12,924	\$60	\$9,247	\$287
54719850000000	Liberty Elementary	\$63,834	\$179	\$57,865	\$269
07617210000000	Liberty Union High	\$114,647	\$15	\$0	\$51
19646670123174	Life Source International Charter	\$97,619	\$323	\$96,033	\$368
19764970115725	Lifeline Education Charter	\$117,057	\$318	\$115,021	\$322
01612590130633	Lighthouse Community Charter	\$184,916	\$368	\$158,984	\$438
01612590108944	Lighthouse Community Charter High	\$64,577	\$271	\$63,558	\$308
21653750000000	Lincoln Elementary	\$609	\$0	\$0	\$0
39685690000000	Lincoln Unified	\$1,985,159	\$217	\$1,508,809	\$346
54719930000000	Lindsay Unified	\$2,249,849	\$538	\$1,838,722	\$641
15635860000000	Linns Valley-Poso Flat Union	\$50,545	\$1,531	\$48,508	\$2,973
19647170000000	Little Lake City Elementary	\$730,313	\$151	\$495,064	\$224
47703830000000	Little Shasta Elementary	\$2,176	\$0	\$0	\$0
44697650000000	Live Oak Elementary	\$418,468	\$198	\$275,533	\$336

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51713990000000	Live Oak Unified	\$761,842	\$433	\$618,623	\$552
01612000000000	Livermore Valley Joint Unified	\$1,562,736	\$124	\$1,132,822	\$503
24657480000000	Livingston Union	\$982,917	\$383	\$723,036	\$459
39685850000000	Lodi Unified	\$8,653,036	\$307	\$6,791,318	\$445
12629270000000	Loleta Union Elementary	\$42,090	\$375	\$33,739	\$397
43695000000000	Loma Prieta Joint Union Elementary	\$42,095	\$90	\$28,840	\$2,630
42692290000000	Lompoc Unified	\$2,756,136	\$291	\$2,022,925	\$449
14632890000000	Lone Pine Unified	\$90,537	\$229	\$76,507	\$397
19647250000000	Long Beach Unified	\$34,917,770	\$430	\$28,631,307	\$639
18641626010763	Long Valley Charter	\$95,070	\$234	\$93,196	\$340
31668450000000	Loomis Union Elementary	\$234,697	\$87	\$186,617	\$499
30739240000000	Los Alamitos Unified	\$454,725	\$45	\$309,620	\$337
43695180000000	Los Altos Elementary	\$114,479	\$0	\$0	\$0
19647330110304	Los Angeles Academy of Arts & Enterprise Charter	\$150,936	\$395	\$130,526	\$434
19647330122762	Los Angeles Big Picture High	\$54,590	\$535	\$53,876	\$574
19101990000000	Los Angeles County Office of Education	\$13,705,177	\$1,975	\$13,365,847	\$3,320
19101990109942	Los Angeles International Charter High	\$65,244	\$249	\$64,083	\$319
19647331996610	Los Angeles Leadership Academy	\$206,538	\$384	\$192,793	\$426
19647330124818	Los Angeles Leadership Primary Academy	\$85,258	\$682	\$83,974	\$432
19647330000000	Los Angeles Unified	\$348,482,103	\$637	\$291,477,887	\$812
19647330112235	Los Feliz Charter School for the Arts	\$36,565	\$70	\$35,454	\$255
43695260000000	Los Gatos Union Elementary	\$124,268	\$38	\$69,611	\$1,010
43695340000000	Los Gatos-Saratoga Joint Union High	\$105,534	\$33	\$70,411	\$2,110
52715710000000	Los Molinos Unified	\$170,224	\$300	\$137,690	\$359
19647580000000	Los Nietos	\$531,776	\$281	\$367,382	\$295
15635940000000	Lost Hills Union Elementary	\$265,417	\$481	\$191,929	\$475
19647330117945	Lou Dantzler Preparatory Charter Elementary	\$74,395	\$245	\$72,593	\$543
19647330112227	Lou Dantzler Preparatory Charter Middle	\$68,900	\$263	\$67,442	\$453
19647660000000	Lowell Joint	\$370,307	\$118	\$255,669	\$321
01612590126748	LPS Oakland R & D Campus	\$141,033	\$465	\$138,996	\$501
17640480000000	Lucerne Elementary	\$160,046	\$608	\$140,190	\$681
40687590000000	Lucia Mar Unified	\$1,806,272	\$171	\$1,217,418	\$323
43695420000000	Luther Burbank	\$124,856	\$219	\$69,366	\$237
19647740000000	Lynwood Unified	\$6,141,800	\$411	\$4,644,040	\$445
37684113731304	MAAC Community Charter	\$51,240	\$165	\$29,630	\$238

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20102070000000	Madera County Office of Education	\$370,927	\$369	\$365,293	\$404
20652430000000	Madera Unified	\$8,149,805	\$415	\$6,635,985	\$479
30665890000000	Magnolia Elementary	\$1,932,386	\$301	\$1,372,577	\$355
19647336119945	Magnolia Science Academy	\$242,096	\$456	\$169,618	\$492
19647330115212	Magnolia Science Academy 2	\$156,012	\$360	\$153,154	\$464
19647330115030	Magnolia Science Academy 3	\$135,506	\$333	\$133,041	\$356
19647330117622	Magnolia Science Academy 4	\$52,027	\$262	\$51,043	\$342
19647330117630	Magnolia Science Academy 5	\$87,858	\$378	\$86,575	\$416
19647330122747	Magnolia Science Academy Bell	\$180,619	\$364	\$177,723	\$385
37683380109157	Magnolia Science Academy San Diego	\$25,109	\$71	\$24,447	\$291
43104390120261	Magnolia Science Academy Santa Clara	\$30,317	\$63	\$29,308	\$294
13631720000000	Magnolia Union Elementary	\$3,200	\$24	\$0	\$114
07100740114470	Making Waves Academy	\$182,452	\$271	\$165,707	\$328
26736920000000	Mammoth Unified	\$155,126	\$130	\$130,762	\$221
23655730000000	Manchester Union Elementary	\$43,502	\$0	\$37,970	\$0
39685930000000	Manteca Unified	\$4,907,507	\$212	\$3,972,345	\$334
04614990000000	Manzanita Elementary	\$61,292	\$202	\$51,360	\$434
07617966118368	Manzanita Middle	\$38,690	\$248	\$37,949	\$309
42692290116921	Manzanita Public Charter	\$110,346	\$245	\$98,184	\$374
12629350000000	Maple Creek Elementary	\$447	\$40	\$0	\$49
15636100000000	Maple Elementary	\$7,519	\$0	\$0	\$0
51714070000000	Marcum-Illinois Union Elementary	\$29,296	\$181	\$20,233	\$281
48705816116255	Mare Island Technology Academy	\$83,806	\$190	\$81,959	\$285
31750850117879	Maria Montessori Charter Academy	\$18,983	\$73	\$18,414	\$256
15636280000000	Maricopa Unified	\$122,826	\$371	\$111,448	\$437
21102150000000	Marin County Office of Education	\$347,976	\$1,293	\$294,332	\$2,974
22102230000000	Mariposa County Office of Education	\$43,347	\$656	\$42,861	\$788
22655320000000	Mariposa County Unified	\$525,706	\$309	\$390,443	\$554
05615720000000	Mark Twain Union Elementary	\$172,795	\$209	\$144,592	\$361
49708050000000	Mark West Union Elementary	\$197,321	\$148	\$152,510	\$414
07617390000000	Martinez Unified	\$379,393	\$91	\$241,887	\$352
49708626051932	Mary Collins Charter School at Cherry Valley	\$11,586	\$26	\$10,964	\$170
58727360000000	Marysville Joint Unified	\$3,870,811	\$403	\$2,966,285	\$511
19647330126136	Math and Science College Preparatory	\$57,411	\$579	\$56,526	\$610
12753820000000	Mattole Unified	\$14,255	\$19	\$2,381	\$29

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06616060000000	Maxwell Unified	\$158,224	\$472	\$72,415	\$722
13631800000000	McCabe Union Elementary	\$101,520	\$75	\$77,790	\$262
47704090000000	McCloud Union Elementary	\$58,717	\$838	\$45,194	\$1,129
15739080000000	McFarland Unified	\$1,570,746	\$487	\$1,252,802	\$561
37683386113211	McGill School of Success	\$79,503	\$512	\$68,045	\$636
12629500000000	McKinleyville Union Elementary	\$287,537	\$253	\$212,861	\$493
15636510000000	McKittrick Elementary	\$3,017	\$0	\$0	\$0
24657630000000	McSwain Union Elementary	\$152,117	\$177	\$114,013	\$487
13631980000000	Meadows Union Elementary	\$168,778	\$345	\$121,515	\$445
23102310000000	Mendocino County Office of Education	\$371,784	\$3,150	\$368,933	\$3,290
23655810000000	Mendocino Unified	\$116,114	\$215	\$71,690	\$592
10751270000000	Mendota Unified	\$2,000,061	\$657	\$1,608,256	\$668
33671160000000	Menifee Union Elementary	\$900,867	\$97	\$692,465	\$212
41689650000000	Menlo Park City Elementary	\$108,867	\$37	\$49,608	\$644
24657710000000	Merced City Elementary	\$6,053,233	\$569	\$4,835,676	\$711
24102490000000	Merced County Office of Education	\$702,072	\$501	\$663,188	\$620
24737260000000	Merced River Union Elementary	\$44,041	\$297	\$37,474	\$360
24657890000000	Merced Union High	\$3,404,042	\$339	\$2,916,512	\$439
51714150000000	Meridian Elementary	\$18,014	\$237	\$12,894	\$339
56724700000000	Mesa Union Elementary	\$91,153	\$140	\$72,101	\$372
19647330127977	Metro Charter	\$383	\$0	\$0	\$0
17640550000000	Middletown Unified	\$408,840	\$266	\$351,469	\$583
15636690000000	Midway Elementary	\$24,353	\$273	\$20,363	\$566
21653910000000	Mill Valley Elementary	\$204,783	\$62	\$141,272	\$1,412
41689730000000	Millbrae Elementary	\$242,842	\$99	\$121,063	\$499
39754990102392	Millennium Charter	\$607	\$0	\$0	\$0
45700520000000	Millville Elementary	\$35,683	\$149	\$26,004	\$324
43733870000000	Milpitas Unified	\$1,230,433	\$121	\$724,975	\$340
36750440114389	Mirus Secondary	\$131,042	\$418	\$129,359	\$447
27660840000000	Mission Union Elementary	\$2,937	\$0	\$0	\$0
19651360114439	Mission View Public	\$1,076	\$0	\$0	\$0
48705814830196	MIT Academy	\$56,981	\$153	\$55,687	\$257
50711670000000	Modesto City Elementary	\$8,281,848	\$534	\$6,618,145	\$631
50711750000000	Modesto City High	\$4,145,742	\$282	\$3,491,041	\$486
25102560000000	Modoc County Office of Education	\$110,697	\$2,459	\$109,952	\$2,635

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25735850000000	Modoc Joint Unified	\$299,963	\$378	\$255,679	\$601
15636770000000	Mojave Unified	\$1,202,039	\$444	\$1,053,558	\$560
26102640000000	Mono County Office of Education	\$62,878	\$0	\$0	\$0
10623230000000	Monroe Elementary	\$168,535	\$814	\$140,068	\$991
19647900000000	Monrovia Unified	\$1,299,682	\$217	\$957,001	\$357
19647330114959	Monsenor Oscar Romero Charter Middle	\$119,962	\$353	\$118,118	\$361
19647336018204	Montague Charter Academy	\$529,381	\$487	\$470,084	\$487
47704170000000	Montague Elementary	\$86,642	\$492	\$66,655	\$661
49708130000000	Monte Rio Union Elementary	\$11,022	\$117	\$4,100	\$164
19648080000000	Montebello Unified	\$11,672,205	\$376	\$8,780,607	\$451
42692520000000	Montecito Union Elementary	\$105,910	\$226	\$87,787	\$4,604
27102720000000	Monterey County Office of Education	\$796,255	\$670	\$789,772	\$929
27660920000000	Monterey Peninsula Unified	\$2,927,917	\$284	\$2,160,706	\$437
49708210000000	Montgomery Elementary	\$14,337	\$597	\$11,816	\$1,433
56739400000000	Moorpark Unified	\$718,464	\$104	\$425,324	\$315
07617470000000	Moraga Elementary	\$59,181	\$31	\$29,894	\$2,276
43695750000000	Moreland	\$650,181	\$154	\$388,941	\$407
33671240000000	Moreno Valley Unified	\$10,915,700	\$312	\$9,029,388	\$379
43695830000000	Morgan Hill Unified	\$1,363,671	\$159	\$947,437	\$398
36677770000000	Morongo Unified	\$2,750,686	\$324	\$2,207,865	\$487
49708706109144	Morrice Schaefer Charter	\$74,180	\$172	\$72,583	\$309
09619290000000	Mother Lode Union Elementary	\$239,252	\$217	\$179,656	\$419
44697730000000	Mountain Elementary	\$5,897	\$48	\$0	\$842
37682130000000	Mountain Empire Unified	\$515,146	\$326	\$389,699	\$470
01612180000000	Mountain House Elementary	\$2,414	\$109	\$1,544	\$160
45737000000000	Mountain Union Elementary	\$41,861	\$654	\$33,814	\$709
53750280000000	Mountain Valley Unified	\$224,009	\$678	\$177,086	\$871
19648160000000	Mountain View Elementary	\$4,463,774	\$594	\$3,323,300	\$625
36677850000000	Mountain View Elementary	\$136,577	\$0	\$0	\$0
43695910000000	Mountain View Whisman	\$358,670	\$71	\$0	\$169
43696090000000	Mountain View-Los Altos Union High	\$66,286	\$17	\$0	\$92
07617540000000	Mt. Diablo Unified	\$6,034,484	\$190	\$4,444,540	\$410
43696170000000	Mt. Pleasant Elementary	\$602,278	\$227	\$387,401	\$365
47704250000000	Mt. Shasta Union Elementary	\$171,881	\$341	\$136,799	\$855
37680236037980	Mueller Charter (Robert L.)	\$318,790	\$303	\$269,200	\$350

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13632060000000	Mulberry Elementary	\$2,430	\$0	\$0	\$0
19647336119044	Multicultural Learning Center	\$88,402	\$223	\$73,326	\$389
56725040000000	Mupu Elementary	\$3,888	\$0	\$0	\$0
15636850000000	Muroc Joint Unified	\$256,451	\$122	\$194,794	\$450
33752000000000	Murrieta Valley Unified	\$1,994,856	\$86	\$1,756,808	\$256
37683386115570	Museum	\$11,795	\$49	\$9,969	\$327
19647330102483	N.E.W. Academy Canoga Park	\$215,925	\$446	\$193,226	\$504
19647330100289	N.E.W. Academy of Science and Arts	\$110,500	\$373	\$94,761	\$373
28102800000000	Napa County Office of Education	\$194,535	\$0	\$193,310	\$0
28662660000000	Napa Valley Unified	\$2,741,008	\$150	\$1,934,443	\$327
37682210000000	National Elementary	\$2,679,897	\$465	\$1,854,876	\$622
37681890118323	National University Academy	\$133,938	\$382	\$132,638	\$471
10623310124354	National University Academy - Orange Center	\$1	\$0	\$0	\$0
16638750121491	National University Academy, Armona	\$212	\$0	\$0	\$0
34752830000000	Natomas Unified	\$1,931,028	\$144	\$1,590,677	\$293
01611190119222	Nea Community Learning Center	\$727	\$0	\$0	\$0
36678010000000	Needles Unified	\$571,485	\$604	\$482,783	\$1,064
29663400000000	Nevada City Elementary	\$151,263	\$167	\$103,442	\$584
29102980000000	Nevada County Office of Education	\$506,059	\$325	\$500,782	\$638
29663570000000	Nevada Joint Union High	\$444,078	\$141	\$355,839	\$422
19647256118269	New City	\$162,060	\$328	\$137,177	\$447
18641620120287	New Day Academy	\$34,609	\$110	\$33,698	\$232
01612420000000	New Haven Unified	\$1,808,948	\$142	\$1,231,007	\$298
19647330111211	New Heights Charter	\$228,594	\$558	\$118,345	\$584
39686190000000	New Hope Elementary	\$101,080	\$507	\$77,786	\$552
19647330128371	New Horizons Charter Academy	\$759	\$0	\$0	\$0
39686270117796	New Jerusalem	\$37,819	\$164	\$37,104	\$511
39686270000000	New Jerusalem Elementary	\$42,412	\$1,844	\$36,371	\$2,827
19647330117614	New Los Angeles Charter	\$70,917	\$236	\$69,524	\$305
19647330117911	New Millennium Secondary	\$114,672	\$434	\$112,107	\$485
10101080125260	New Spirit Charter Academy	\$27,782	\$298	\$27,215	\$326
19647330111484	New Village Girls Academy	\$55,454	\$440	\$54,855	\$458
36678760120006	New Vision Middle	\$98,986	\$326	\$98,324	\$359
19756636120158	New West Charter	\$965	\$0	\$0	\$0
01612340000000	Newark Unified	\$1,013,802	\$161	\$701,630	\$297

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31668520000000	Newcastle Elementary	\$30,431	\$41	\$21,050	\$245
19648320000000	Newhall	\$1,203,745	\$176	\$898,199	\$441
50736010000000	Newman-Crows Landing Unified	\$888,894	\$307	\$707,528	\$453
30665970000000	Newport-Mesa Unified	\$3,967,181	\$180	\$2,870,146	\$407
21654090000000	Nicasio	\$6,993	\$131	\$5,388	\$2,331
04614240110551	Nord Country	\$39,183	\$262	\$38,611	\$455
15636930000000	Norris Elementary	\$25,697	\$6	\$0	\$37
37684520114264	North County Trade Tech High	\$25,679	\$179	\$25,140	\$254
45700780000000	North Cow Creek Elementary	\$22,472	\$87	\$16,297	\$303
27738250000000	North Monterey County Unified	\$1,196,135	\$271	\$824,677	\$348
19647330100776	North Valley Military Institute College Preparatory Academy	\$121,435	\$505	\$120,042	\$557
12101240115097	Northcoast Preparatory and Performing Arts Academy	\$19,964	\$159	\$19,555	\$327
12626870000000	Northern Humboldt Union High	\$239,582	\$147	\$192,922	\$416
36103630115808	Norton Space and Aeronautics Academy	\$145,784	\$208	\$129,737	\$338
19648400000000	Norwalk-La Mirada Unified	\$4,757,976	\$241	\$3,799,332	\$327
21654170000000	Novato Unified	\$1,034,451	\$133	\$728,408	\$361
51714230000000	Nuestro Elementary	\$2,724	\$18	\$0	\$53
33671570000000	Nuview Union	\$307,243	\$144	\$203,786	\$189
43696250000000	Oak Grove Elementary	\$1,976,645	\$176	\$1,283,190	\$404
49708390000000	Oak Grove Union Elementary	\$57,844	\$66	\$35,140	\$287
34674390125591	Oak Park Preparatory Academy	\$43,965	\$363	\$43,416	\$422
56738740000000	Oak Park Unified	\$125,946	\$26	\$81,092	\$435
45700860000000	Oak Run Elementary	\$4,788	\$177	\$2,012	\$208
54720170000000	Oak Valley Union Elementary	\$106,762	\$222	\$72,815	\$261
39686350000000	Oak View Union Elementary	\$101,032	\$247	\$83,382	\$492
50755640000000	Oakdale Joint Unified	\$902,146	\$170	\$700,580	\$397
01612596111660	Oakland Charter Academy	\$189,129	\$497	\$151,810	\$562
01612590114868	Oakland Charter High	\$91,520	\$344	\$90,630	\$435
01612590130617	Oakland Military Institute, College Preparatory Academy	\$207,312	\$289	\$185,011	\$404
01612593030772	Oakland School for the Arts	\$27,657	\$42	\$26,656	\$288
01612590000000	Oakland Unified	\$21,754,195	\$587	\$17,022,944	\$786
01612590100065	Oakland Unity High	\$82,246	\$280	\$81,028	\$362
07617620000000	Oakley Union Elementary	\$493,271	\$100	\$338,698	\$208
27659616119663	Oasis Charter Public	\$954	\$0	\$0	\$0

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19647330102335	Ocean Charter	\$714	\$0	\$0	\$0
44698070110007	Ocean Grove Charter	\$4,192	\$0	\$0	\$0
30666130000000	Ocean View	\$1,362,364	\$147	\$843,610	\$387
56725120000000	Ocean View	\$778,302	\$296	\$513,412	\$365
37735690000000	Oceanside Unified	\$5,315,680	\$269	\$4,220,510	\$411
30666703030723	OCSA	\$37,793	\$19	\$26,991	\$184
19101996116883	Odyssey Charter	\$38,777	\$89	\$31,234	\$315
56725200000000	Ojai Unified	\$482,009	\$178	\$309,660	\$347
37683380123778	Old Town Academy K-8 Charter	\$345	\$0	\$0	\$0
49708706066344	Olivet Elementary Charter	\$56,179	\$151	\$54,944	\$328
39103970120717	one.Charter	\$348	\$0	\$0	\$0
36678190000000	Ontario-Montclair	\$9,833,688	\$418	\$7,530,148	\$499
19101990127522	Optimist Charter	\$464	\$0	\$0	\$0
30103060000000	Orange County Department of Education	\$5,984,721	\$1,005	\$5,688,657	\$1,602
30666700109066	Orange County Educational Arts Academy	\$166,579	\$296	\$142,474	\$382
30666210000000	Orange Unified	\$5,407,028	\$187	\$3,886,562	\$414
43696330000000	Orchard Elementary	\$131,716	\$145	\$78,616	\$287
42692600000000	Orcutt Union Elementary	\$431,239	\$83	\$288,713	\$198
12629680000000	Orick Elementary	\$8,682	\$510	\$2,268	\$1,447
07617700000000	Orinda Union Elementary	\$40,130	\$0	\$0	\$0
11754810000000	Orland Joint Unified	\$609,037	\$274	\$456,891	\$356
04615150000000	Oroville Union High	\$990,236	\$420	\$874,018	\$569
19647330101675	Oscar De La Hoya Animo Charter High	\$250,326	\$405	\$233,529	\$421
19647330109934	Our Community Charter	\$46,595	\$105	\$45,471	\$332
54720250000000	Outside Creek Elementary	\$35,542	\$341	\$31,321	\$461
14632970000000	Owens Valley Unified	\$3,809	\$0	\$0	\$0
56725380000000	Oxnard	\$5,544,397	\$330	\$3,892,283	\$378
56725460000000	Oxnard Union High	\$3,494,106	\$213	\$2,767,689	\$336
45700940000000	Pacheco Union Elementary	\$191,064	\$326	\$159,351	\$541
44697810000000	Pacific Elementary	\$8,139	\$76	\$0	\$198
27661340000000	Pacific Grove Unified	\$174,003	\$84	\$98,122	\$424
12629760000000	Pacific Union Elementary	\$100,921	\$179	\$72,990	\$317
12629271230150	Pacific View Charter	\$55,595	\$383	\$54,246	\$654
41689320000000	Pacifica	\$259,494	\$80	\$147,183	\$360
19647336018642	Pacoima Charter Elementary	\$670,617	\$497	\$582,382	\$601

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44697990000000	Pajaro Valley Unified	\$6,692,852	\$341	\$5,028,048	\$439
04615230000000	Palermo Union Elementary	\$507,388	\$388	\$421,714	\$477
19647331995836	Palisades Charter High	\$256,116	\$89	\$243,392	\$266
33671730000000	Palm Springs Unified	\$8,662,432	\$370	\$7,055,195	\$452
19648570000000	Palmdale Elementary	\$6,480,150	\$320	\$5,332,470	\$382
43696410000000	Palo Alto Unified	\$573,853	\$47	\$232,436	\$540
33671810000000	Palo Verde Unified	\$1,282,267	\$384	\$973,498	\$522
54720330000000	Palo Verde Union Elementary	\$257,096	\$484	\$211,663	\$567
19648650000000	Palos Verdes Peninsula Unified	\$705,648	\$59	\$461,090	\$1,960
15633620000000	Panama-Buena Vista Union	\$3,159,990	\$182	\$2,779,792	\$287
35675200000000	Panoche Elementary	\$586	\$195	\$0	\$195
19647330122630	Para Los Ninos - Evelyn Thurman Gratts Primary	\$139,651	\$394	\$112,866	\$2,148
19647336120489	Para Los Ninos Charter	\$164,964	\$412	\$142,953	\$1,409
19647330117846	Para Los Ninos Middle	\$228,176	\$1,382	\$227,074	\$1,382
50712090000000	Paradise Elementary	\$41,010	\$211	\$33,900	\$356
04615310000000	Paradise Unified	\$1,172,158	\$306	\$941,377	\$461
58727360121632	Paragon Collegiate Academy	\$27,910	\$209	\$27,393	\$287
15101570119669	Paramount Academy	\$147,732	\$242	\$144,553	\$270
19648730000000	Paramount Unified	\$5,282,210	\$332	\$4,008,542	\$377
10623640000000	Parlier Unified	\$2,280,728	\$678	\$1,883,168	\$682
31669510122507	Partnerships for Student-Centered Learning	\$6,544	\$0	\$0	\$0
19648810000000	Pasadena Unified	\$6,894,117	\$383	\$5,213,303	\$566
40754570000000	Paso Robles Joint Unified	\$1,253,893	\$192	\$901,471	\$357
19647330127878	Pathways Community	\$0	\$0	\$0	\$0
50712170000000	Patterson Joint Unified	\$1,364,248	\$229	\$992,960	\$328
42767866045918	Peabody Charter	\$111,697	\$149	\$87,511	\$376
15636280128504	Peak to Peak Mountain Charter	\$174	\$0	\$0	\$0
12629840000000	Peninsula Union	\$20,532	\$586	\$15,273	\$641
33671990000000	Perris Elementary	\$4,091,018	\$695	\$3,504,194	\$755
33672070000000	Perris Union High	\$3,504,702	\$336	\$3,071,180	\$472
49708540000000	Petaluma City Elementary	\$426,607	\$198	\$316,080	\$472
49708620000000	Petaluma Joint Union High	\$453,551	\$92	\$323,294	\$243
01612750000000	Piedmont City Unified	\$105,730	\$40	\$54,409	\$5,873
06616140000000	Pierce Joint Unified	\$321,360	\$230	\$238,999	\$327
10623720000000	Pine Ridge Elementary	\$21,890	\$254	\$17,726	\$841

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49708700000000	Piner-Olivet Union Elementary	\$198,962	\$557	\$169,672	\$1,452
04733790000000	Pioneer Union Elementary	\$60,756	\$880	\$46,887	\$893
09619450000000	Pioneer Union Elementary	\$81,241	\$253	\$59,257	\$412
16639900000000	Pioneer Union Elementary	\$220,725	\$136	\$196,070	\$409
07617880000000	Pittsburg Unified	\$2,756,153	\$261	\$2,068,034	\$303
37682130123240	Pivot Charter School - San Diego	\$210	\$0	\$0	\$0
04614570125252	Pivot Charter School North Valley	\$150	\$0	\$0	\$0
33671570125245	Pivot Charter School Riverside County	\$49	\$0	\$0	\$0
49708390120584	Pivot Online Charter - North Bay	\$291	\$0	\$0	\$0
54720410000000	Pixley Union Elementary	\$522,422	\$463	\$391,894	\$491
30666470000000	Placentia-Yorba Linda Unified	\$3,125,704	\$121	\$2,204,101	\$345
31103140000000	Placer County Office of Education	\$1,550,017	\$1,767	\$1,543,770	\$10,130
31668860000000	Placer Hills Union Elementary	\$102,676	\$128	\$60,596	\$370
31668940000000	Placer Union High	\$336,296	\$78	\$249,833	\$296
24658130000000	Plainsburg Union Elementary	\$27,121	\$215	\$21,711	\$398
24658210000000	Planada Elementary	\$597,228	\$783	\$465,960	\$865
11626380000000	Plaza Elementary	\$22,172	\$169	\$17,715	\$652
51714310000000	Pleasant Grove Joint Union	\$31,733	\$166	\$22,300	\$423
29663730000000	Pleasant Ridge Union Elementary	\$199,001	\$136	\$132,405	\$443
56725530000000	Pleasant Valley	\$650,205	\$99	\$431,630	\$351
40687910000000	Pleasant Valley Joint Union Elementary	\$26,896	\$213	\$21,327	\$407
54720580000000	Pleasant View Elementary	\$204,113	\$365	\$140,983	\$447
01751010000000	Pleasanton Unified	\$769,827	\$51	\$531,350	\$935
32669693230083	Plumas Charter	\$52,424	\$241	\$51,185	\$385
32103220000000	Plumas County Office of Education	\$12,781	\$491	\$12,285	\$710
58727440000000	Plumas Lake Elementary	\$85,999	\$75	\$80,707	\$201
32669690000000	Plumas Unified	\$545,965	\$284	\$418,574	\$531
23655990000000	Point Arena Joint Union High	\$41,759	\$253	\$35,621	\$353
09619600000000	Pollock Pines Elementary	\$185,108	\$259	\$149,793	\$500
19649070000000	Pomona Unified	\$11,363,857	\$433	\$8,788,277	\$531
15637190000000	Pond Union Elementary	\$144,809	\$655	\$129,541	\$679
28662820000000	Pope Valley Union Elementary	\$16,666	\$362	\$13,335	\$427
19647330107755	Port of Los Angeles High	\$211,891	\$219	\$209,331	\$435
54755230000000	Porterville Unified	\$6,829,852	\$487	\$5,755,136	\$573
23738660000000	Potter Valley Community Unified	\$81,794	\$314	\$61,969	\$419

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37682960000000	Poway Unified	\$2,567,070	\$73	\$1,591,459	\$449
19647330127936	PREPA TEC - Los Angeles	\$676	\$0	\$0	\$0
37683383731189	Preuss School UCSD	\$369,595	\$443	\$340,883	\$461
11626460000000	Princeton Joint Unified	\$44,018	\$194	\$29,177	\$297
36678763630993	Provisional Accelerated Learning Academy	\$30,408	\$114	\$16,539	\$201
36678760109850	Public Safety Academy	\$80,537	\$206	\$78,770	\$262
19647336118194	PUC California Academy for Liberal Studies	\$96,506	\$306	\$94,904	\$372
19647336116750	PUC Community Charter Middle	\$112,068	\$319	\$103,013	\$382
19647330124933	PUC Early College Academy for Leaders and Scholars (ECALS)	\$95,934	\$228	\$94,315	\$300
19647330112201	PUC Excel Charter Academy	\$118,601	\$346	\$116,702	\$396
19647330102442	PUC Lakeview Charter Academy	\$109,672	\$309	\$107,756	\$351
19647330122606	PUC Lakeview Charter High	\$92,965	\$265	\$91,330	\$354
19647330102426	PUC Milagro Charter	\$94,188	\$327	\$92,593	\$366
19647330120055	PUC Nueva Esperanza Charter Academy	\$118,674	\$339	\$116,894	\$413
19647330119974	PUC Santa Rosa Charter Academy	\$83,195	\$368	\$82,052	\$422
19647330112193	PUC Triumph Academy	\$120,279	\$343	\$118,297	\$395
19647330122598	PUC Triumph Charter High	\$54,467	\$156	\$53,590	\$243
19647336120471	Puente Charter	\$41,221	\$358	\$40,623	\$408
37683040000000	Ramona City Unified	\$753,112	\$122	\$497,706	\$296
37683120000000	Rancho Santa Fe Elementary	\$9,488	\$0	\$0	\$0
18641620000000	Ravendale-Termo Elementary	\$1,107	\$110	\$0	\$158
41689990000000	Ravenswood City Elementary	\$1,473,850	\$421	\$1,025,036	\$443
20652760000000	Raymond-Knowles Union Elementary	\$39,659	\$508	\$29,997	\$695
49709380120121	REACH	\$226	\$0	\$0	\$0
33672150126128	REACH Leadership Academy	\$39,034	\$179	\$38,114	\$390
01611430122697	REALM Charter High	\$105,849	\$368	\$73,642	\$494
01611430122689	REALM Charter Middle	\$94,937	\$302	\$93,394	\$433
52716390000000	Red Bluff Joint Union High	\$531,555	\$330	\$455,167	\$579
52716210000000	Red Bluff Union Elementary	\$1,086,412	\$514	\$920,682	\$697
45701100000000	Redding Elementary	\$964,517	\$289	\$746,757	\$478
36678430000000	Redlands Unified	\$3,829,661	\$181	\$2,933,249	\$328
19753410000000	Redondo Beach Unified	\$668,742	\$73	\$438,658	\$354
23656152330413	Redwood Academy of Ukiah	\$29,239	\$186	\$24,286	\$384
41690050000000	Redwood City Elementary	\$1,639,362	\$174	\$919,454	\$324

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12626790127266	Redwood Coast Montessori	\$177	\$0	\$0	\$0
12768020124164	Redwood Preparatory Charter	\$8,659	\$55	\$8,385	\$201
52716470000000	Reeds Creek Elementary	\$51,917	\$432	\$44,397	\$674
16739320000000	Reef-Sunset Unified	\$1,572,809	\$596	\$1,280,842	\$732
19647330101683	Renaissance Arts Academy	\$91,620	\$286	\$90,126	\$388
09619780000000	Rescue Union Elementary	\$248,197	\$66	\$182,909	\$473
36678500000000	Rialto Unified	\$8,314,070	\$305	\$6,599,811	\$384
52716540000000	Richfield Elementary	\$52,739	\$212	\$39,749	\$351
54720820000000	Richgrove Elementary	\$517,089	\$762	\$430,952	\$827
15635780000000	Richland Union Elementary	\$1,279,297	\$370	\$998,058	\$413
07617960126805	Richmond Charter Academy	\$83,271	\$447	\$81,841	\$514
07617960110973	Richmond College Preparatory	\$113,054	\$270	\$111,582	\$318
18641700000000	Richmond Elementary	\$4,407	\$19	\$0	\$209
15756301530500	Ridgecrest Charter	\$62,450	\$159	\$58,779	\$297
36678680000000	Rim of the World Unified	\$1,074,770	\$273	\$893,555	\$558
49708960000000	Rincon Valley Union Elementary	\$356,662	\$105	\$216,341	\$281
15735440000000	Rio Bravo-Greeley Union Elementary	\$172,864	\$165	\$153,627	\$366
12630080000000	Rio Dell Elementary	\$155,957	\$471	\$129,282	\$660
56725610000000	Rio Elementary	\$966,829	\$201	\$651,176	\$252
39685850122580	Rio Valley Charter	\$87,233	\$256	\$85,726	\$438
39686500000000	Ripon Unified	\$585,586	\$193	\$486,735	\$506
19647330124222	Rise Kohyang Middle	\$54,236	\$286	\$53,221	\$381
34674130000000	River Delta Joint Unified	\$401,902	\$206	\$269,360	\$363
39684860127134	River Islands Technology Academy	\$1,103	\$0	\$0	\$0
23656150115055	River Oak Charter	\$55,266	\$232	\$54,423	\$456
33103300110833	River Springs Charter	\$555,481	\$106	\$517,270	\$267
50755560000000	Riverbank Unified	\$1,027,900	\$370	\$808,412	\$448
10754080000000	Riverdale Joint Unified	\$605,605	\$386	\$507,445	\$440
33103300000000	Riverside County Office of Education	\$3,417,256	\$1,191	\$3,327,327	\$2,187
33672150000000	Riverside Unified	\$11,368,519	\$270	\$9,203,690	\$414
50712330000000	Roberts Ferry Union Elementary	\$12,965	\$99	\$7,566	\$202
34674210000000	Robla Elementary	\$902,455	\$424	\$710,307	\$446
43104390125781	Rocketship Academy Brilliant Minds	\$170,490	\$398	\$139,455	\$462
43104390125799	Rocketship Alma Academy	\$182,295	\$313	\$148,499	\$382
43104390123281	Rocketship Discovery Prep	\$233,481	\$358	\$191,436	\$432

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43104390120642	Rocketship Los Suenos Academy	\$251,481	\$405	\$206,682	\$452
43104390113704	Rocketship Mateo Sheedy Elementary	\$191,696	\$310	\$158,262	\$370
43694500123299	Rocketship Mosaic Elementary	\$236,427	\$381	\$190,666	\$444
43104390119024	Rocketship Si Se Puede Academy	\$218,166	\$347	\$182,742	\$392
43694500128108	Rocketship Spark Academy	\$136,177	\$252	\$133,568	\$335
54720900000000	Rockford Elementary	\$94,862	\$224	\$75,972	\$419
31750850000000	Rocklin Unified	\$677,365	\$59	\$503,199	\$305
33672310000000	Romoland Elementary	\$667,978	\$196	\$499,891	\$280
15637500000000	Rosedale Union Elementary	\$464,867	\$86	\$401,340	\$352
49709040000000	Roseland	\$455,417	\$279	\$293,376	\$304
49709040101923	Roseland Charter	\$311,830	\$311	\$282,699	\$336
19649310000000	Rosemead Elementary	\$1,104,072	\$402	\$816,222	\$484
31669100000000	Roseville City Elementary	\$1,208,324	\$120	\$887,701	\$410
31669280000000	Roseville Joint Union High	\$747,355	\$74	\$594,518	\$251
21654330000000	Ross Elementary	\$33,278	\$87	\$24,660	\$33,278
21750020000000	Ross Valley Elementary	\$188,898	\$84	\$117,043	\$821
14633050000000	Round Valley Joint Elementary	\$6,168	\$42	\$1,169	\$131
23656070000000	Round Valley Unified	\$274,770	\$763	\$236,595	\$782
19734520000000	Rowland Unified	\$4,806,617	\$315	\$3,739,558	\$460
34674390102038	Sacramento Charter High	\$221,277	\$238	\$217,264	\$321
34674390000000	Sacramento City Unified	\$24,004,480	\$556	\$19,531,664	\$756
34103480000000	Sacramento County Office of Education	\$1,768,382	\$1,903	\$1,761,251	\$2,737
30736350000000	Saddleback Valley Unified	\$3,182,251	\$104	\$2,214,327	\$365
28662900000000	Saint Helena Unified	\$184,616	\$145	\$113,595	\$393
50712660000000	Salida Union Elementary	\$527,267	\$203	\$391,196	\$298
27661420000000	Salinas City Elementary	\$2,967,176	\$332	\$2,161,607	\$417
27661590000000	Salinas Union High	\$4,374,881	\$314	\$3,542,244	\$474
27661670000000	San Antonio Union Elementary	\$56,313	\$351	\$51,756	\$670
35103550000000	San Benito County Office of Education	\$75,314	\$473	\$74,534	\$1,017
35675380000000	San Benito High	\$524,728	\$176	\$435,496	\$405
36678760000000	San Bernardino City Unified	\$30,014,515	\$602	\$25,249,128	\$638
36103630000000	San Bernardino County Office of Education	\$1,590,411	\$620	\$1,528,688	\$940
41690130000000	San Bruno Park Elementary	\$363,968	\$143	\$196,942	\$333
41690210000000	San Carlos Elementary	\$106,214	\$34	\$39,600	\$472
37683386119168	San Diego Cooperative Charter	\$30,383	\$67	\$29,334	\$230

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
37683380127654	San Diego Cooperative Charter School 2	\$266	\$0	\$0	\$0
37103710000000	San Diego County Office of Education	\$4,317,941	\$1,628	\$4,200,787	\$2,038
37683380121681	San Diego Global Vision Academy	\$44,558	\$230	\$43,639	\$313
37683380125583	San Diego Global Vision Academy Middle	\$16,151	\$384	\$15,820	\$461
37683380000000	San Diego Unified	\$44,489,988	\$396	\$34,811,368	\$697
38684780000000	San Francisco Unified	\$15,426,914	\$291	\$10,893,291	\$469
19752910000000	San Gabriel Unified	\$1,475,695	\$278	\$1,034,457	\$474
33672490000000	San Jacinto Unified	\$2,776,338	\$298	\$2,307,797	\$368
39103970121723	San Joaquin Building Futures Academy	\$78	\$0	\$0	\$0
39103970000000	San Joaquin County Office of Education	\$1,140,068	\$689	\$1,068,506	\$991
19650946023527	San Jose Charter Academy	\$0	\$0	\$0	\$0
43694274330676	San Jose Conservation Corps Charter	\$26,751	\$68	\$13,705	\$78
43696660000000	San Jose Unified	\$7,175,638	\$220	\$5,378,737	\$502
34674470000000	San Juan Unified	\$12,330,663	\$274	\$10,179,748	\$545
01612910000000	San Leandro Unified	\$1,770,174	\$209	\$1,387,388	\$315
01613090000000	San Lorenzo Unified	\$2,725,020	\$240	\$2,123,468	\$353
44698070000000	San Lorenzo Valley Unified	\$290,832	\$113	\$193,288	\$524
27661830000000	San Lucas Union Elementary	\$202,190	\$3,369	\$185,853	\$4,043
40688090000000	San Luis Coastal Unified	\$985,269	\$133	\$651,296	\$355
40104050000000	San Luis Obispo County Office of Education	\$1,202,868	\$1,906	\$1,154,218	\$2,516
37737910000000	San Marcos Unified	\$2,882,187	\$148	\$2,131,653	\$317
19649640000000	San Marino Unified	\$254,048	\$80	\$157,822	\$2,209
41104130000000	San Mateo County Office of Education	\$485,902	\$1,196	\$469,536	\$2,228
41690470000000	San Mateo Union High	\$704,690	\$86	\$429,129	\$416
41690390000000	San Mateo-Foster City	\$1,232,499	\$105	\$697,452	\$340
37683530000000	San Pasqual Union Elementary	\$65,180	\$118	\$37,877	\$645
13632140000000	San Pasqual Valley Unified	\$497,064	\$638	\$413,136	\$672
21654580000000	San Rafael City Elementary	\$889,979	\$198	\$599,933	\$308
21654660000000	San Rafael City High	\$304,778	\$139	\$210,133	\$301
07618040000000	San Ramon Valley Unified	\$1,067,958	\$34	\$514,476	\$807
10624140000000	Sanger Unified	\$3,748,747	\$336	\$3,141,041	\$443
30666700000000	Santa Ana Unified	\$20,216,640	\$374	\$14,820,707	\$415
42104210000000	Santa Barbara County Office of Education	\$498,801	\$3,347	\$471,781	\$10,179
42767860000000	Santa Barbara Unified	\$2,986,848	\$210	\$2,006,367	\$422
43104390000000	Santa Clara County Office of Education	\$2,283,592	\$1,245	\$2,218,975	\$2,234

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56725790000000	Santa Clara Elementary	\$603	\$10	\$0	\$67
44698150000000	Santa Cruz City Elementary	\$600,553	\$254	\$402,985	\$602
44698230000000	Santa Cruz City High	\$592,460	\$130	\$396,686	\$347
44104470000000	Santa Cruz County Office of Education	\$326,973	\$460	\$322,105	\$860
42693100000000	Santa Maria Joint Union High	\$1,989,484	\$255	\$1,606,874	\$343
42691200000000	Santa Maria-Bonita	\$5,088,380	\$338	\$3,641,856	\$387
19647336019079	Santa Monica Boulevard Community Charter	\$413,577	\$451	\$350,759	\$991
19649800000000	Santa Monica-Malibu Unified	\$1,419,025	\$122	\$957,049	\$496
56768280000000	Santa Paula Unified	\$1,671,264	\$307	\$1,149,860	\$363
27661910000000	Santa Rita Union Elementary	\$741,610	\$232	\$542,829	\$358
49709126113278	Santa Rosa Charter	\$1,959	\$0	\$0	\$0
49709120000000	Santa Rosa Elementary	\$1,291,859	\$271	\$836,661	\$377
49709200000000	Santa Rosa High	\$1,990,038	\$180	\$1,544,579	\$416
37683610000000	Santee	\$599,333	\$95	\$380,665	\$226
30666216085328	Santiago Middle	\$16,785	\$0	\$0	\$0
43696820000000	Saratoga Union Elementary	\$114,752	\$53	\$57,609	\$4,590
54721080000000	Saucelito Elementary	\$5,021	\$56	\$1,217	\$278
19649980000000	Saugus Union	\$776,459	\$76	\$522,424	\$348
21654740000000	Sausalito Marin City	\$216,370	\$1,461	\$193,078	\$1,639
34765050114272	SAVA: Sacramento Academic and Vocational Academy	\$159,506	\$208	\$156,852	\$240
30666960000000	Savanna Elementary	\$534,222	\$220	\$355,313	\$309
37764710000000	SBC - High Tech High	\$289,680	\$123	\$262,506	\$278
19756971996693	School of Arts and Enterprise	\$210,644	\$316	\$207,186	\$446
10621661030642	School of Unlimited Learning	\$77,269	\$321	\$70,888	\$465
12630240000000	Scotia Union Elementary	\$34,374	\$152	\$27,993	\$232
47764550000000	Scott Valley Unified	\$165,706	\$249	\$117,180	\$383
44754320000000	Scotts Valley Unified	\$175,328	\$69	\$120,583	\$619
13632220000000	Seeley Union Elementary	\$165,229	\$473	\$121,133	\$573
47704580000000	Seiad Elementary	\$1,937	\$0	\$0	\$0
10624300000000	Selma Unified	\$3,057,088	\$471	\$2,545,901	\$579
15637680000000	Semitropic Elementary	\$11,173	\$38	\$0	\$42
54721160000000	Sequoia Union Elementary	\$73,751	\$229	\$61,660	\$625
41690620000000	Sequoia Union High	\$997,166	\$119	\$626,742	\$313
18641880000000	Shaffer Union Elementary	\$69,414	\$371	\$52,359	\$583
40688330000000	Shandon Joint Unified	\$88,916	\$313	\$74,561	\$417

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
45104540000000	Shasta County Office of Education	\$620,292	\$2,060	\$616,600	\$3,446
45701280000000	Shasta Union Elementary	\$43,530	\$340	\$29,798	\$791
45701360000000	Shasta Union High	\$991,015	\$181	\$833,575	\$486
20652430100016	Sherman Thomas Charter	\$812	\$0	\$0	\$0
20652430118950	Sherman Thomas Charter High	\$196	\$0	\$0	\$0
50712740000000	Shiloh Elementary	\$42,829	\$301	\$37,018	\$372
21733610000000	Shoreline Unified	\$82,028	\$161	\$38,146	\$267
10621660114355	Sierra Charter	\$140,244	\$224	\$137,790	\$289
46104620000000	Sierra County Office of Education	\$74	\$0	\$0	\$0
31669440121624	Sierra Expeditionary Learning	\$454	\$0	\$0	\$0
22655320125823	Sierra Foothill Charter	\$18,613	\$142	\$18,191	\$273
15737420000000	Sierra Sands Unified	\$1,272,567	\$257	\$1,049,973	\$475
10752750000000	Sierra Unified	\$302,398	\$224	\$237,582	\$509
46701770000000	Sierra-Plumas Joint Unified	\$96,203	\$255	\$68,546	\$528
09619860000000	Silver Fork Elementary	\$482	\$34	\$0	\$48
36738900000000	Silver Valley Unified	\$486,812	\$191	\$377,136	\$414
56726030000000	Simi Valley Unified	\$1,832,355	\$99	\$1,290,328	\$319
47104700000000	Siskiyou County Office of Education	\$41,631	\$0	\$41,110	\$0
47704660000000	Siskiyou Union High	\$159,840	\$260	\$133,324	\$543
36750510115089	Sky Mountain Charter	\$4,923	\$0	\$0	\$0
24658390000000	Snelling-Merced Falls Union Elementary	\$28,662	\$270	\$22,206	\$337
36739570000000	Snowline Joint Unified	\$1,161,496	\$143	\$860,685	\$260
36678760117192	SOAR Charter Academy	\$82,197	\$178	\$80,600	\$243
37683870000000	Solana Beach Elementary	\$212,219	\$69	\$156,640	\$813
48104880000000	Solano County Office of Education	\$717,849	\$2,056	\$687,509	\$2,991
56726110000000	Somis Union	\$101,400	\$396	\$90,599	\$582
49709536111678	Sonoma Charter	\$16,895	\$74	\$13,386	\$234
49104960000000	Sonoma County Office of Education	\$742,875	\$4,919	\$577,491	\$9,905
49709530000000	Sonoma Valley Unified	\$763,861	\$176	\$501,826	\$318
55723890000000	Sonora Union High	\$342,543	\$303	\$308,828	\$697
55723970000000	Soulsbyville Elementary	\$117,600	\$224	\$93,433	\$450
37683950000000	South Bay Union	\$2,733,413	\$348	\$1,866,810	\$559
12630320000000	South Bay Union Elementary	\$356,505	\$649	\$324,261	\$1,036
15637840000000	South Fork Union	\$131,477	\$611	\$108,411	\$677
27660680000000	South Monterey County Joint Union High	\$498,321	\$261	\$390,325	\$323

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19650290000000	South Pasadena Unified	\$341,930	\$73	\$216,932	\$427
41690700000000	South San Francisco Unified	\$1,141,590	\$123	\$633,605	\$357
51714070109793	South Sutter Charter	\$7,307	\$0	\$0	\$0
19650370000000	South Whittier Elementary	\$1,191,572	\$360	\$861,176	\$449
12630400000000	Southern Humboldt Joint Unified	\$352,607	\$465	\$260,146	\$868
15637760000000	Southern Kern Unified	\$1,139,669	\$352	\$982,815	\$482
53738330000000	Southern Trinity Joint Unified	\$83,321	\$957	\$73,701	\$1,281
35675530000000	Southside Elementary	\$5,934	\$23	\$0	\$92
37684030000000	Spencer Valley Elementary	\$2,481	\$72	\$0	\$190
27662250000000	Spreckels Union Elementary	\$111,592	\$117	\$96,576	\$899
54721320000000	Springville Union Elementary	\$84,174	\$286	\$75,065	\$689
34674390101048	St. HOPE Public School 7	\$123,500	\$202	\$120,791	\$260
15637920000000	Standard Elementary	\$855,998	\$289	\$726,664	\$383
50105040000000	Stanislaus County Office of Education	\$2,235,946	\$1,585	\$2,196,893	\$2,198
50712820000000	Stanislaus Union Elementary	\$1,052,467	\$338	\$795,392	\$516
19647330100669	Stella Middle Charter Academy	\$199,822	\$353	\$196,186	\$367
39686760000000	Stockton Unified	\$20,823,833	\$574	\$17,385,767	\$659
54721400000000	Stone Corral Elementary	\$137,488	\$948	\$115,899	\$1,057
11626530000000	Stony Creek Joint Unified	\$36,146	\$350	\$29,292	\$420
49706150127662	Stony Point Academy	\$199	\$0	\$0	\$0
54721570000000	Strathmore Union Elementary	\$368,460	\$440	\$276,960	\$460
19647330112862	Student Empowerment Academy	\$102,697	\$440	\$100,965	\$534
19650450000000	Sulphur Springs Union	\$771,803	\$136	\$578,534	\$298
55724050000000	Summerville Elementary	\$109,028	\$280	\$80,071	\$570
55724130000000	Summerville Union High	\$51,440	\$74	\$35,560	\$217
36750440107516	Summit Leadership Academy-High Desert	\$39,812	\$176	\$39,047	\$340
41690620112722	Summit Preparatory Charter High	\$47,605	\$118	\$46,517	\$292
07100740129684	Summit Public School K2	\$0	\$0	\$0	\$0
43104390128090	Summit Public School: Denali	\$218	\$0	\$0	\$0
43694270123745	Summit Public School: Rainier	\$56,813	\$211	\$55,611	\$437
41689240127548	Summit Public School: Shasta	\$218	\$0	\$0	\$0
43104390123794	Summit Public School: Tahoma	\$55,144	\$199	\$53,942	\$414
54721730000000	Sundale Union Elementary	\$129,906	\$173	\$86,361	\$353
54721810000000	Sunnyside Union Elementary	\$292,036	\$815	\$239,353	\$957
43696900000000	Sunnyvale	\$992,946	\$145	\$617,863	\$312

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01751190000000	Sunol Glen Unified	\$2,406	\$8	\$0	\$133
43696660124065	Sunrise Middle	\$60,771	\$392	\$59,869	\$407
25658960000000	Surprise Valley Joint Unified	\$81,245	\$694	\$67,514	\$1,015
18641960000000	Susanville Elementary	\$287,467	\$274	\$212,088	\$505
51105120000000	Sutter County Office of Education	\$157,229	\$384	\$121,352	\$536
51714490000000	Sutter Union High	\$53,489	\$75	\$40,577	\$262
37684110000000	Sweetwater Union High	\$10,470,197	\$256	\$8,430,950	\$452
33751760120204	Sycamore Academy of Science and Cultural Arts	\$739	\$0	\$0	\$0
54722560125542	Sycamore Valley Academy	\$224	\$0	\$0	\$0
50712900000000	Sylvan Union Elementary	\$2,112,841	\$258	\$1,766,912	\$511
07768100125815	Synergy	\$54,716	\$272	\$53,273	\$353
19647330106427	Synergy Charter Academy	\$104,459	\$334	\$102,782	\$386
19647330117895	Synergy Kinetic Academy	\$158,813	\$335	\$155,998	\$362
19647330124560	Synergy Quantum Academy	\$179,727	\$293	\$176,769	\$323
15638000000000	Taft City	\$811,431	\$400	\$663,271	\$489
36678760126706	Taft T. Newman Leadership Academy	\$0	\$0	\$0	\$0
31669440000000	Tahoe-Truckee Unified	\$546,670	\$146	\$352,884	\$318
21654820000000	Tamalpais Union High	\$290,610	\$71	\$191,114	\$955
36675870128462	Taylion High Desert Academy/Adelanto	\$650	\$0	\$0	\$0
19647330122242	TEACH Academy of Technologies	\$100,915	\$448	\$99,289	\$460
19647330129627	TEACH Tech Charter High	\$0	\$0	\$0	\$0
15638260000000	Tehachapi Unified	\$882,312	\$209	\$706,930	\$513
52105200000000	Tehama County Office of Education	\$122,524	\$415	\$90,828	\$785
33751923330917	Temecula Preparatory	\$2,639	\$0	\$0	\$0
33751926112551	Temecula Valley Charter	\$1,795	\$0	\$0	\$0
33751920000000	Temecula Valley Unified	\$2,941,591	\$101	\$2,455,994	\$485
19650520000000	Temple City Unified	\$1,001,380	\$169	\$751,514	\$397
40688410000000	Templeton Unified	\$274,348	\$110	\$221,901	\$535
54721990000000	Terra Bella Union Elementary	\$649,896	\$717	\$527,404	\$716
30103060126037	The Academy	\$40,353	\$320	\$39,672	\$474
01611190122085	The Academy of Alameda	\$95,687	\$198	\$93,780	\$392
36678760122572	The Academy of the Inland Empire	\$93,446	\$147	\$91,464	\$180
37680490127118	The Heights Charter	\$155	\$0	\$0	\$0
34674390106898	The Language Academy of Sacramento	\$104,281	\$213	\$102,101	\$273
37683386061964	The O'Farrell Charter	\$498,406	\$386	\$409,937	\$467

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04615490000000	Thermalito Union Elementary	\$1,642,669	\$1,208	\$1,439,552	\$1,355
23655650123737	Three Rivers Charter	\$282	\$0	\$0	\$0
54722070000000	Three Rivers Union Elementary	\$51,732	\$327	\$39,907	\$760
54722150000000	Tipton Elementary	\$172,257	\$285	\$103,680	\$297
19767370102020	Today's Fresh Start Charter	\$233,783	\$315	\$217,231	\$336
19646340119552	Today's Fresh Start Charter School Inglewood	\$43,110	\$215	\$42,132	\$242
19650600000000	Torrance Unified	\$2,454,449	\$101	\$1,514,404	\$372
39754990000000	Tracy Joint Unified	\$3,230,592	\$200	\$2,567,956	\$410
54722230000000	Traver Joint Elementary	\$152,762	\$664	\$120,649	\$672
48705650000000	Travis Unified	\$340,909	\$62	\$249,357	\$216
23656156117386	Tree of Life Charter	\$12,839	\$142	\$12,540	\$337
35675610000000	Tres Pinos Union Elementary	\$2,885	\$21	\$0	\$120
12630570000000	Trinidad Union Elementary	\$91,596	\$583	\$78,609	\$995
53765130000000	Trinity Alps Unified	\$189,899	\$268	\$165,155	\$465
53717610000000	Trinity Center Elementary	\$16,406	\$1,025	\$15,392	\$1,822
53105380000000	Trinity County Office of Education	\$9,968	\$369	\$9,788	\$766
42691120124255	Trivium Charter	\$23,118	\$55	\$22,310	\$166
36678920000000	Trona Joint Unified	\$209,537	\$821	\$173,733	\$1,177
54722310000000	Tulare City	\$2,937,520	\$311	\$2,218,373	\$386
54105460000000	Tulare County Office of Education	\$1,032,504	\$555	\$977,432	\$879
54722490000000	Tulare Joint Union High	\$1,525,396	\$279	\$1,279,827	\$397
25735930000000	Tulelake Basin Joint Unified	\$323,904	\$654	\$250,475	\$828
55105530000000	Tuolumne County Superintendent of Schools	\$565	\$0	\$0	\$0
50757390000000	Turlock Unified	\$3,853,140	\$278	\$3,033,942	\$474
30736430000000	Tustin Unified	\$2,900,927	\$121	\$2,026,897	\$297
49709610000000	Twin Hills Union Elementary	\$53,304	\$44	\$36,651	\$229
51714640107318	Twin Rivers Charter	\$67,026	\$167	\$65,592	\$354
34765050000000	Twin Rivers Unified	\$13,803,949	\$523	\$11,390,359	\$592
49709790000000	Two Rock Union	\$30,474	\$175	\$23,961	\$406
23656150000000	Ukiah Unified	\$1,978,809	\$345	\$1,524,853	\$467
43697080000000	Union Elementary	\$407,960	\$74	\$238,211	\$561
29664070000000	Union Hill Elementary	\$38,437	\$58	\$21,604	\$175
21655160000000	Union Joint Elementary	\$512	\$0	\$0	\$0
56725530111690	University Charter Middle School at CSU Channel Islands	\$37,774	\$146	\$36,931	\$277

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10621660114553	University High	\$617	\$0	\$0	\$0
56725536120620	University Preparation School at CSU Channel Islands	\$87,678	\$181	\$73,124	\$337
43104390113431	University Preparatory Academy Charter	\$686	\$0	\$0	\$0
36750690000000	Upland Unified	\$2,262,291	\$193	\$1,726,898	\$337
17640630000000	Upper Lake Union Elementary	\$244,420	\$458	\$209,647	\$576
17640710000000	Upper Lake Union High	\$83,130	\$268	\$70,394	\$317
37683380118000	Urban Discovery Academy Charter	\$34,604	\$104	\$34,003	\$706
01100170125567	Urban Montessori Charter	\$35,330	\$164	\$21,228	\$420
19647330125864	USC Hybrid High	\$83,197	\$369	\$81,846	\$470
48705730000000	Vacaville Unified	\$1,669,344	\$131	\$1,114,274	\$331
33752420000000	Val Verde Unified	\$4,989,913	\$252	\$4,155,055	\$305
19650780000000	Valle Lindo Elementary	\$212,517	\$174	\$148,316	\$202
05615800000000	Vallecito Union	\$313,762	\$559	\$266,281	\$1,400
37684370000000	Vallecitos Elementary	\$87,455	\$457	\$75,353	\$564
48705810000000	Vallejo City Unified	\$4,368,095	\$305	\$3,324,400	\$427
10621660111633	Valley Arts and Science Academy (VASA)	\$94,513	\$355	\$92,956	\$402
37756140000000	Valley Center-Pauma Unified	\$565,096	\$136	\$336,924	\$255
19647330122754	Valley Charter Elementary	\$11,309	\$42	\$10,913	\$182
50105045030234	Valley Charter High	\$1,021	\$0	\$0	\$0
19647330122838	Valley Charter Middle	\$40,443	\$219	\$39,710	\$400
50713240000000	Valley Home Joint Elementary	\$65,006	\$419	\$49,984	\$878
56725205630405	Valley Oak Charter	\$101	\$0	\$0	\$0
10621660106740	Valley Preparatory Academy Charter	\$79,655	\$252	\$78,024	\$312
19647330120022	Valor Academy Charter	\$61,189	\$127	\$58,560	\$146
19647330127894	Valor Academy Charter High	\$37,651	\$388	\$37,027	\$464
19647336019715	Vaughn Next Century Learning Center	\$1,040,367	\$400	\$902,878	\$408
56105610000000	Ventura County Office of Education	\$1,309,695	\$1,481	\$1,271,641	\$2,822
56726520000000	Ventura Unified	\$2,628,384	\$151	\$1,853,798	\$320
39103973930476	Venture Academy	\$5,828	\$0	\$0	\$0
36679180000000	Victor Elementary	\$3,842,625	\$316	\$3,255,424	\$401
36679340000000	Victor Valley Union High	\$4,783,534	\$495	\$4,392,206	\$603
19647336117048	View Park Preparatory Accelerated Charter	\$117,284	\$228	\$114,776	\$693
19647336121081	View Park Preparatory Accelerated Charter Middle	\$76,925	\$223	\$75,302	\$444
19647330101196	View Park Preparatory Accelerated High	\$156,436	\$381	\$153,353	\$512
01612590123711	Vincent Academy	\$33,109	\$247	\$32,590	\$293

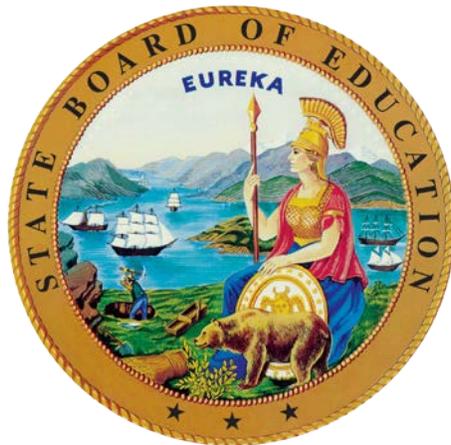
CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
15638340000000	Vineland Elementary	\$542,926	\$698	\$449,007	\$669
54722560000000	Visalia Unified	\$8,270,273	\$295	\$6,614,648	\$458
19647330122739	Vista Charter Middle	\$134,539	\$383	\$132,099	\$340
56105610109900	Vista Real Charter High	\$13,324	\$0	\$0	\$0
37684520000000	Vista Unified	\$5,987,944	\$271	\$4,632,075	\$426
43694500113662	Voices College-Bound Language Academy	\$98,597	\$249	\$81,826	\$365
10767781030774	W. E. B. DuBois Public Charter	\$169,738	\$393	\$148,270	\$396
11101160124909	Walden Academy	\$193	\$0	\$0	\$0
19647330100750	Wallis Annenberg High	\$157,263	\$321	\$155,144	\$340
07618120000000	Walnut Creek Elementary	\$259,154	\$74	\$150,438	\$691
19734600000000	Walnut Valley Unified	\$1,196,989	\$81	\$840,003	\$536
37754160000000	Warner Unified	\$70,842	\$313	\$32,398	\$397
15638420000000	Wasco Union Elementary	\$1,486,446	\$418	\$1,166,761	\$473
15638590000000	Wasco Union High	\$593,210	\$342	\$490,664	\$428
10625130000000	Washington Colony Elementary	\$198,505	\$473	\$164,518	\$562
10767780000000	Washington Unified	\$1,995,686	\$809	\$1,743,355	\$819
57726940000000	Washington Unified	\$2,239,420	\$307	\$1,713,768	\$450
27662330000000	Washington Union Elementary	\$38,683	\$39	\$26,670	\$1,333
50755720000000	Waterford Unified	\$676,394	\$388	\$562,208	\$509
19647336114912	Watts Learning Center	\$135,204	\$362	\$131,403	\$384
19647330120527	Watts Learning Center Charter Middle	\$126,684	\$361	\$124,667	\$378
49709950000000	Waugh Elementary	\$53,327	\$57	\$28,274	\$403
54722640000000	Waukena Joint Union Elementary	\$91,818	\$355	\$72,854	\$427
24658620000000	Weaver Union	\$1,212,185	\$440	\$1,013,952	\$510
47704820000000	Weed Union Elementary	\$156,031	\$655	\$118,438	\$753
07617960000000	West Contra Costa Unified	\$9,604,876	\$327	\$7,059,091	\$464
19650940000000	West Covina Unified	\$1,701,093	\$158	\$1,332,002	\$235
10625390000000	West Park Elementary	\$187,054	\$301	\$149,119	\$339
49710010000000	West Side Union Elementary	\$17,148	\$100	\$12,441	\$519
49706070000000	West Sonoma County Union High	\$43,416	\$0	\$0	\$0
19101990127274	Westchester Secondary Charter	\$337	\$0	\$0	\$0
31669510000000	Western Placer Unified	\$1,074,733	\$162	\$915,547	\$458
30667460000000	Westminster	\$3,018,107	\$310	\$2,042,865	\$440
13632300000000	Westmorland Union Elementary	\$252,268	\$694	\$213,900	\$746
10625470000000	Westside Elementary	\$137,388	\$572	\$120,895	\$599

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
19651020000000	Westside Union Elementary	\$925,535	\$106	\$717,461	\$252
18642041830132	Westwood Charter	\$32,193	\$0	\$28,228	\$0
18642040000000	Westwood Unified	\$124,246	\$675	\$100,321	\$1,150
58727510000000	Wheatland	\$282,268	\$225	\$222,599	\$529
45701690000000	Whitmore Union Elementary	\$29,335	\$946	\$24,601	\$977
19651100000000	Whittier City Elementary	\$1,620,721	\$253	\$1,213,602	\$372
19651280000000	Whittier Union High	\$2,100,951	\$160	\$1,699,310	\$230
19651360000000	William S. Hart Union High	\$249,441	\$11	\$0	\$47
06616220000000	Williams Unified	\$218,414	\$164	\$177,204	\$213
23656232330363	Willits Charter	\$22,722	\$156	\$21,548	\$244
23656230125658	Willits Elementary Charter	\$19,682	\$207	\$19,280	\$223
23656230000000	Willits Unified	\$805,632	\$509	\$661,307	\$668
21654746118491	Willow Creek Academy	\$42,272	\$131	\$41,182	\$257
47704900000000	Willow Creek Elementary	\$14,861	\$371	\$12,717	\$464
35675790000000	Willow Grove Union Elementary	\$1,053	\$61	\$0	\$0
11626610000000	Willows Unified	\$611,286	\$425	\$469,417	\$633
49710190000000	Wilmar Union Elementary	\$30,558	\$138	\$21,871	\$545
19651510000000	Wilsona Elementary	\$681,316	\$520	\$590,128	\$546
49753580000000	Windsor Unified	\$540,334	\$102	\$351,882	\$251
51714560000000	Winship-Robbins	\$25,381	\$130	\$23,879	\$154
57727020000000	Winters Joint Unified	\$370,111	\$240	\$226,389	\$355
24658700000000	Winton	\$1,027,128	\$543	\$820,466	\$613
19101990112730	Wisdom Academy for Young Scientists	\$188,602	\$354	\$185,611	\$358
57727100000000	Woodland Joint Unified	\$2,278,318	\$229	\$1,636,841	\$333
41690880000000	Woodside Elementary	\$12,651	\$27	\$7,092	\$253
54722980000000	Woodville Union Elementary	\$427,082	\$873	\$326,977	\$1,004
49710350000000	Wright Elementary	\$230,695	\$142	\$131,920	\$200
19647336119929	Xinaxcalmecac Academia Semillas del Pueblo	\$199,085	\$530	\$182,312	\$582
34674390121665	Yav Pem Suab Academy - Preparing for the Future Charter	\$109,294	\$260	\$91,105	\$293
57105790000000	Yolo County Office of Education	\$234,667	\$1,161	\$232,798	\$1,688
20764140000000	Yosemite Unified	\$284,498	\$144	\$241,764	\$324
47705080000000	Yreka Union Elementary	\$484,894	\$487	\$443,574	\$738
47705160000000	Yreka Union High	\$195,717	\$271	\$169,186	\$512
51714645130125	Yuba City Charter	\$48,539	\$280	\$41,796	\$351

CDS Code	Local Educational Agency Name	Total 2013-14 ConApp Entitlement	2013-14 Total Entitlement Per Student	Total 2013-14 Title I Entitlement	2013-14 Entitlement Per Free and Reduced Lunch K-12 Student
51714640000000	Yuba City Unified	\$3,345,279	\$261	\$2,638,679	\$378
58105870000000	Yuba County Office of Education	\$182,167	\$3,312	\$158,565	\$3,643
58105870117242	Yuba Environmental Science Charter Academy	\$25,560	\$263	\$25,074	\$323
36679590000000	Yucaipa-Calimesa Joint Unified	\$1,730,173	\$196	\$1,437,398	\$359

Total Number of LEAs in the report: 1,526

Total ConApp entitlement funds for districts receiving regular approval: \$1,805,920,899



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 17**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Local Control Funding Formula: Update on California's Local Educational Agency and School Planning and Accountability System.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

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On July 1, 2013, the Governor signed Assembly Bill 97 (Chapter 47, Statutes of 2013) to enact the Local Control Funding Formula (LCFF). This agenda item is the seventh in a series of regular information or action items to demonstrate progress in the implementation of the LCFF to the State Board of Education (SBE) and to the public.

#### RECOMMENDATION

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No specific action is recommended at this time.

#### BRIEF HISTORY OF KEY ISSUES

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On January 16, 2014, the SBE took action to approve emergency regulations governing the expenditure of LCFF funds pursuant to the requirements of California *Education Code (EC)* Section 42238.07 and the Local Control and Accountability Plan (LCAP) template pursuant to *EC* Section 52064, available on the California Department of Education (CDE) LCFF Web page at <http://www.cde.ca.gov/re/lr/rr/lcffemergencyregs.asp>. In addition, the SBE approved a proposal to commence the regular rulemaking process. This process is required to adopt permanent regulations and includes a period of 45 days for written comments and a public hearing to receive verbal and written testimony. The progress of these activities is addressed today in separate agenda items.

#### SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

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**March 2014:** The CDE provided a status update regarding issues specific to the implementation of the LCFF and the development of the LCAP (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/mar14item01.doc>). The item described progress on the coordination of local plans, existing program and fiscal management requirements, creation of an electronic LCAP template, charter school

requirements, the role of the county office of education (COE), and promising practices. Further discussion about the LCAP review process and the role of California Collaborative for Educational Excellence (CCEE) prompted a request for a status update regarding the development of the evaluation rubrics and the selection of the CCEE fiscal agent to be presented at the May meeting (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/may14item11.doc>).

The SBE also took action to approve Item 2, the Kindergarten and Grades One Through Three Grade Span Adjustment Finding of Emergency and Proposed Emergency Regulations for amendments to the *California Code of Regulations*, Title 5 (5 CCR), sections 15498, 15498.1, 15498.2, and 15498.3 (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/mar14item02.doc>) and Item 30, the Commencement of the Rulemaking Process for Amendments to the 5 CCR, sections 15498, 15498.1, 15498.2, and 15498.3 (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/mar14item30.doc>).

**May 2014:** The CDE provided a status update regarding issues specific to the implementation of the LCFF and the development of the LCAP (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/may14item10.doc>). The update included discussion of the provision of services to foster youth; planning information about the development of an electronic template, including plans to link it to other LCFF implementation activities; the LCAP review process for districts and COEs; and a description of the process of developing LCAP evaluation rubrics. The item also included presentations by two local educational agencies and the California County Superintendents Educational Services Association describing local processes and resources to support implementation of the LCFF.

In addition, the SBE took action to approve the Superintendent's recommendation to contract with the Riverside COE to serve as the fiscal agent for the CCEE and to authorize the CDE to execute a contract for services (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/may14item11-addendum.doc>).

**July 2014:** The CDE provided a status update regarding issues specific to the implementation of LCFF and the development of the LCAP (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item01.doc>). The update included discussion of recent work conducted to identify common elements of required state and federal plans as part of the work to reduce duplication in planning documents; a discussion of proposed changes to the School Accountability Report Card template to align with LCFF state priorities (approved by the SBE at the July 2014 meeting: <http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item02.doc>); a progress report on the development of the electronic LCAP template; and an update regarding the proposed process to begin developing the evaluation rubrics.

In separate items, the SBE approved proposed changes to the permanent regulations governing expenditure of supplemental and concentration funds and the LCAP template, and directed that the changes be circulated for a 15-day comment period (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item11.doc>). The SBE also took action to readopt the emergency regulations governing expenditure of supplemental and

concentration funds and the LCAP template which were otherwise set to expire in advance of the adoption of permanent regulations (<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jul14item16.doc>).

## **FISCAL ANALYSIS (AS APPROPRIATE)**

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The 2014 Budget Act provides an increase of \$5.6 billion over the 2013 Budget Act level of \$55.3 billion for a total of \$60.9 billion in Proposition 98 funding for 2014–15. The budget appropriates \$4.7 billion of this Proposition 98 funding to school districts and charter schools and \$25.9 million for COEs to support the second year of LCFF implementation. The second-year investment in the LCFF is projected to close over 29 percent of the remaining funding gap for school districts and charter schools, and close the entire funding gap for COEs. COEs receive a county operations grant to cover the cost of county oversight of school districts, among other operational responsibilities (*EC* Section 2575 subdivision [I]).

## **ATTACHMENT(S)**

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Attachment 1: Update on Local Control Funding Formula Issues and Resources  
(10 Pages)

## UPDATE ON LOCAL CONTROL FUNDING FORMUL ISSUES AND RESOURCES

### OVERVIEW

Below is an update about key issues identified by the State Board of Education (SBE) as topics for further discussion or clarification. Each topic is introduced, followed by a brief status update. Suggested resources to support local planning activities are included where available. These topics will be updated and new topics will be added as local educational agencies (LEAs) transition through the Local Control and Accountability Plan (LCAP) implementation phases.

### EVALUATION RUBRIC DEVELOPMENT

California *Education Code (EC)* Section 52064.5 describes the purpose and function of the evaluation rubrics as follows:

- (a) On or before October 1, 2015, the state board shall adopt evaluation rubrics for all of the following purposes:
  - (1) To assist a school district, county office of education, or charter school in evaluating its strengths, weaknesses, and areas that require improvement
  - (2) To assist a county superintendent of schools in identifying school districts and charter schools in need of technical assistance pursuant to *EC* section 52071 or 47607.3, as applicable, and the specific priorities upon which the technical assistance should be focused
  - (3) To assist the Superintendent in identifying school districts for which intervention pursuant to *EC* Section 52072 is warranted
- (b) The evaluation rubrics shall reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities described in *EC* Section 52060, subdivision (d)
- (c) As part of the evaluation rubrics, the state board shall adopt standards for school district and individual schoolsite performance and expectation for improvement in regard to each of the state priorities described in *EC* Section 52060, subdivision (d)

The evaluation rubrics are an integral part of the Local Control Funding Formula (LCFF) performance and accountability system. Once developed, the rubrics will serve as tools to ensure LEAs are able to align resources to implement strategies that result in meaningful student outcomes. The rubrics will also direct attention to areas in need of additional support to meet the adopted standards for district and school performance relative to the state and local priorities.

## Rubric Development Process

The SBE has contracted with WestEd to coordinate and facilitate a process for developing rubrics that takes into account the following:

- Stakeholder input that reflects knowledge and experience from practitioners, researchers, students, and parents
- Relevant application to the diverse range of LEAs that will use the rubrics, including factors such as regional differences, types of LEAs, sizes of LEAs, student demographics, and baseline outcomes
- Fidelity to the LCFF design principles as identified in the legislation (i.e., performance, equity, engagement, outcomes, and local flexibility)

WestEd’s proposed rubric development process includes a Rubric Design Group (RDG) comprised of educational leaders from school districts, county offices of education (COEs), and charter schools; California Department of Education (CDE) staff with responsibility for monitoring COEs; and SBE representatives. The work of the RDG will be informed by three additional working groups:

- Practitioner and Community—A series of regional advisory group meetings to be scheduled in 3–4 locations to allow LEA leaders, teachers, students, parents, and community members to provide input and insight based on local experiences.
- Research—Meetings to be scheduled with state and national researchers with an interest in and knowledge of educational systems change, resource management, engagement, and student outcomes to provide advice based on their research.
- Policy—Meetings to be scheduled with organizations included as part of the LCAP implementation working group to provide input to the rubric development.

Rubric Creation Timeline	
August 2014	WestEd commences facilitation and outreach for participation in the RDG and develops a plan to engage and gather input from working groups. Update below.
Summer/Fall 2014	WestEd convenes the RDG to plan a timeline for future meetings and establish working principles, and organizes and facilitates sessions with various working groups for preliminary input.

Spring 2015	The RDG completes a first draft of evaluation rubrics to include as part of an update to the SBE.
Spring/Summer 2015	WestEd organizes and facilitates follow-up sessions with various working groups regarding draft evaluation rubrics.
July 2015	WestEd presents an updated draft of the evaluation rubrics for review and comment by the SBE prior to adoption.
September 2015	Evaluation rubrics adopted by the SBE

### **Facilitation and Outreach for Rubric Design Group**

On August 13, 2014, WestEd convened an organizing meeting of the RDG. The primary purpose of this meeting was to develop a common understanding of the legislative requirements for the evaluation rubrics and identify the types of information and processes that will lead to the construction of sample rubrics for the SBE's consideration. There was agreement that the emerging process must:

- Address statutory direction for the evaluation rubrics (*EC 52064.5*), which includes creating rubrics that LEAs can use to evaluate their strengths, weaknesses, and areas that require improvement; assist county superintendents of schools to identify needs and focus technical assistance; and assist the Superintendent of Public Instruction to direct interventions when warranted. Furthermore, the rubrics should provide standards for school districts and individual school site performance and expectations for improvement as related to the identified LCFF priorities.
- Include input and insights from educational leaders, teachers, students, parents, community, researchers, and organizations with an interest in the implementation of LCFF throughout the design process.
- Guide continuous improvement as evidenced by improved student outcomes.
- Be relevant to the diverse contexts and needs evidenced by California's districts, COEs, charter schools, and school sites.

Information about the RDG process is posted and will be regularly updated at <http://lcff.wested.org>. This includes notifications regarding input opportunities, a form for online feedback, and summaries and updates about the proceedings and progress of the RDG.

The following participants were selected to serve on the Rubric Design Group:

- Debra Kubin, Superintendent, Ukiah USD

- Maria Santos, Deputy Superintendent for Instruction, Leadership and Equity in Action, Oakland USD
- Rick Miller, Ph.D., Superintendent, Santa Ana USD
- John A. Garcia Jr, Ph.D., Superintendent, Downey USD
- Shawnterra Moore Thomas, Ed.D., Assistant Superintendent, Educational Services and Categorical Programs, South San Francisco USD
- Judi Burton, Alliance President and CEO
- Tim Smith, Teacher, Florin High School , Sacramento County and Elk Grove USD Teacher of the Year
- Sue Stickel, Deputy Superintendent, Sacramento COE
- Joshua Schultz, Chief Business Official, Napa COE
- Gary Waddell, Ed.D., Deputy Superintendent, Instructional Services Division, San Mateo COE
- Valerie Chrisman, Ed.D., Associate Superintendent Educational Services, Ventura COE
- Christine Swenson, Director, Local Agency Systems Support, CDE
- Peter Foggiato, Director, School Fiscal Services Division, CDE
- Keric Ashley, Interim Deputy Superintendent of Public Instruction, District, School and Innovation Branch, CDE

Arrangements for meetings of the following groups are currently being prepared as indicated:

- **Practitioner and Community:** Regional meetings will be hosted in Los Angeles on September 15, in Fresno on September 16, in Sacramento on September 17, and in the Bay Area on September 22. All September meetings are tentatively scheduled from 4–6 pm at the COEs. In addition, a virtual facilitated dialog will be open for comment from September 18–22. WestEd anticipates holding a similar series of regional meetings in January and April of 2015.
- **Research:** A meeting of researchers with background and experience in areas related to the state priorities, school and district improvement, resource alignment, engagement, and student outcomes will be scheduled in October

2014 in Oakland. WestEd anticipates holding additional meetings in January and/or April of 2015 as necessary.

- Policy: Meetings for representatives of organizations with a state-level perspective regarding implementation of LCFF, including associations and agencies representing students, teachers, administrators, classified employees, parents and community members, school boards, and civil rights and equity advocates, will be scheduled in October 2014, January 2015, and April 2015.

This is a working timeline and is subject to change, with additional meetings scheduled if needed.

## **RECENT STATUTORY CHANGES TO THE UNDUPLICATED PUPIL COUNT UNDER THE LOCAL CONTROL FUNDING FORMULA**

The LCFF uses student eligibility for Free or Reduced Price Meals (FRPM) in the National School Lunch Program (NSLP) as a proxy for low-income status. NSLP requires schools to collect applications from students to determine eligibility for free or reduced-price meals. Since household incomes change, NSLP requires schools to collect these applications from individual students annually.

However, NSLP also provides an opportunity for schools to apply for a Provision 2 or 3 status. Under these provisions, schools collect applications from individual students in a “base year” and then are prohibited from collecting NSLP applications in subsequent years. Schools must renew their provision status every four years, which may or may not require the school to collect applications to re-establish their base year. Since these schools are prohibited from collecting NSLP applications except in the base year, the original LCFF provisions required these schools to annually collect alternative household income forms (not NSLP applications) from all students in order to determine low-income status for purposes of LCFF allocations.

In an effort to reduce the burden of data collection for LEAs, Senate Bill 859 (Chapter 33, Statutes of 2014) amended LCFF provisions so that Provision 2 and 3 schools are no longer required to collect household income data each year to determine which students meet FRPM income requirements for purposes of LCFF. Instead these schools need only collect household income data at least once every four years, so long as they collect income data for every newly-enrolled student in the intervening years. LEAs must continue to submit data for identified students to the California Longitudinal Pupil Achievement Data System (CALPADS) every year in order to determine an unduplicated pupil count. Auditors will review CALPADS data for students in these schools just as they review CALPADS data at other schools, so schools must still be prepared to show auditors the original documentation that a student is FRPM eligible, which may be up to three years old.

This legislation also changed the years used to calculate the “unduplicated pupils” percentage three-year rolling average. In recognition of the challenges of collecting all

the necessary data in 2013–14, the LCFF statutes were amended, allowing the 2014–15 unduplicated percentage to be used in place of the 2013–14 unduplicated percentage, if it is higher, for the 2014–15 and 2015–16 calculations.

This information was provided in a July 2014 letter to County and District Superintendents and Charter School Administrators and is available on the CALPADS Communication Web page at <http://www.cde.ca.gov/ds/sp/cl/lcff-lcap071514.asp>.

## **CALIFORNIA LONGITUDINAL PUPIL ACHIEVEMENT DATA SYSTEM AND FOSTER YOUTH DATA**

The California Department of Education (CDE), in partnership with the California Department of Social Services (CDSS), continues to make progress towards implementing functionality in the CALPADS related to the identification of foster youth. As required by state law, this functionality will provide LEAs the ability to view reports that are updated weekly, identifying the students enrolled in each school who are foster youth. The design specifications were developed in consultation with LEA staff who work with foster youth.

Through this statewide match that identifies foster students, LEAs will be informed of the foster students enrolled in each school, as well as additional social services being provided to better serve foster youth. Such information includes:

- Whether the student is in a foster care placement, or living at home receiving family maintenance services
- Whether the student is under the supervision of the county social services or probation department
- The student's social worker's name and contact information
- The student's court appointed educational representative's name and contact information

In addition to being able to view information about all foster students enrolled in schools in each county, COEs will be able to view information about students within its jurisdiction who are attending schools in other counties. This will facilitate the ability of counties to monitor the academic progress of all foster youth within its jurisdiction. Only staff with a special security role will be able to view the foster reports.

Additional information regarding CALPADS and Foster Youth are available on the LCFF Frequently Asked Question Web page at <http://www.cde.ca.gov/fg/aa/lc/lcfffaq.asp>.

## **2014 LOCAL CONTROL AND ACCOUNTABILITY PLAN REVIEW PROGRESS UPDATE**

**CDE Review of County Office Plans:** The CDE received 65 LCAPs for the 2014–15 school year. These included plans from 58 COEs and seven from districts which are the sole district within a county. Most plans were submitted within the required timeframe, and most received an initial review within the first two weeks of receipt. Program and fiscal staff within the CDE reviewed each LCAP, first independently, then collaboratively, to identify plan elements requiring clarification. In those cases where clarification was deemed necessary, CDE staff contacted the COE or district by phone to seek clarification, and a majority of the requests for clarification were completed within a few days of the initial notification. In a small number of instances, the clarification process was not completed by August 15, the date by which LEAs were to be notified in writing of such requests in writing. However, it is anticipated that all 65 plans will be approvable no later than October 8 as required by statute.

**CDE Review of Charters Authorized by the State Board of Education:** The Charter Schools Division (CSD) reviewed 24 LCAPs received from charters authorized by the SBE. The initial focus of the review was Section 1, Stakeholder Engagement, and Section 2, Goals and Progress Indicators. In some instances CDE staff requested clarifying information from the charter school administrator as part of the review. CSD staff also reviewed the LCAP budget to verify alignment with Sections 3A and 3B, Actions, Services, and Expenditures. It is anticipated that goals and actions identified in the LCAP Sections 3A and 3B will be evident during the annual site visit to the SBE-authorized charter schools.

**County Office of Education Review of District Plans:** The California County Superintendents Educational Services Association (CCSESA) represents the 58 COEs, most of which were responsible for approving LCAPs for districts within the county. Under the leadership of CCSESA, the Business and Administration Steering Committee and the Curriculum and Instruction Steering Committee have collaborated to create and provide:

- LCAP-related training to COEs to offer to their respective districts
- The CCSESA LCAP Approval Manual; A Guide for Review and Approval of District LCAPs

Stan Mantooth, County Superintendent of Ventura County and current President of the CCSESA Board of Directors, Terena Mares, Deputy Superintendent of Marin County Superintendent of Schools and chair of the CCSESA Business and Administration Steering Committee (BASC), and Gary Waddell, Deputy Superintendent from San Mateo County Office and current chair of the CCSESA Curriculum and Instruction Steering Committee (CISC), are here to provide a summary of the COE review process to date.

## FOSTER YOUTH SERVICES (CDE)

There are over 40,000 school age foster youth in California according to data provided by the California Department of Social Services (CDSS). According to *The Invisible Achievement Gap*, a 2012 report published by WestEd, California foster youth:

- are significantly more likely to change schools
- are significantly more likely to be enrolled in the lowest performing schools
- test below basic and far below basic at twice the rate of students statewide
- are significantly more likely to drop out than any other at risk student group
- have a 58 percent rate of graduation from high school, the lowest among at-risk student groups and as compared to a high school graduation rate of 84 percent for students statewide.

Legislation passed in 1981 declared the instruction, counseling, tutoring, and provision of related services for foster youth to be a state priority, and California *Education Code (EC)* sections 42920–42925 mandated the Foster Youth Services (FYS) Program. Those *EC* sections limited eligibility for services to those foster youth living in licensed children’s institutions in California, which is currently approximately 48 percent of California’s foster youth population. However, *EC* Section 42238.01, passed in 2013, broadened the definition of foster youth to include youth not in an out-of-home placement.

The purpose of the CDE’s FYS Program, housed within the Coordinated School Health and Safety Office, has been to provide funding to COEs for academic and support services to foster youth as well as to serve as a source of technical assistance regarding education issues related to students in foster care. For fiscal year 2014–15, \$15,224,000 has been budgeted for the FYS Program. This funding supports a foster youth services coordinator in each COE with eligible foster youth.

Children and youth in the foster care system are prime examples of clients served by multiple governmental agencies, including but not limited to the CDSS, the CDE, the Administrative Office of the Courts, County Mental Health and County Probation, and other community-based organizations. As part of the LCFF, COEs are tasked with coordinating services for foster youth in each county and for ensuring the required school-based inter-agency coordination.

A key component of supporting children and youth in the foster care system is a multi-disciplinary approach to identify strengths and needs and to set educational goals and

objectives. A well-articulated, integrated, and inter-agency case management strategy can serve as a mechanism for improving the lives of foster youth in schools, both for purposes of improving educational team communication and, more importantly, for identifying needs, setting goals and objectives, delivering supports, and monitoring educational outcomes. The CDE has made available best practices and tools to that COEs have access to the most up-to-date resources in order to be prepared to provide this guidance to LEAs. These strategies and protocols can support the existence of a universally defined set of meaningful supports for foster youth that can be monitored and measured.

Some of the tools and best practices initially identified that are available to assist LEAs to design and deliver services to foster youth are:

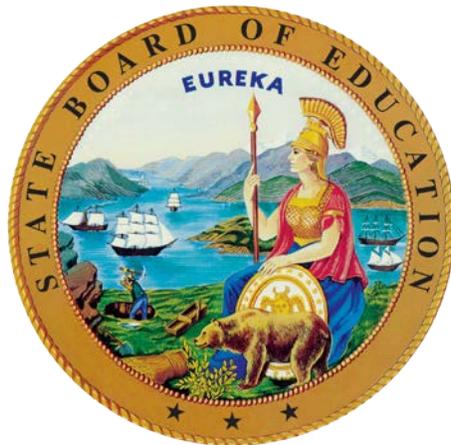
- **Multi-Tiered System of Supports (MTSS):** MTSS is an integrated, comprehensive framework that focuses on Common Core State Standards, core instruction, differentiated learning, student-centered learning, individualized student needs, and the alignment of systems necessary for all students' academic, behavioral, and social success.
- **Positive Behavior Intervention Supports (PBIS):** School-wide PBIS is a systems or tiered approach to establishing the social culture and behavioral supports needed for all children in a school to achieve both social and academic success. School-wide PBIS is not a packaged curriculum but an approach that defines core elements that can be achieved through a variety of strategies. The core elements at each of the three tiers in the prevention model are organized around tiered approaches to establishing a positive school climate. The core elements of school-wide PBIS are integrated within organizational systems in which teams, working with administrators and behavior specialists, provide the training, policy and organizational support needed.
- **Interconnected Systems Framework (ISF) to support PBIS:** The use of ISF within PBIS builds from the established and effective platforms of PBIS to integrate school mental health programs and services for students with a higher level of need, such as individualized academic or behavior support. ISF aligns with PBIS and MTSS and is an approach that includes emphasis on: (1) effective teams that include community providers, (2) early identification and access to service through data based decision making, (3) ongoing progress monitoring, and (4) rigorous systems review for effectiveness.
- **Trauma Informed Practices:** The use of Trauma Informed Practices in serving foster youth in schools integrates a number of understandings into the planning and delivery of services in schools. These understandings include the increased awareness in the following domains in school: resiliency, relationships, self-regulation, academic competence, and health and wellness. School staff, through awareness building, experiences a shift from perceiving behavior as a way to

manipulate, to seeing behavior as a way to communicate or get needs met. These understandings aid school staff in meeting the needs of foster youth at a deeper level and are integrated into each level of the system of support for the youth.

## **OTHER FOSTER YOUTH ADVOCACY**

FosterEd, an initiative of the National Center for Youth Law, collaborates with state and local agencies to improve the educational outcomes for foster children and operates in California, Indiana, Arizona and New Mexico. The Center for the Study of Social Policy recently named it one of just a handful of efforts successfully helping foster youth thrive.

Here to provide additional information about effectively serving foster youth is Jesse Hahnel, founder and director of FosterEd.



# **California State Board of Education**

**Meeting Agenda for September 3-4, 2014**

## **ITEM 18**



## CALIFORNIA STATE BOARD OF EDUCATION

### SEPTEMBER 2014 AGENDA

SUBJECT	
Local Control Funding Formula Spending Requirements (LCFF) and Local Control and Accountability Plan (LCAP) – Approve Commencement of a Second 15-Day Public Comment Period for Proposed Amendments to <i>California Code of Regulations</i> , Title 5, Sections 15494–15497.5.	<input checked="" type="checkbox"/> Action <input checked="" type="checkbox"/> Information <input type="checkbox"/> Public Hearing

#### SUMMARY OF THE ISSUE(S)

In January, the State Board of Education (SBE) commenced the regular rulemaking process to adopt permanent regulations, as required by California *Education Code (EC)* sections 42238.07 and 52064. (See January 2014 Agenda Item 21 at <http://www.cde.ca.gov/be/ag/ag/yr14/agenda201401.asp>.) The proposed regulations govern the expenditure of Local Control Funding Formula (LCFF) supplemental and concentration grant funds. The proposed permanent regulations also include the Local Control and Accountability Plan (LCAP) template specified in *EC* Section 52064 for use by local educational agencies (LEAs) to support local adoption and annual review of the LCAP. The proposed permanent regulations were circulated for a 45-day written comment period, and a public hearing was held on March 17, 2014. At the public hearing, three participants provided written and oral statements on the proposed regulations. By the close of the public comment period on March 17, 2014, at 5 p.m., approximately 2,300 written public comment letters had been received.

At its January 2014 meeting, the SBE also adopted emergency regulations to govern the expenditure of LCFF supplemental and concentration funds and provide the LCAP template until the permanent rulemaking process is completed. (See January 2014 Agenda Item 20 at <http://www.cde.ca.gov/be/ag/ag/yr14/agenda201401.asp>.)

At its July 2014 meeting, the SBE adopted proposed changes to the permanent regulations. Changes were proposed for both the expenditure regulations and the LCAP template. The changes proposed for the expenditure regulations include the addition of definitions in Title 5, *California Code of Regulations (5 CCR)*, Section 15495, to provide clarity for certain terms used in the LCAP template. Changes were also proposed to require additional description from a school district, charter school, or county office of education when supplemental and concentration grant funds are to be used on a districtwide, charterwide, countywide, or schoolwide basis. *EC* Section 15496(c) was deleted and a new *EC* Section 15497 was added to provide further clarity around county superintendents' oversight responsibilities under *EC* Section 52070(d)(3) regarding the LCAP's adherence to the expenditure regulations.

In the addition, at its July 2014 meeting, the SBE adopted changes to the proposed Local Control and Accountability Plan and Annual Update Template (5 CCR, Section 15497.5). The template was redesigned in response to public comment and to questions from the field as practitioners developed the 2014–15 LCAP. The changes included addition of a new Section 2 Goals, Actions, Expenditures and Progress Indicators Table, an Annual Update Table, and division of Guiding Questions into two sections, one to guide goal development and one to guide review of goals in the Annual Update Table. (See July 2014 Agenda Item 11 at <http://www.cde.ca.gov/be/ag/ag/yr14/agenda201407.asp>.)

The proposed changes to the proposed LCFF expenditure regulations and LCAP Template adopted by the SBE at its July 2014 were circulated for a 15-day public comment period, which took place between July 11, 2014 and July 28, 2014. Approximately 122 public comments were received. In addition, a noticed public meeting on the proposed revisions to the LCAP template was held on Tuesday, July 22, 2014. A notice of the public meeting was posted on the SBE's web site at: <http://www.cde.ca.gov/be/pn/pn/>. At the hearing, two individuals presented oral and written comments to the California Department of Education (CDE) and SBE staff regarding the proposed new Section 2 Goals, Actions, Expenditures, and Progress Indicators Table and the Annual Update Table.

In addition to recommending the SBE readopt the emergency regulations for a second 90-day extension (see September 2014 Agenda Item 15), it is recommended the SBE adopt changes to the proposed permanent regulations and direct the CDE to circulate the changes for a second 15-day public comment period. Changes to the proposed permanent regulations are made in response to public comments received during the initial 45-day comment period and the 15-day comment period and to clarify the regulations (Attachment 4). A draft summary of the public comments and proposed responses and changes is included in the chart incorporated in the Final Statement of Reasons (FSR). (See Attachment 5.)

If no comments relevant to these proposed changes to the permanent regulations are received during the second 15-day comment period, the CDE will complete the rulemaking package and send it to the Office of Administrative Law (OAL) for approval. If any relevant comments to these changes are received, the CDE will place an item on the SBE November 2014 agenda for action.

## **RECOMMENDATION**

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It is recommended the SBE take the following actions:

- Approve the proposed changes to the proposed regulations
- Direct that the proposed changes be circulated for a second 15-day public comment period in accordance with the Administrative Procedure Act

- Authorize the CDE, in consultation with SBE staff, to finalize the FSR to reflect the SBE's comments or considerations or make any necessary technical formatting edits or corrections
- If no relevant comments to the proposed changes are received during the second 15-day public comment period, the proposed regulations with changes are deemed adopted, and the CDE is directed to complete the rulemaking package and submit it to the OAL for approval
- If any relevant comments to the proposed changes are received during the second 15-day public comment period, the CDE is directed to place the proposed regulations on the November 2014 agenda for action
- Authorize the CDE, in consultation with SBE staff, to take any necessary action or make technical edits or corrections consistent with the SBE's action, to respond to any direction or concern expressed by the OAL during its review of the rulemaking file

### **CRITICAL CHANGES MADE TO EXPENDITURE REGULATIONS**

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Key changes proposed for the expenditure regulations are:

- Clarification of the definition of "consult with pupils" as set forth in Title 5, *California Code of Regulations (5 CCR)*, Section 15495, subdivision (a) to clarify that such consultation means a process to enable pupils, including unduplicated pupils and other numerically significant pupil subgroups, to review and comment on the development of the LCAP
- Inclusion in Title 5, *California Code of Regulations (5 CCR)*, Section 15495, subdivision (e), of a definition of "parents"

These proposed revisions and additions to definitions were made in response to multiple comments received.

### **CRITICAL CHANGES MADE TO LCAP TEMPLATE**

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Key changes to the proposed template are:

- The Section 2 Goal Table of the Local Control and Accountability Plan and Annual Update Template (5 CCR, Section 15497.5) is redesigned to further clarify identification of goals, actions and expected measurable outcomes for all pupils, and for pupil subgroups. In addition, the redesign more clearly identifies the state priority or priorities to which a goal and related actions and services are connected.
- Instructions are revised to clarify the tables and assist LEAs in completion of the template.

The proposed revisions to the template are redesigns in response to public comment and in response to questions from the field as practitioners developed the 2014–15 LCAP.

In addition, the proposed revisions will enhance ease of reading and understanding for parents and stakeholders, and create greater transparency between LEAs, schools, advisory groups, parents or guardians, stakeholders, and the community.

## **BRIEF HISTORY OF KEY ISSUES**

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For an overview and brief history of the LCFF legislation and key issues, please refer to Item 20 of the SBE meeting in January 2014, located on the SBE web site:  
<http://www.cde.ca.gov/be/ag/ag/yr14/documents/jan14item20.doc>

## **SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION**

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At its January 2014 board meeting, the SBE took the following actions:

- Approved the Notice of Proposed Rulemaking (Notice)
- Approved the Initial Statement of Reasons (ISOR)
- Approved the proposed regulations
- Directed the CDE to commence the rulemaking process
- Authorized the CDE, in consultation with SBE staff, to take any necessary action, consistent with SBE's action, to respond to any direction or concern expressed by the OAL during its review of the Notice, ISOR, and proposed regulations

At its July 2014 board meeting, the SBE took the following actions:

- Approved the proposed changes to the proposed regulations
- Directed that the proposed changes be circulated for a 15-day public comment period in accordance with the Administrative Procedure Act
- Authorized the CDE, in consultation with SBE staff, to finalize the FSR to reflect the SBE's comments or considerations or make any necessary technical formatting edits or corrections
- Directed the CDE to convene a public meeting during the 15-day public comment period for the purpose of receiving input from practitioners and other interested groups regarding the proposed changes to the LCAP template
- If no relevant comments to the proposed changes were received during the 15-day public comment period, the proposed regulations with changes are deemed

adopted, and the CDE is directed to complete the rulemaking package and submit it to the OAL for approval

- If any relevant comments to the proposed changes were received during the 15-day public comment period, the CDE was directed to place the proposed regulations on the September 2014 agenda for action
- Authorized the CDE, in consultation with SBE staff, to take any necessary action or make technical edits or corrections consistent with the SBE's action, to respond to any direction or concern expressed by the OAL during its review of the rulemaking file

### **FISCAL ANALYSIS (AS APPROPRIATE)**

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A Fiscal Impact Statement will be provided as an Item Addendum.

### **ATTACHMENT(S)**

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Attachment 1: Second 15-Day Notice of Modifications (3 Pages) will be available August 26, 2014.

Attachment 2: Proposed Amended Regulations and LCAP Template (36 Pages)

Attachment 3: Proposed LCAP Template – no underline/strikethrough (15 Pages)

Attachment 4: Final Statement of Reasons (6 Pages) will be available August 26, 2014.

Attachment 5: Final Statement of Reasons – Response to 15-Day Comments in Chart Form (55 pages) will be available August 26, 2014.

Attachment 6: The Economic and Fiscal Impact Statement (STD. 399) will be provided as an Item Addendum.



**CALIFORNIA DEPARTMENT OF EDUCATION**  
TOM TORLAKSON, State Superintendent of Public Instruction  
916-319-0800

1430 N Street Sacramento, CA 95814-5901

**CALIFORNIA STATE BOARD OF EDUCATION**  
MICHAEL W. KIRST, President  
916-319-0827

September 5, 2014

**SECOND 15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS REGARDING LOCAL CONTROL FUNDING FORMULA SPENDING REQUIREMENTS FOR SUPPLEMENTAL AND CONCENTRATION GRANTS AND LOCAL CONTROL AND ACCOUNTABILITY PLAN TEMPLATE**

Pursuant to the requirements of Government Code section 11346.8(c), and California Code of Regulations, title 1, section 44, the State Board of Education (SBE) is providing notice of changes made to the above-referenced proposed regulation text which was the subject of a regulatory hearing on March 17, 2014.

**Changes to the text:**

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

**Proposed section 15495(a)** was amended to delete the words “for the presentation of the LCAP to,” and the words “but is not limited to,” and to add the words “including unduplicated pupils and other numerically significant pupil subgroups, to” and the words “on the development of the LCAP.” These changes are necessary to clarify that pupils, including unduplicated pupils and other numerically significant pupil subgroups, are involved in the development of the LCAP. In addition, Education Code section 47605.5 was deleted and Education Code section 47606.5 was added.

**Proposed section 15495(b)** was amended to delete the words “or legal guardians” and to add the words “as defined in subdivision (e).” This deletion and addition are to clarify that the term “parents” is defined by the newly added subdivision (e). The definition of “parents” set forth in subdivision (e) includes legal guardians, thus the inclusion of “legal guardians” is unnecessary. The section was also amended to delete the word “of” and replace it with the word “in” to improve the clarity of the regulation. The word “apply” was changed to “applies” for grammatical reasons.

**Proposed section 15495(e)** is amended. Former section 15495(e) is renumbered to 15495(f). A new section 15495(e) is added to the proposed regulations to provide a definition of “parents.” Addition of a definition is necessary in order to clarify who is a parent for purposes of the proposed regulations.

**Proposed section 15495(f)** is amended. As described above, as a result of the renumbering resulting from addition of a new proposed section 15495(e), former section

15495(e) is renumbered to 15495(f). Renumbered section 15495(f) is also amended to delete the words “or legal guardians” and to add the words “as defined in subdivision (e).” This deletion and addition are to clarify that the term “parents” is defined by the newly added subdivision (e). The definition of “parents” set forth in subdivision (e) includes legal guardians, thus the inclusion of “legal guardians” is unnecessary. The section was also amended to delete the word “of” and replace it with the word “in” to improve the clarity of the regulation.

**Proposed section 15495(f)** is renumbered to section 15495(g) as a result of the addition of a new subdivision (e), described above.

**Proposed section 15495(g)** is deleted and the definition for “required metric” is included in the revisions to instructions for completion of the LCAP template to clarify the instructions and requirements for completion of the LCAP and Annual Update.

**Proposed section 15497** is revised to add “or schoolwide” and “15496(b)(1) through (b)(40)” and to delete “15496(b)(2) or descriptions of schoolwide services provided pursuant to section 15496(b)(4)” to improve the clarity of the section.

**Proposed section 15497.5 (LCAP Template)** is amended. A revised template is necessary in order to clarify the requirements applicable for the completion of the LEA LCAP and Annual Update. See response to comments #31, #38, #39, #46, #49, #43, #53, #54, #55, #56, #58, #60 - #68, #75 and #76.

## COMMENTS

If you have any comments regarding the proposed changes that are the topic of this Second 15-Day Notice, the SBE will accept written comments between September 6, 2014, and September 22, 2014, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-319-0155; email at [regcomments@cde.ca.gov](mailto:regcomments@cde.ca.gov) or mailed and received at the following address by close of business at 5:00 p.m. on September 22, 2014 and addressed to:

Debra Thacker, Regulations Coordinator  
Legal, Audits and Compliance Branch  
Administrative Supports and Regulations Adoption Unit  
California Department of Education  
1430 N Street, Suite 5319  
Sacramento, CA 95814

All written comments received by 5:00 p.m. on September 22, 2014, which pertain to the indicated changes will be reviewed and responded to by CDE staff as part of the compilation of the rulemaking file. Written comments received by the CDE staff during the public comment period are subject to viewing under the Public Records Act.

**Please note:** Any written comments are to be restricted to the recent modifications shown in the second 15-day regulations. The SBE is not required to respond to comments received in response to this notice on other aspects of the proposed regulation.

- 1 • The State Board of Education has illustrated changes to the original text in the  
2 following manner: text originally proposed to be added is underlined; text proposed to  
3 be deleted is displayed in ~~strikeout~~.
- 4 • The 15-day text proposed to be added is displayed in "**bold underline**," deleted text  
5 is displayed in "~~bold strikeout~~."
- 6 • The 2<sup>nd</sup> 15-day text proposed to be added is displayed in "double underline," deleted  
7 text is displayed in "~~double strikeout~~."

## 8 9 Title 5. EDUCATION

### 10 Division 1. California Department of Education

#### 11 Chapter 14.5. Local Control Funding Formula

##### 12 Subchapter 1. Local Control Funding Formula Spending Regulations for 13 Supplemental and Concentration Grants and Local Control and Accountability 14 Plan Template

##### 15 Article 1. Local Control and Accountability Plan and Spending Requirements for 16 Supplemental and Concentration Grants

#### 17 18 **§ 15494. Scope.**

19 (a) This chapter applies to all local educational agencies (LEAs) as defined in  
20 section 15495(b)(d).

21 (b) Funding restrictions specified in Education Code section 42238.07 apply to local  
22 control funding formula (LCFF) funds apportioned on the basis of unduplicated pupils  
23 pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03.

24 (c) The local control and accountability plan (LCAP) shall demonstrate how services  
25 are provided according to this chapter to meet the needs of unduplicated pupils and  
26 improve the performance of all pupils in the state priority areas.

27 NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:  
28 Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,  
29 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section  
30 6312.

#### 31 32 **§ 15495. Definitions.**

33 In addition to those found in Education Code sections 2574, 42238.01, and  
34 42238.02, the following definitions are provided:

1 **(a) “Consult with pupils,” as used in Education Code sections 52060, 52066,**  
2 **and ~~47605.5~~ 47606.5, means a process to enable for the presentation of the LCAP to**  
3 **pupils, including unduplicated pupils and other numerically significant pupil subgroups,**  
4 **to for review and comment on the development of the LCAP. This process may**  
5 **include, but is not limited to, surveys of pupils, forums with pupils, pupil advisory**  
6 **committees, or meetings with pupil government bodies or other groups**  
7 **representing pupils.**

8 **(b) “English learner parent advisory committee,” as used in Education Code**  
9 **sections 52063 and 52069 for those school districts or schools and programs**  
10 **operated by county superintendents of schools whose enrollment includes at**  
11 **least 15 percent English learners and at least 50 pupils who are English learners,**  
12 **shall be composed of a majority of parents, as defined in subdivision (e), or legal**  
13 **guardians of pupils to whom the definition of in Education Code section**  
14 **42238.01(c) applies. A governing board of a school district or a county**  
15 **superintendent of schools shall not be required to establish a new English**  
16 **learner parent advisory committee if a previously established committee meets**  
17 **these requirements.**

18 **(a)(c) “Local control and accountability plan (LCAP)” means the plan created by an**  
19 **LEA pursuant to Education Code sections 47606.5, 52060, or 52066, and completed in**  
20 **conformance with the LCAP and annual update template found in section ~~15497~~**  
21 **15497.5.**

22 **(b)(d) “Local educational agency (LEA)” means a school district, county office of**  
23 **education, or charter school.**

24 **(e) “Parents” means the natural or adoptive parents, legal guardians, or other**  
25 **persons holding the right to make educational decisions for the pupil pursuant to**  
26 **Welfare and Institutions Code section 361 or 727 or Education Code sections 56028 or**  
27 **56055, including foster parents who hold rights to make educational decisions.**

28 **(f)(e) “Parent advisory committee,” as used in Education Code sections 52063**  
29 **and 52069, shall be composed of a majority of parents, as defined in subdivision e,**  
30 **or legal guardians of pupils and include parents or legal guardians of pupils to**  
31 **whom one or more of the definitions of in Education Code section 42238.01 apply.**

1 **A governing board of a school district or a county superintendent of schools**  
2 **shall not be required to establish a new parent advisory committee if a previously**  
3 **established committee meets these requirements, including any committee**  
4 **established to meet the requirements of the federal No Child Left Behind Act of**  
5 **2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title**  
6 **I of that act.**

7 ~~(g)(f)(c)~~ “Prior year” means one fiscal year immediately preceding the fiscal year for  
8 which an LCAP is approved.

9 ~~(g)~~ “Required metric” means all of the specified measures and standards objectives  
10 for each state priority as set forth in Education Code sections 52060(d) and 52066(d),  
11 as applicable.

12 ~~(h)(d)~~ “Services” as used in Education Code section 42238.07 may include, but are  
13 not limited to, services associated with the delivery of instruction, administration,  
14 facilities, pupil support services, technology, and other general infrastructure necessary  
15 to operate and deliver educational instruction and related services.

16 ~~(i)(e)~~ “State priority areas” means the priorities identified in Education Code sections  
17 52060 and 52066. For charter schools, “state priority areas” means the priorities  
18 identified in Education Code section 52060 that apply for the grade levels served or the  
19 nature of the program operated by the charter school.

20 **(j) “Subgroup” means the numerically significant pupil subgroups identified**  
21 **pursuant to Education Code section 52052.**

22 ~~(k)(f)~~ “to improve services” means to grow services in quality.

23 ~~(l)(g)~~ “to increase services” means to grow services in quantity.

24 ~~(m)(h)~~ “unduplicated pupil” means any of those pupils to whom one or more of the  
25 definitions included in Education Code section 42238.01 apply, including pupils eligible  
26 for free or reduced price meals, foster youth, and English learners.

27 NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:  
28 Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,  
29 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section  
30 6312.

1 **§ 15496. Requirements for LEAs to Demonstrate Increased or Improved Services**  
2 **for Unduplicated Pupils in Proportion to the Increase in Funds Apportioned for**  
3 **Supplemental and Concentration Grants.**

4 (a) An LEA shall provide evidence in its LCAP to demonstrate how funding  
5 apportioned on the basis of the number and concentration of unduplicated pupils,  
6 pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03 is used to  
7 support such pupils. This funding shall be used to increase or improve services for  
8 unduplicated pupils as compared to the services provided to all pupils in proportion to  
9 the increase in funds apportioned on the basis of the number and concentration of  
10 unduplicated pupils as required by Education Code section 42238.07(a)(1). An LEA  
11 shall include in its LCAP an explanation of how expenditures of such funding meet the  
12 LEA's goals for its unduplicated pupils in the state priority areas. An LEA shall  
13 determine the percentage by which services for unduplicated pupils must be increased  
14 or improved above services provided to all pupils in the fiscal year as follows:

15 (1) Estimate the amount of the LCFF target attributed to the supplemental and  
16 concentration grants for the LEA calculated pursuant to Education Code sections  
17 42238.02 and 2574 in the fiscal year for which the LCAP is adopted.

18 (2) Estimate the amount of LCFF funds expended by the LEA on services for  
19 unduplicated pupils in the prior year that is in addition to what was expended on  
20 services provided for all pupils. The estimated amount of funds expended in 2013-14  
21 shall be no less than the amount of Economic Impact Aid funds the LEA expended in  
22 the 2012-13 fiscal year.

23 (3) Subtract subdivision (a)(2) from subdivision (a)(1).

24 (4) Multiply the amount in subdivision (a)(3), by the most recent percentage  
25 calculated by the Department of Finance that represents how much of the statewide  
26 funding gap between current funding and full implementation of LCFF is eliminated in  
27 the fiscal year for which the LCAP is adopted.

28 (5) Add subdivision (a)(4) to subdivision (a)(2).

29 (6) Subtract subdivision (a)(5) from the LEA's total amount of LCFF funding pursuant  
30 to Education Code sections 42238.02 and 2574, as implemented by Education Code  
31 sections 42238.03 and 2575 respectively, excluding add-ons for the Targeted

1 Instructional Improvement Grant program and the Home to School Transportation  
2 program, in the fiscal year for which the LCAP is adopted.

3 (7) Divide the amount in subdivision (a)(5) by the amount in subdivision (a)(6).

4 (8) If the calculation in subdivision (a)(3) yields a number less than or equal to zero  
5 or when LCFF is fully implemented statewide, then an LEA shall determine its  
6 percentage for purposes of this section by dividing the amount of the LCFF target  
7 attributed to the supplemental and concentration grant for the LEA calculated pursuant  
8 to Education Code sections 42238.02 and 2574 in the fiscal year for which the LCAP is  
9 adopted by the remainder of the LEA's LCFF funding, excluding add-ons for the  
10 Targeted Instructional Improvement Grant program and the Home to School  
11 Transportation program.

12 (b) This subdivision identifies the conditions under which an LEA may use funds  
13 apportioned on the basis of the number and concentration of unduplicated pupils for  
14 districtwide, schoolwide, countywide, or charterwide purposes: Pursuant to Education  
15 Code section 42238.07(a)(2), an LEA may demonstrate it has increased or improved  
16 services for unduplicated pupils under subdivision (a) of this section by using funds to  
17 upgrade the entire educational program of a school site, a school district, a charter  
18 school, or a county office of education as follows:

19 (1) A school district that has an enrollment of unduplicated pupils **in excess** of 55  
20 percent **or more** of the district's total enrollment in the fiscal year for which an LCAP is  
21 adopted or in the prior year may expend supplemental and concentration grant funds on  
22 a districtwide basis. A school district expending funds on a districtwide basis shall do all  
23 of the following:

24 (A) Identify in the LCAP those services that are being **funded and** provided on a  
25 districtwide basis.

26 (B) Describe in the LCAP how such services are **principally** directed towards, **and**  
27 **are effective in**, meeting the district's goals for its unduplicated pupils in the state and  
28 any local priority areas.

29 (2) A school district that has an enrollment of unduplicated pupils less than 55  
30 percent of the district's total enrollment in the fiscal year for which an LCAP is adopted  
31 **or in the prior year** may expend supplemental **and concentration** grant funds on a

1 districtwide basis. A school district expending funds on a districtwide basis shall do all of  
2 the following:

3 (A) Identify in the LCAP those services that are being **funded and** provided on a  
4 districtwide basis.

5 (B) Describe in the LCAP how such services are **principally** directed towards, **and**  
6 **are effective in**, meeting the district's goals for its unduplicated pupils in the state and  
7 any local priority areas.

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

13 (3) A school district that has an enrollment of unduplicated pupils at a school that is  
14 **in excess of 40 percent or more** of the school's total enrollment in the fiscal year for  
15 which an LCAP is adopted or in the prior year may expend supplemental and  
16 concentration grant funds on a schoolwide basis. A school district expending funds on a  
17 schoolwide basis shall do all of the following:

18 (A) Identify in the LCAP those services that are being **funded and** provided on a  
19 schoolwide basis.

20 (B) Describe in the LCAP how such services are **principally** directed towards, **and**  
21 **are effective in**, meeting the district's goals for its unduplicated pupils in the state and  
22 any local priority areas.

23 (4) A school district that has an enrollment of unduplicated pupils that is less than 40  
24 percent of the school site's total enrollment in the fiscal year for which an LCAP is  
25 adopted **or in the prior year** may expend supplemental and concentration grant funds  
26 on a schoolwide basis. A school district expending funds on a schoolwide basis shall do  
27 all of the following:

28 (A) Identify in the LCAP those services that are being **funded and** provided on a  
29 schoolwide basis.

30 (B) Describe in the LCAP how such services are **principally** directed towards, **and**  
31 **are effective in**, meeting the district's goals for its unduplicated pupils in the state and

1 any local priority areas.

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

7 (5) A county office of education expending supplemental and concentration grant  
8 funds on a countywide basis or a charter school expending supplemental and  
9 concentration grant funds on a charterwide basis shall do all of the following:

10 (A) Identify in the LCAP those services that are being **funded and** provided on a  
11 countywide or charterwide basis.

12 (B) Describe in the LCAP how such services are **principally** directed towards, **and**  
13 **are effective in,** meeting the county office of education's or charter school's goals for its  
14 unduplicated pupils in the state **and any local** priority areas, **as applicable.**

15 ~~(c) **County superintendent of schools oversight of demonstration of**~~  
16 ~~**proportionality: In making the determinations required under Education Code**~~  
17 ~~**section 52070(d)(3), the county superintendent of schools shall review any**~~  
18 ~~**descriptions provided under subdivisions (b)(2)(B) and (b)(2)(C) or subdivisions**~~  
19 ~~**(b)(4)(B) and (b)(4)(C) when determining whether the LEA has fully demonstrated**~~  
20 ~~**that it will increase or improve services for unduplicated pupils under subdivision**~~  
21 ~~**(a). If a county superintendent of schools does not approve an LCAP because the**~~  
22 ~~**LEA has failed to meet its proportionality requirement as specified in this section,**~~  
23 ~~**it shall provide technical assistance to the LEA in meeting that requirement**~~  
24 ~~**pursuant to Education Code section 52071.**~~

25 NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:  
26 Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,  
27 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section  
28 6312.

29  
30 **§ 15497. County Superintendent of Schools Oversight of Demonstration of**  
31 **Proportionality.**

1        **In making the determinations required under Education Code section**  
2 **52070(d)(3), the county superintendent of schools shall include review of any**  
3 **descriptions of districtwide or schoolwide services provided pursuant to sections**  
4 **15496(b)(1) through (b)(4) ~~15496(b)(2) or descriptions of schoolwide services provided~~**  
5 **~~pursuant to section 15496(b)(4)~~ when determining whether the school district has**  
6 **fully demonstrated that it will increase or improve services for unduplicated**  
7 **pupils pursuant to section 15496(a). If a county superintendent of schools does**  
8 **not approve an LCAP because the school district has failed to meet its**  
9 **requirement to increase or improve services for unduplicated pupils as specified**  
10 **in this section, it shall provide technical assistance to the school district in**  
11 **meeting that requirement pursuant to Education Code section 52071.**  
12 **NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference:**  
13 **Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5,**  
14 **47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C.**  
15 **Section 6312.**

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30 8-22-14 [California Department of Education]

~~§ 15497. Local Control and Accountability Plan and Annual Update Template.~~

**Introduction:**

LEA: \_\_\_\_\_ Contact (Name, Title, Email, Phone Number): \_\_\_\_\_ LCAP Year: \_\_\_\_\_

***Local Control and Accountability Plan and Annual Update Template***

~~The Local Control and Accountability Plan (LCAP) and annual update template shall be used to provide details regarding local educational agencies' (LEAs) actions and expenditures to support pupil outcomes and overall performance pursuant to Education Code sections 52060, 52066, 47605, 47605.5, and 47606.5.~~

~~For school districts, pursuant to Education Code section 52060, the LCAP must describe, for the school district and each school within the district, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities and any locally identified priorities.~~

~~For county offices of education, pursuant to Education Code section 52066, the LCAP must describe, for each county office of education-operated school and program, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, who are funded through the county office of education Local Control Funding Formula as identified in Education Code section 2574 (pupils attending juvenile court schools, on probation or parole, or mandatorily expelled) for each of the state priorities and any locally identified priorities. School districts and county offices of education may additionally coordinate and describe in their LCAPs services provided to pupils funded by a school district but attending county-operated schools and programs, including special education programs.~~

~~Charter schools, pursuant to Education Code sections 47605, 47605.5, and 47606.5, must describe goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities as applicable and any locally identified priorities. For charter schools, the inclusion and description of goals for state priorities in the LCAP may be modified to meet the grade levels served and the nature of the programs provided, including modifications to reflect only the statutory requirements explicitly applicable to charter schools in the Education Code.~~

~~The LCAP is intended to be a comprehensive planning tool. LEAs may reference and describe actions and expenditures in other plans and funded by a variety of other fund sources when detailing goals, actions, and expenditures related to the state and local priorities. LCAPs must be consistent with school plans submitted pursuant to Education Code section 64001. The information contained in the LCAP, or annual update, may be supplemented by information contained in other plans (including the LEA plan pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110) that are incorporated or referenced as relevant in this document.~~

*For each section of the template, LEAs should comply with instructions and use the guiding questions as prompts (but not limits) for completing the information as required by statute. Guiding questions do not require separate narrative responses. Data referenced in the LCAP must be consistent with the school accountability report card where appropriate. LEAs may resize pages or attach additional pages as necessary to facilitate completion of the LCAP.*

### **State Priorities**

*The state priorities listed in Education Code sections 52060 and 52066 can be categorized as specified below for planning purposes, however, school districts and county offices of education must address each of the state priorities in their LCAP. Charter schools must address the priorities in Education Code section 52060(d) that apply to the grade levels served, or the nature of the program operated, by the charter school.*

#### **A. Conditions of Learning:**

*Basic: degree to which teachers are appropriately assigned pursuant to Education Code section 44258.9, and fully credentialed in the subject areas and for the pupils they are teaching; pupils have access to standards-aligned instructional materials pursuant to Education Code section 60119; and school facilities are maintained in good repair pursuant to Education Code section 17002(d). (Priority 1)*

*Implementation of State Standards: implementation of academic content and performance standards adopted by the state board for all pupils, including English learners. (Priority 2)*

*Course access: pupil enrollment in a broad course of study that includes all of the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable. (Priority 7)*

*Expelled pupils (for county offices of education only): coordination of instruction of expelled pupils pursuant to Education Code section 48926. (Priority 9)*

*Foster youth (for county offices of education only): coordination of services, including working with the county child welfare agency to share information, responding to the needs of the juvenile court system, and ensuring transfer of health and education records. (Priority 10)*

#### **B. Pupil Outcomes:**

*Pupil achievement: performance on standardized tests, score on Academic Performance Index, share of pupils that are college and career ready, share of English learners that become English proficient, English learner reclassification rate, share of pupils that pass Advanced Placement exams with 3 or higher, share of pupils determined prepared for college by the Early Assessment Program. (Priority 4)*

***Other pupil outcomes: pupil outcomes in the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Education Code section 51220, as applicable. (Priority 8)***

**C. Engagement:**

***Parent involvement: efforts to seek parent input in decision making, promotion of parent participation in programs for unduplicated pupils and special need subgroups. (Priority 3)***

***Pupil engagement: school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, high school graduations rates. (Priority 5)***

***School climate: pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness. (Priority 6)***

**Section 1: Stakeholder Engagement**

***Meaningful engagement of parents, pupils, and other stakeholders, including those representing the subgroups identified in Education Code section 52052, is critical to the LCAP and budget process. Education Code sections 52062 and 52063 specify the minimum requirements for school districts; Education Code sections 52068 and 52069 specify the minimum requirements for county offices of education, and Education Code section 47606.5 specifies the minimum requirements for charter schools. In addition, Education Code section 48985 specifies the requirements for translation of documents.***

**Instructions:** Describe the process used to engage parents, pupils, and the community and how this engagement contributed to development of the LCAP or annual update. Note that the LEA's goals related to the state priority of parental involvement are to be described separately in Section 2, and the related actions and expenditures are to be described in Section 3.

**Guiding Questions:**

- 1) How have parents, community members, pupils, local bargaining units, and other stakeholders (e.g., LEA personnel, county child welfare agencies, county office of education foster youth services programs, court-appointed special advocates, foster youth, foster parents, education rights holders and other foster youth stakeholders, English learner parents, community organizations representing English learners, and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?**

- 2) ~~How have stakeholders been included in the LEA’s process in a timely manner to allow for engagement in the development of the LCAP?~~
- 3) ~~What information (e.g., quantitative and qualitative data/metrics) was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal-setting process?~~
- 4) ~~What changes, if any, were made in the LCAP prior to adoption as a result of written comments or other feedback received by the LEA through any of the LEA’s engagement processes?~~
- 5) ~~What specific actions were taken to meet statutory requirements for stakeholder engagement pursuant to Education Code sections 52062, 52068, and 47606.5, including engagement with representative parents of pupils identified in Education Code section 42238.01?~~
- 6) ~~In the annual update, how has the involvement of these stakeholders supported improved outcomes for pupils related to the state priorities?~~

Involvement Process	Impact on LCAP

**Section 2: Goals and Progress Indicators**

*For school districts, Education Code sections 52060 and 52061, for county offices of education, Education Code sections 52066 and 52067, and for charter schools, Education Code section 47606.5 require(s) the LCAP to include a description of the annual goals, for all pupils and each subgroup of pupils, for each state priority and any local priorities and require the annual update to include a review of progress towards the goals and describe any changes to the goals.*

**Instructions:** Describe annual goals and expected and actual progress toward meeting goals. This section must include specifics projected for the applicable term of the LCAP, and in each annual update year, a review of progress made in the past fiscal year based on an identified metric. Charter schools may adjust the chart below to align with the term of the charter school’s budget that is submitted to the school’s

~~authorizer pursuant to Education Code section 47604.33. The metrics may be quantitative or qualitative, although LEAs must, at minimum, use the specific metrics that statute explicitly references as required elements for measuring progress within a particular state priority area. Goals must address each of the state priorities and any additional local priorities; however, one goal may address multiple priorities. The LEA may identify which school sites and subgroups have the same goals, and group and describe those goals together. The LEA may also indicate those goals that are not applicable to a specific subgroup or school site. The goals must reflect outcomes for all pupils and include specific goals for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and, where applicable, at the school site level. To facilitate alignment between the LCAP and school plans, the LCAP shall identify and incorporate school-specific goals related to the state and local priorities from the school plans submitted pursuant to Education Code section 64001. Furthermore, the LCAP should be shared with, and input requested from, school site level advisory groups (e.g., school site councils, English Learner Advisory Councils, pupil advisory groups, etc.) to facilitate alignment between school site and district level goals and actions. An LEA may incorporate or reference actions described in other plans that are being undertaken to meet the goal.~~

**Guiding Questions:**

- 1) ~~What are the LEA's goal(s) to address state priorities related to "Conditions of Learning"?~~
- 2) ~~What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes"?~~
- 3) ~~What are the LEA's goal(s) to address state priorities related to "Engagement" (e.g., pupil and parent)?~~
- 4) ~~What are the LEA's goal(s) to address locally identified priorities?~~
- 5) ~~How have the unique needs of individual school sites been evaluated to inform the development of meaningful district and/or individual school site goals (e.g., input from site level advisory groups, staff, parents, community, pupils; review of school level plans; in-depth school level data analysis, etc.)?~~
- 6) ~~What are the unique goals for subgroups as defined in Education Code sections 42238.01 and 52052 that are different from the LEA's goals for all pupils?~~
- 7) ~~What are the specific predicted outcomes/metrics/noticeable changes associated with each of the goals annually and over the term of the LCAP?~~
- 8) ~~What information (e.g., quantitative and qualitative data/metrics) was considered/reviewed to develop goals to address each state or local priority and/or to review progress toward goals in the annual update?~~
- 9) ~~What information was considered/reviewed for individual school sites?~~
- 10) ~~What information was considered/reviewed for subgroups identified in Education Code section 52052?~~



### **Section 3: Actions, Services, and Expenditures**

*For school districts, Education Code sections 52060 and 52061, for county offices of education, Education Code sections 52066 and 52067, and for charter schools, Education Code section 47606.5 require the LCAP to include a description of the specific actions an LEA will take to meet the goals identified. Additionally Education Code section 52604 requires a listing and description of the expenditures required to implement the specific actions.*

~~Instructions: Identify annual actions to be performed to meet the goals described in Section 2, and describe expenditures to implement each action, and where these expenditures can be found in the LEA's budget. Actions may describe a group of services that are implemented to achieve identified goals. The actions and expenditures must reflect details within a goal for the specific subgroups identified in Education Code section 52052, including pupils with disabilities, and for specific school sites as applicable. In describing the actions and expenditures that will serve low income, English learner, and/or foster youth pupils as defined in Education Code section 42238.01, the LEA must identify whether supplemental and concentration funds are used in a districtwide, schoolwide, countywide, or charterwide manner. In the annual update, the LEA must describe any changes to actions as a result of a review of progress. The LEA must reference all fund sources used to support actions and services. Expenditures must be classified using the California School Accounting Manual as required by Education Code sections 52061, 52067, and 47606.5.~~

#### **Guiding Questions:**

- ~~1) What actions/services will be provided to all pupils, to subgroups of pupils identified pursuant to Education Code section 52052, to specific school sites, to English learners, to low income pupils, and/or to foster youth to achieve goals identified in the LCAP?~~
- ~~2) How do these actions/services link to identified goals and performance indicators?~~
- ~~3) What expenditures support changes to actions/services as a result of the goal identified? Where can these expenditures be found in the LEA's budget?~~
- ~~4) In the annual update, how have the actions/services addressed the needs of all pupils and did the provisions of those services result in the desired outcomes?~~

- 5) ~~In the annual update, how have the actions/services addressed the needs of all subgroups of pupils identified pursuant to Education Code section 52052, including, but not limited to, English learners, low-income pupils, and foster youth; and did the provision of those actions/services result in the desired outcomes?~~
  - 6) ~~In the annual update, how have the actions/services addressed the identified needs and goals of specific school sites and did the provision of those actions/services result in the desired outcomes?~~
  - 7) ~~In the annual update, what changes in actions, services, and expenditures have been made as a result of reviewing past progress and/or changes to goals?~~
- A. ~~What annual actions, and the LEA may include any services that support these actions, are to be performed to meet the goals described in Section 2 for ALL pupils and the goals specifically for subgroups of pupils identified in Education Code section 52052 but not listed in Table 3B below (e.g., Ethnic subgroups and pupils with disabilities)? List and describe expenditures for each fiscal year implementing these actions, including where these expenditures can be found in the LEA’s budget.~~

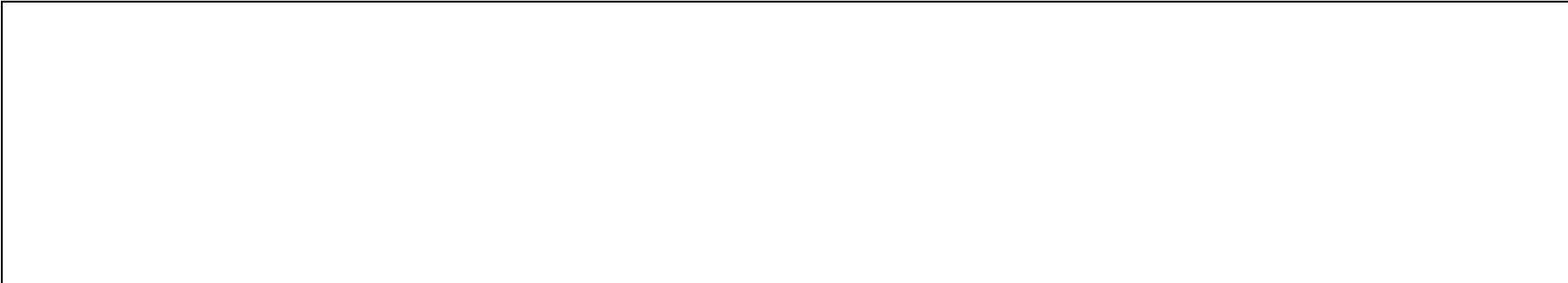
Goal (Include and identify all goals from Section 2)	Related State and Local Priorities (from Section 2)	Actions and Services	Level of Service (Indicate if school-wide or LEA-wide)	Annual Update: Review of actions/services	What actions are performed or services provided in each year (and are projected to be provided in years 2 and 3)? What are the anticipated expenditures for each action (including funding source)?		
					LCAP Year Year 1: 20XX-XX	Year 2: 20XX-XX	Year 3: 20XX-XX

- B. ~~Identify additional annual actions, and the LEA may include any services that support these actions, above what is provided for all pupils that will serve low-income, English learner, and/or foster youth pupils as defined in Education Code section 42238.01 and~~

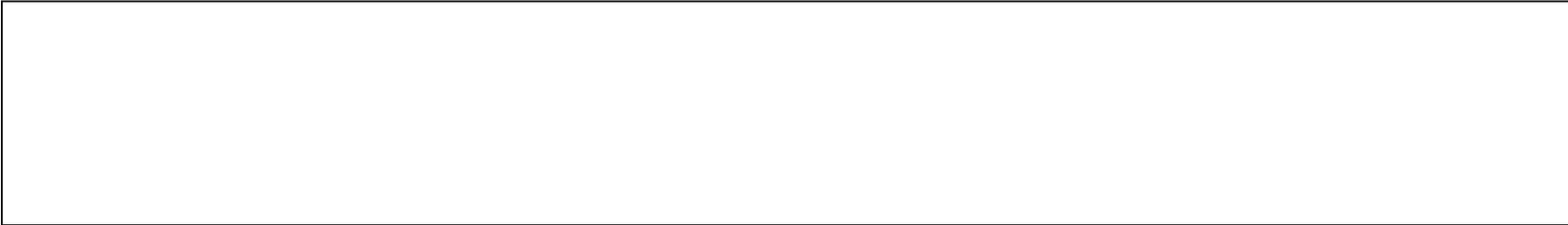
~~pupils redesignated as fluent English proficient. The identified actions must include, but are not limited to, those actions that are to be performed to meet the targeted goals described in Section 2 for low-income pupils, English learners, foster youth and/or pupils redesignated as fluent English proficient (e.g., not listed in Table 3A above). List and describe expenditures for each fiscal year implementing these actions, including where those expenditures can be found in the LEA’s budget.~~

Goal (Include and identify all goals from Section 2, if applicable)	Related State and Local Priorities (from Section 2)	Actions and Services	Level of Service (Indicate if school-wide or LEA-wide)	Annual Update: Review of actions/services	What actions are performed or services provided in each year (and are projected to be provided in years 2 and 3)? What are the anticipated expenditures for each action (including funding source)?		
					LCAP Year Year 1: 20XX-XX	Year 2: 20XX-XX	Year 3: 20XX-XX
		For low-income pupils:					
		For English learners:					
		For foster youth:					
		For redesignated fluent English proficient pupils:					

~~C. Describe the LEA’s increase in funds in the LCAP year calculated on the basis of the number and concentration of low-income, foster youth, and English learner pupils as determined pursuant to 5 CCR 15496(a)(5). Describe how the LEA is expending these funds in the LCAP year. Include a description of, and justification for, the use of any funds in a districtwide, schoolwide, countywide, or charterwide manner as specified in 5 CCR 15496. For school districts with below 55 percent of enrollment of unduplicated pupils in the district or below 40 percent of enrollment of unduplicated pupils at a school site in the LCAP year, when using supplemental and concentration funds in a districtwide or schoolwide manner, the school district must additionally describe how the services provided are the most effective use of funds to meet the district’s goals for unduplicated pupils in the state priority areas. (See 5 CCR 15496(b) for guidance.)~~



~~D. Consistent with the requirements of 5 CCR 15496, demonstrate how the services provided in the LCAP year for low income pupils, foster youth, and English learners provide for increased or improved services for these pupils in proportion to the increase in funding provided for such pupils in that year as calculated pursuant to 5 CCR 15496(a)(7). Identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all pupils in the LCAP year as calculated pursuant to 5 CCR 15496(a). An LEA shall describe how the proportionality percentage is met using a quantitative and/or qualitative description of the increased and/or improved services for unduplicated pupils as compared to the services provided to all pupils.~~



**§ 15497.5. Local Control and Accountability Plan and Annual Update Template.**

**Introduction:**

LEA:

Contact (Name, Title, Email, Phone Number):

LCAP Year:

**Local Control and Accountability Plan and Annual Update Template**

**The Local Control and Accountability Plan (LCAP) and Annual Update Template shall be used to provide details regarding local educational agencies' (LEAs) actions and expenditures to support pupil outcomes and overall performance pursuant to Education Code sections 52060, 52066, 47605, 47605.5, and 47606.5. The LCAP and Annual Update Template must be completed by all LEAs each year.**

**For school districts, pursuant to Education Code section 52060, the LCAP must describe, for the school district and each school within the district, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities and any locally identified priorities.**

**For county offices of education, pursuant to Education Code section 52066, the LCAP must describe, for each county office of education-operated school and program, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, who are funded through the county office of education Local Control Funding Formula as identified in Education Code section 2574 (pupils attending juvenile court schools, on probation or parole, or mandatorily expelled) for each of the state priorities and any locally identified priorities. School districts and county offices of education may additionally coordinate and describe in their LCAPs services provided to pupils funded by a school district but attending county-operated schools and programs, including special education programs.**

**Charter schools, pursuant to Education Code sections 47605, 47605.5, and 47606.5, must describe goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities as applicable and any locally identified priorities. For charter schools, the inclusion and description of goals for state priorities in the LCAP may be modified to meet the grade levels served and the nature of the programs provided, including modifications to reflect only the statutory requirements explicitly applicable to charter schools in the Education Code.**

**The LCAP is intended to be a comprehensive planning tool. Accordingly, in developing goals, specific actions, and expenditures, LEAs should carefully consider how to reflect the services and related expenses for their basic instructional program in relationship to the state priorities. LEAs may reference and describe actions and expenditures in other plans and funded by a variety of other fund sources when detailing goals, actions, and expenditures related to the state and local priorities. LCAPs must be consistent with school plans submitted pursuant to Education Code section 64001. The information contained in the LCAP, or annual update, may be supplemented by information contained in**

**other plans (including the LEA plan pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110) that are incorporated or referenced as relevant in this document.**

**For each section of the template, LEAs shall comply with instructions and should use the guiding questions as prompts (but not limits) for completing the information as required by statute. Guiding questions do not require separate narrative responses. However, the narrative response and goals and actions should demonstrate each guiding question was considered during the development of the plan. Data referenced in the LCAP must be consistent with the school accountability report card where appropriate. LEAs may resize pages or attach additional pages as necessary to facilitate completion of the LCAP.**

### **State Priorities**

**The state priorities listed in Education Code sections 52060 and 52066 can be categorized as specified below for planning purposes, however, school districts and county offices of education must address each of the state priorities in their LCAP. Charter schools must address the priorities in Education Code section 52060(d) that apply to the grade levels served, or the nature of the program operated, by the charter school.**

#### **A. Conditions of Learning:**

**Basic: degree to which teachers are appropriately assigned pursuant to Education Code section 44258.9, and fully credentialed in the subject areas and for the pupils they are teaching; pupils have access to standards-aligned instructional materials pursuant to Education Code section 60119; and school facilities are maintained in good repair pursuant to Education Code section 17002(d). (Priority 1)**

**Implementation of State Standards: implementation of academic content and performance standards and English language development standards adopted by the state board for all pupils, including English learners. (Priority 2)**

**Course access: pupil enrollment in a broad course of study that includes all of the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable. (Priority 7)**

**Expelled pupils (for county offices of education only): coordination of instruction of expelled pupils pursuant to Education Code section 48926. (Priority 9)**

**Foster youth (for county offices of education only): coordination of services, including working with the county child welfare agency to share information, responding to the needs of the juvenile court system, and ensuring transfer of health and education records. (Priority 10)**

**B. Pupil Outcomes:**

**Pupil achievement: performance on standardized tests, score on Academic Performance Index, share of pupils that are college and career ready, share of English learners that become English proficient, English learner reclassification rate, share of pupils that pass Advanced Placement exams with 3 or higher, share of pupils determined prepared for college by the Early Assessment Program. (Priority 4)**

**Other pupil outcomes: pupil outcomes in the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Education Code section 51220, as applicable. (Priority 8)**

**C. Engagement:**

**Parental involvement: efforts to seek parent input in decision making at the district and each school site, promotion of parent participation in programs for unduplicated pupils and special need subgroups. (Priority 3)**

**Pupil engagement: school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, high school graduations rates. (Priority 5)**

**School climate: pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness. (Priority 6)**

**Section 1: Stakeholder Engagement**

**Meaningful engagement of parents, pupils, and other stakeholders, including those representing the subgroups identified in Education Code section 52052, is critical to the LCAP and budget process. Education Code sections 52060(q), 52062 and 52063 specify the minimum requirements for school districts; Education Code sections 52066(q), 52068 and 52069 specify the minimum requirements for county offices of education, and Education Code section 47606.5 specifies the minimum requirements for charter schools. In addition, Education Code section 48985 specifies the requirements for translation of documents.**

**Instructions: Describe the process used to consult with parents, pupils, school personnel, local bargaining units as applicable, and the community and how this engagement consultation contributed to development of the LCAP or annual update. Note that the LEA's goals, actions, services and expenditures related to the state priority of parental involvement are to be described separately in Section 2. In the annual update boxes, describe the stakeholder involvement process for the review, and describe its impact on, the development of the annual update to LCAP goals, actions, services, and expenditures.**

**Guiding Questions:**

- 1) How have ~~parents, community members, pupils, local bargaining units, and other~~ applicable stakeholders (e.g., parents and pupils, including parents of unduplicated pupils and unduplicated pupils identified in Education Code section 42238.01, community members, local bargaining units, LEA personnel, county child welfare agencies, county office of education foster youth services programs, court-appointed special advocates, ~~foster youth, foster parents, education rights holders~~ and other foster youth stakeholders, ~~English learners, English learner parents,~~ community organizations representing English learners, ~~low income youth,~~ and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?**
- 2) How have stakeholders been included in the LEA’s process in a timely manner to allow for engagement in the development of the LCAP?**
- 3) What information (e.g., quantitative and qualitative data/metrics) was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal setting process? How was the information made available?**
- 4) What changes, if any, were made in the LCAP prior to adoption as a result of written comments or other feedback received by the LEA through any of the LEA’s engagement processes?**
- 5) What specific actions were taken to meet statutory requirements for stakeholder engagement pursuant to Education Code sections 52062, 52068, and 47606.5, including engagement with representatives of parents and guardians of pupils identified in Education Code section 42238.01?**
- 6) What specific actions were taken to consult with pupils to meet the requirements 5 CCR 15495(a)?**
- 7) How has stakeholder involvement been continued and supported? How has the involvement of these stakeholders supported improved outcomes for pupils, including unduplicated pupils, related to the state priorities?**

<u>Involvement Process</u>	<u>Impact on LCAP</u>
<u>Annual Update:</u>	<u>Annual Update:</u>

## Section 2: Goals, Actions, Expenditures, and Progress Indicators

### Instructions:

All LEAs must complete the LCAP and Annual Update Template each year. The LCAP is a three-year plan for the upcoming school year and the two years that follow. In this way, the program and goals contained in the LCAP align with the term of a school district and county office of education budget and multiyear budget projections. The Annual Update section of the template reviews progress made for each stated goal in the school year that is coming to a close, assesses the effectiveness of actions and services provided, and describes the changes made in the LCAP for the next three years that are based on this review and assessment.

Charter schools may adjust the chart table below to align with the term of the charter school's budget that is submitted to the school's authorizer pursuant to Education Code section 47604.33.

For school districts, Education Code sections 52060 and 52061, for county offices of education, Education Code sections 52066 and 52067, and for charter schools, Education Code section 47606.5 require(s) the LCAP to include a description of the annual goals, for all pupils and each subgroup of pupils, to be achieved for each state priority as defined in 5 CCR 15495(i) and any local priorities; a description of the specific actions an LEA will take to meet the identified goals; a description of the expenditures required to implement the specific actions; and an annual update to include a review of progress towards the goals and describe any changes to the goals.

To facilitate alignment between the LCAP and school plans, the LCAP shall identify and incorporate school-specific goals related to the state and local priorities from the school plans submitted pursuant to Education Code section 64001. Furthermore, the LCAP should be shared with, and input requested from, school site-level advisory groups, as applicable (e.g., school site councils, English Learner Advisory Councils, pupil advisory groups, etc.) to facilitate alignment between school-site and district-level goals and actions. An LEA may incorporate or reference actions described in other plans that are being undertaken to meet the goal.

Using the following instructions and guiding questions, complete a goal table (see below) for each of the LEA's goals. Duplicate and expand the fields as necessary.

~~**Goals and Expected Annual Outcomes:** Describe the goals, and expected annual outcomes toward meeting those goals. This section must include specific projected outcomes for the applicable term of the LCAP.~~

~~When completing the goal tables, **include goals for all pupils and specific goals for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and, where applicable, at the school site level. The LEA may identify which school sites and subgroups have the same goals, and group and describe those goals together. The LEA may also indicate those goals that are not applicable to a specific subgroup or school site.**~~

~~**Related State and/or Local Priorities:** Identify the state and /or local priorities addressed by the goal by placing a check mark next to the applicable priority or priorities. The LCAP must include goals that address each of the state priorities, as defined in 5 CCR 15495(i), and any additional local priorities; however, one goal may address multiple priorities.~~

~~Describe expected outcomes for all pupils and where applicable include specific outcomes for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and at the school site level. The metrics used to describe the expected outcomes may be quantitative or qualitative, although LEAs must, at minimum, use the required metrics pursuant to 5 CCR 15495(g) for measuring progress within a particular state priority area each year. For the pupil engagement priority metrics, LEAs must calculate the rates specified in Education Code sections 52060(d)(5)(B), (C), (D) and (E) as described in the Local Control Accountability Plan and Annual Update Template Appendix described in the Appendix, sections (a) through (d).~~

~~**Identified Need:** Describe the need(s) identified by the LEA that this goal addresses, including a description of the supporting data, used to identify the need(s) develop each goal.~~

~~**Schools Affected:** Identify the schools sites to which the goal applies. LEAs may indicate “all” for all schools, specify an individual school or a subset of schools, or specify grade spans (e.g., all high schools or grades K-5).~~

~~**Applicable Pupil Subgroups:** Identify the pupil subgroups as defined in Education Code section 52052 to which the goal applies, or indicate “all” for all pupils.~~

~~**Related State and/or Local Priorities:** Identify the state and/or local priorities addressed by the goal. Section 2 must include goals that address each of the state priorities (as defined in 5 CCR 15495(i)) and any additional local priorities; however, one goal may address multiple priorities.~~

~~**Actions/Services and Related Expenditures:**~~

**Expected Annual Measurable Outcomes:** For each LCAP year, identify and describe specific expected measurable outcomes for all pupils using, at minimum, the applicable required metrics for the related state priorities. Where applicable, include descriptions of specific expected measurable outcomes for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and at the school site level. The metrics used to describe the expected measurable outcomes may be quantitative or qualitative, although the goal tables must address all required metrics for every state priority in each LCAP year. The required metrics are the specified measures and objectives for each state priority as set forth in Education Code sections 52060(d) and 52066(d). For the pupil engagement priority metrics, LEAs must calculate the rates specified in Education Code sections 52060(d)(5)(B), (C), (D) and (E) as described in the Local Control Accountability Plan and Annual Update Template Appendix, sections (a) through (d).

~~Left Column~~ **Action/Services:** For each LCAP year, ~~identify all annual actions to be performed and services provided to all pupils or any subgroups other than low-income, English learner, foster youth pupils, and pupils redesignated English proficient to meet the described goal.~~ **identify all annual actions to be performed and services provided to all pupils or any subgroups other than low-income, English learner, foster youth pupils, and pupils redesignated English proficient to meet the described goal.** Actions may describe a group of services that are implemented to achieve the identified goal.

**Scope of Service:** Describe the scope of each action/service by identifying the school sites covered. LEAs may indicate “all” for all schools, specify an individual school or a subset of schools, or specify grade spans (e.g., all high schools or grades K-5). If supplemental and concentration funds are used to support the action/service, the LEA must identify if the scope of service is districtwide, schoolwide, countywide, or charterwide.

**Pupils to be served within identified scope of service:** For each action/service, identify the pupils to be served within the identified scope of service. If the action to be performed or the service to be provided is for all pupils, place a check mark next to “ALL.”

For each action and/or service to be provided above what is being provided for all pupils, place a check mark next to the applicable unduplicated pupil subgroup(s) and/or other pupil subgroup(s) that will benefit from the additional action, and/or will receive the additional service. Identify, as applicable, additional actions and services for unduplicated pupil subgroup(s) as defined in Education Code section 42238.01, pupils redesignated fluent English proficient, and/or pupils subgroup(s) as defined in Education Code section 52052.

~~Right Column: Identify annual actions to be performed and services provided, to low-income, English learner and/or foster youth pupils as defined in Education Code section 42238.01 and pupils redesignated as fluent English proficient, above what is provided to all pupils, to meet the described goal.~~

~~For both columns **Budgeted Expenditures:** Actions may describe a group of services that are implemented to achieve the identified goal. For each action/service, **list and describe budgeted expenditures for each school year to implement these actions, including where those expenditures can be found in the LEA's budget. The actions and expenditures must reflect details for any identified subgroups, and for specific school sites. If supplemental and concentration funds are used, the LEA must identify if the level of service is districtwide, schoolwide, countywide, or charterwide. The LEA must reference all fund sources for each proposed expenditure. Expenditures must be classified using the California School Accounting Manual as required by Education Code sections 52061, 52067, and 47606.5.**~~

**Guiding Questions:**

- 1) What are the LEA's goal(s) to address state priorities related to "Conditions of Learning"?**
- 2) What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes"?**
- 3) What are the LEA's goal(s) to address state priorities related to parent and pupil "Engagement" (e.g., parent involvement, pupil engagement, and school climate)?**
- 4) What are the LEA's goal(s) to address any locally-identified priorities?**
- 5) How have the unique needs of individual school sites been evaluated to inform the development of meaningful district and/or individual school site goals (e.g., input from site level advisory groups, staff, parents, community, pupils; review of school level plans; in-depth school level data analysis, etc.)?**
- 6) What are the unique goals for unduplicated pupils as defined in Education Code sections 42238.01 and subgroups as defined in section 52052 that are different from the LEA's goals for all pupils?**
- 7) What are the specific ~~predicted~~ expected measurable ~~outcomes/metrics/noticeable changes~~ associated with each of the goals annually and over the term of the LCAP?**
- 8) What information (e.g., quantitative and qualitative data/metrics) was considered/reviewed to develop goals to address each state or local priority?**
- 9) What information was considered/reviewed for individual school sites?**
- 10) What information was considered/reviewed for subgroups identified in Education Code section 52052?**
- 11) What actions/services will be provided to all pupils, to subgroups of pupils identified pursuant to Education Code section 52052, to specific school sites, to English learners, to low-income pupils, and/or to foster youth to achieve goals identified in the LCAP?**
- 12) How do these actions/services link to identified goals and expected measurable outcomes ~~performance indicators~~?**

**13) What expenditures support changes to actions/services as a result of the goal identified? Where can these expenditures be found in the LEA's budget?**

<b><u>GOAL:</u></b>			
<b><u>Expected Annual Outcomes (In each year, must include all metrics as applicable, pursuant to Education Code sections 52060 and 52066):</u></b>			
<b><u>LCAP Year 1: xxxx-xx</u></b>	<b><u>Year 2: xxxx-xx</u></b>	<b><u>Year 3: xxxx-xx</u></b>	
<b><u>Describe the need(s) identified, including a description of the supporting data, to develop the goal:</u></b>			
<b><u>Applicable Pupil Subgroups:</u></b>			
<b><u>Schools Affected:</u></b>			
<b><u>Related State and/or Local Priorities:</u></b>			
<b><u>Action/Services and Related Expenditures</u></b>			
<b><u>LCAP Year 1: xxxx-xx: Indicate any subgroups, schools, or level of service</u></b>	<b><u>Budgeted Expenditures</u></b>	<b><u>LCAP Year 1: xxxx-xx: Indicate schools or level of service</u></b>	<b><u>Budgeted Expenditures</u></b>
		<b><u>Low Income pupils:</u></b>	
		<b><u>English Learners:</u></b>	
		<b><u>Foster Youth:</u></b>	
		<b><u>Redesignated fluent English proficient:</u></b>	
<b><u>LCAP Year 2: xxxx-xx: Indicate any subgroups, schools, or level of service</u></b>	<b><u>Budgeted Expenditures</u></b>	<b><u>LCAP Year 2: xxxx-xx: Indicate schools or level of service</u></b>	<b><u>Budgeted Expenditures</u></b>
		<b><u>Low Income pupils:</u></b>	
		<b><u>English Learners:</u></b>	
		<b><u>Foster Youth:</u></b>	
		<b><u>Redesignated fluent English proficient:</u></b>	
<b><u>LCAP Year 3: xxxx-xx: Indicate any subgroups, schools, or level of service</u></b>	<b><u>Budgeted Expenditures</u></b>	<b><u>LCAP Year 3: xxxx-xx: Indicate schools or level of service</u></b>	<b><u>Budgeted Expenditures</u></b>

		<del>Low Income pupils:</del>	
		<del>English Learners:</del>	
		<del>Foster Youth:</del>	
		<del>Redesignated fluent English proficient:</del>	

GOAL:		Related State and/or Local Priorities: 1__ 2__ 3__ 4__ 5__ 6__ 7__ 8__ COE only: 9__ 10__ Local : Specify _____
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Identified Need :			
Goal Applies to:	Schools:		
	Applicable Pupil Subgroups:		

**LCAP Year 1: xxxx-xx**

Expected Annual Measurable Outcomes:			
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<u>Actions/Services</u>	Scope of Service	<u>Pupils to be served within identified scope of service</u>	Budgeted Expenditures
		__ALL OR: __Low Income pupils __English Learners __Foster Youth __Redesignated fluent English proficient __Other Subgroups:(Specify)_____	
		__ALL OR: __Low Income pupils __English Learners __Foster Youth __Redesignated fluent English proficient __Other Subgroups:(Specify)_____	
		__ALL	

OR:  
 Low Income pupils  English Learners  
 Foster Youth  Redesignated fluent English proficient  
 Other Subgroups:(Specify)\_\_\_\_\_

**LCAP Year 2: xxxx-xx**

Expected Annual  
 Measurable  
 Outcomes:

<u><b>Actions/Services</b></u>	Scope of Service	<u><b>Pupils to be served within identified scope of service</b></u>	Budgeted Expenditures
		<input type="checkbox"/> ALL OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
		<input type="checkbox"/> ALL OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
		<input type="checkbox"/> ALL OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	

**LCAP Year 3: xxxx-xx**

Expected Annual  
 Measurable  
 Outcomes:

<u><b>Actions/Services</b></u>	Scope of Service	<u><b>Pupils to be served within identified scope of service</b></u>	Budgeted Expenditures
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		<input type="checkbox"/> ALL <hr/> OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
		<input type="checkbox"/> ALL <hr/> OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
		<input type="checkbox"/> ALL <hr/> OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	

**Complete a copy of this table for each of the LEA’s goals. Duplicate and expand the fields as necessary.**

**Annual Update**

**Annual Update Instructions: For each goal in the prior year LCAP, review the progress toward the expected annual outcome(s) based on, at a minimum, the required metrics pursuant to Education Code sections 52060 and 52066. The review must include an assessment of the effectiveness of the specific actions. Describe any changes to the actions or goals the LEA will take as a result of the review and assessment. In addition, review the applicability of each goal in the LCAP.**

**Guiding Questions:**

- 1) How have the actions/services addressed the needs of all pupils and did the provisions of those services result in the desired outcomes?**

- 2) How have the actions/services addressed the needs of all subgroups of pupils identified pursuant to Education Code section 52052, including, but not limited to, English learners, low-income pupils, and foster youth; and did the provision of those actions/services result in the desired outcomes?
- 3) How have the actions/services addressed the identified needs and goals of specific school sites and were these actions/services effective in achieving the desired outcomes?
- 4) What information (e.g., quantitative and qualitative data/metrics) was examined to review progress toward goals in the annual update?
- 5) What progress has been achieved toward the goal and expected measurable outcome(s)? How effective were the actions and services in making progress toward the goal? What changes to goals, actions, services, and expenditures are being made in the LCAP as a result of the review of progress and assessment of the effectiveness of the actions and services? ~~What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals? What changes/progress have been realized and how do these compare to changes/progress predicted? What modifications are being made to the LCAP as a result of this comparison?~~
- 6) What differences are there between budgeted expenditures and estimated actual annual expenditures? What were the reasons for any differences?

Complete a copy of this table for each of the LEA's goals in the prior year LCAP. Duplicate and expand the fields as necessary.

<u>Original GOAL from prior year LCAP:</u>			
<u>Expected outcomes (Must include all metrics, as applicable, pursuant to Education Code sections 52060 and 52066):</u>			
<u>Anticipated Outcomes:</u>		<u>Actual Outcomes:</u>	
<u>Planned Action/Services and Related Expenditures</u>		<u>Actual Action/Services and Related Expenditures</u>	
<u>LCAP Year xxxx-xx:</u> <u>Indicate any subgroups, schools, or level of service</u>	<u>Budgeted Expenditures</u>	<u>LCAP Year xxxx-xx:</u> <u>Indicate any subgroups, schools, or level of service</u>	<u>Actual Expenditures</u>

<del>LCAP Year xxxx-xx:</del>	<del>Budgeted Expenditures</del>	<del>LCAP Year xxxx-xx:</del>	<del>Actual Expenditures</del>
<del>Indicate schools or level of service</del>		<del>Indicate schools or level of service</del>	
<del>Low Income pupils:</del>		<del>Low Income pupils:</del>	
<del>English Learners:</del>		<del>English Learners:</del>	
<del>Foster Youth:</del>		<del>Foster Youth:</del>	
<del>Redesignated fluent English proficient:</del>		<del>Redesignated fluent English proficient:</del>	
<del>What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals?</del>			

Original GOAL from prior year LCAP:			Related State and/or Local Priorities: 1__ 2__ 3__ 4__ 5__ 6__ 7__ 8__ COE only: 9__ 10__ Local : Specify _____
Goal Applies to:	Schools:		
	Applicable Pupil Subgroups:		
Expected Annual <u>Measurable</u> Outcomes:		Actual Annual <u>Measurable</u> Outcomes:	
<b>LCAP Year: xxxx-xx</b>			
Planned Actions/Services		Actual Actions/Services	
	Budgeted Expenditures		<u>Estimated</u> Actual <u>Annual</u> Expenditures

Scope of service:		Scope of service:	
<input type="checkbox"/> ALL		<input type="checkbox"/> ALL	
OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____		OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
Scope of service:		Scope of service:	
<input type="checkbox"/> ALL		<input type="checkbox"/> ALL	
OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____		OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals?			

**Complete a copy of this table for each of the LEA's goals in the prior year LCAP. Duplicate and expand the fields as necessary.**

**Section 3: Use of Supplemental and Concentration Grant funds and Proportionality**

A. ~~Identify~~ **In the box below, identify the amount of funds in the LCAP year calculated on the basis of the number and concentration of low income, foster youth, and English learner pupils as determined pursuant to 5 CCR 15496(a)(5).**

**Describe how the LEA is expending these funds in the LCAP year. Include a description of, and justification for, the use of any funds in a districtwide, schoolwide, countywide, or charterwide manner as specified in 5 CCR 15496.**

**For school districts with below 55 percent of enrollment of unduplicated pupils in the district or below 40 percent of enrollment of unduplicated pupils at a school site in the LCAP year, when using supplemental and concentration funds in a districtwide or schoolwide manner, the school district must additionally describe how the services provided are the most effective use of funds to meet the district’s goals for unduplicated pupils in the state and any local priority areas. (See 5 CCR 15496(b) for guidance.)**

Total amount of Supplemental and Concentration grant funds calculated:	\$ _____

B. In the box below, identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all pupils in the LCAP year as calculated pursuant to 5 CCR 15496(a).

**Consistent with the requirements of 5 CCR 15496, demonstrate how the services provided in the LCAP year for low income pupils, foster youth, and English learners provide for increased or improved services for these pupils in proportion to the increase in funding provided for such pupils in that year as calculated pursuant to 5 CCR 15496(a)(7). ~~Identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all pupils in the LCAP year as calculated pursuant to 5 CCR 15496(a).~~ An LEA shall describe how the proportionality percentage is met using a quantitative and/or qualitative description of the increased and/or improved services for unduplicated pupils as compared to the services provided to all pupils.**

	%

NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.

### **LOCAL CONTROL AND ACCOUNTABILITY PLAN AND ANNUAL UPDATE APPENDIX**

**For the purposes of completing the LCAP in reference to the state priorities under Education Code sections 52060 and 52066, the following shall apply:**

**(a) “Chronic absenteeism rate” shall be calculated as follows:**

**(1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where “chronic absentee” means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.**

**(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).**

**(3) Divide (1) by (2).**

**(b) “Middle School dropout rate” shall be calculated as set forth in California Code of Regulations, title 5, section 1039.1.**

**(c) “High school dropout rate” shall be calculated as follows:**

**(1) The number of cohort members who dropout by the end of year 4 in the cohort where “cohort” is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.**

**(2) The total number of cohort members.**

**(3) Divide (1) by (2).**

**(d) “High school graduation rate” shall be calculated as follows:**

**(1) The number of cohort members who earned a regular high school diploma [or earned an adult education high school diploma or passed the California High School Proficiency Exam] by the end of year 4 in the cohort where “cohort” is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.**

**(2) The total number of cohort members.**

**(3) Divide (1) by (2).**

**(e) “Suspension rate” shall be calculated as follows:**

**(1) The unduplicated count of pupils involved in one or more incidents for which the pupil was suspended during the academic year (July 1 – June 30).**

**(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).**

**(3) Divide (1) by (2).**

**(f) “Expulsion rate” shall be calculated as follows:**

**(1) The unduplicated count of pupils involved in one or more incidents for which the pupil was expelled during the academic year (July 1 – June 30).**

**(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).**

**(3) Divide (1) by (2).**

**§ 15497.5. Local Control and Accountability Plan and Annual Update Template.**

**Introduction:**

LEA: \_\_\_\_\_ Contact (Name, Title, Email, Phone Number): \_\_\_\_\_ LCAP Year: \_\_\_\_\_

***Local Control and Accountability Plan and Annual Update Template***

*The Local Control and Accountability Plan (LCAP) and Annual Update Template shall be used to provide details regarding local educational agencies' (LEAs) actions and expenditures to support pupil outcomes and overall performance pursuant to Education Code sections 52060, 52066, 47605, 47605.5, and 47606.5. The LCAP and Annual Update Template must be completed by all LEAs each year.*

*For school districts, pursuant to Education Code section 52060, the LCAP must describe, for the school district and each school within the district, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities and any locally identified priorities.*

*For county offices of education, pursuant to Education Code section 52066, the LCAP must describe, for each county office of education-operated school and program, goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, who are funded through the county office of education Local Control Funding Formula as identified in Education Code section 2574 (pupils attending juvenile court schools, on probation or parole, or mandatorily expelled) for each of the state priorities and any locally identified priorities. School districts and county offices of education may additionally coordinate and describe in their LCAPs services provided to pupils funded by a school district but attending county-operated schools and programs, including special education programs.*

*Charter schools, pursuant to Education Code sections 47605, 47605.5, and 47606.5, must describe goals and specific actions to achieve those goals for all pupils and each subgroup of pupils identified in Education Code section 52052, including pupils with disabilities, for each of the state priorities as applicable and any locally identified priorities. For charter schools, the inclusion and description of goals for state priorities in the LCAP may be modified to meet the grade levels served and the nature of the programs provided, including modifications to reflect only the statutory requirements explicitly applicable to charter schools in the Education Code.*

*The LCAP is intended to be a comprehensive planning tool. Accordingly, in developing goals, specific actions, and expenditures, LEAs should carefully consider how to reflect the services and related expenses for their basic instructional program in relationship to the state priorities. LEAs may reference and describe actions and expenditures in other plans and funded by a variety of other fund sources when detailing goals, actions, and expenditures related to the state and local priorities. LCAPs must be consistent with school plans submitted pursuant to Education Code section 64001. The information contained in the LCAP, or annual update, may be supplemented by information contained in other plans*

*(including the LEA plan pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110) that are incorporated or referenced as relevant in this document.*

*For each section of the template, LEAs shall comply with instructions and should use the guiding questions as prompts (but not limits) for completing the information as required by statute. Guiding questions do not require separate narrative responses. However, the narrative response and goals and actions should demonstrate each guiding question was considered during the development of the plan. Data referenced in the LCAP must be consistent with the school accountability report card where appropriate. LEAs may resize pages or attach additional pages as necessary to facilitate completion of the LCAP.*

### **State Priorities**

*The state priorities listed in Education Code sections 52060 and 52066 can be categorized as specified below for planning purposes, however, school districts and county offices of education must address each of the state priorities in their LCAP. Charter schools must address the priorities in Education Code section 52060(d) that apply to the grade levels served, or the nature of the program operated, by the charter school.*

#### **A. Conditions of Learning:**

**Basic:** *degree to which teachers are appropriately assigned pursuant to Education Code section 44258.9, and fully credentialed in the subject areas and for the pupils they are teaching; pupils have access to standards-aligned instructional materials pursuant to Education Code section 60119; and school facilities are maintained in good repair pursuant to Education Code section 17002(d). (Priority 1)*

**Implementation of State Standards:** *implementation of academic content and performance standards and English language development standards adopted by the state board for all pupils, including English learners. (Priority 2)*

**Course access:** *pupil enrollment in a broad course of study that includes all of the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Section 51220, as applicable. (Priority 7)*

**Expelled pupils (for county offices of education only):** *coordination of instruction of expelled pupils pursuant to Education Code section 48926. (Priority 9)*

**Foster youth (for county offices of education only):** *coordination of services, including working with the county child welfare agency to share information, responding to the needs of the juvenile court system, and ensuring transfer of health and education records. (Priority 10)*

**B. Pupil Outcomes:**

*Pupil achievement: performance on standardized tests, score on Academic Performance Index, share of pupils that are college and career ready, share of English learners that become English proficient, English learner reclassification rate, share of pupils that pass Advanced Placement exams with 3 or higher, share of pupils determined prepared for college by the Early Assessment Program. (Priority 4)*

*Other pupil outcomes: pupil outcomes in the subject areas described in Education Code section 51210 and subdivisions (a) to (i), inclusive, of Education Code section 51220, as applicable. (Priority 8)*

**C. Engagement:**

*Parental involvement: efforts to seek parent input in decision making at the district and each school site, promotion of parent participation in programs for unduplicated pupils and special need subgroups. (Priority 3)*

*Pupil engagement: school attendance rates, chronic absenteeism rates, middle school dropout rates, high school dropout rates, high school graduations rates. (Priority 5)*

*School climate: pupil suspension rates, pupil expulsion rates, other local measures including surveys of pupils, parents and teachers on the sense of safety and school connectedness. (Priority 6)*

**Section 1: Stakeholder Engagement**

*Meaningful engagement of parents, pupils, and other stakeholders, including those representing the subgroups identified in Education Code section 52052, is critical to the LCAP and budget process. Education Code sections 52060(g), 52062 and 52063 specify the minimum requirements for school districts; Education Code sections 52055(g), 52068 and 52069 specify the minimum requirements for county offices of education, and Education Code section 47606.5 specifies the minimum requirements for charter schools. In addition, Education Code section 48985 specifies the requirements for translation of documents.*

**Instructions:** Describe the process used to consult with parents, pupils, school personnel, local bargaining units as applicable, and the community and how this consultation contributed to development of the LCAP or annual update. Note that the LEA's goals, actions, services and expenditures related to the state priority of parental involvement are to be described separately in Section 2. In the annual update boxes, describe the stakeholder involvement process for the review, and describe its impact on, the development of the annual update to LCAP goals, actions, services, and expenditures.

**Guiding Questions:**

- 1) How have applicable stakeholders (e.g., parents and pupils, including parents of unduplicated pupils and unduplicated pupils identified in Education Code section 42238.01, community members, local bargaining units, LEA personnel, county child welfare agencies, county office of education foster youth services programs, court-appointed special advocates, and other foster youth stakeholders, community organizations representing English learners, and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?
- 2) How have stakeholders been included in the LEA’s process in a timely manner to allow for engagement in the development of the LCAP?
- 3) What information (e.g., quantitative and qualitative data/metrics) was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal setting process? How was the information made available?
- 4) What changes, if any, were made in the LCAP prior to adoption as a result of written comments or other feedback received by the LEA through any of the LEA’s engagement processes?
- 5) What specific actions were taken to meet statutory requirements for stakeholder engagement pursuant to Education Code sections 52062, 52068, and 47606.5, including engagement with representatives of parents and guardians of pupils identified in Education Code section 42238.01?
- 6) What specific actions were taken to consult with pupils to meet the requirements 5 CCR 15495(a)?
- 7) How has stakeholder involvement been continued and supported? How has the involvement of these stakeholders supported improved outcomes for pupils, including unduplicated pupils, related to the state priorities?

Involvement Process	Impact on LCAP
<b>Annual Update:</b>	<b>Annual Update:</b>

**Section 2: Goals, Actions, Expenditures, and Progress Indicators**

**Instructions:**

All LEAs must complete the LCAP and Annual Update Template each year. The LCAP is a three-year plan for the upcoming school year and the two years that follow. In this way, the program and goals contained in the LCAP align with the term of a school district and county office of

education budget and multiyear budget projections. The Annual Update section of the template reviews progress made for each stated goal in the school year that is coming to a close, assesses the effectiveness of actions and services provided, and describes the changes made in the LCAP for the next three years that are based on this review and assessment.

Charter schools may adjust the table below to align with the term of the charter school's budget that is submitted to the school's authorizer pursuant to Education Code section 47604.33.

For school districts, Education Code sections 52060 and 52061, for county offices of education, Education Code sections 52066 and 52067, and for charter schools, Education Code section 47606.5 require(s) the LCAP to include a description of the annual goals, for all pupils and each subgroup of pupils, to be achieved for each state priority as defined in 5 CCR 15495(i) and any local priorities; a description of the specific actions an LEA will take to meet the identified goals; a description of the expenditures required to implement the specific actions; and an annual update to include a review of progress towards the goals and describe any changes to the goals.

To facilitate alignment between the LCAP and school plans, the LCAP shall identify and incorporate school-specific goals related to the state and local priorities from the school plans submitted pursuant to Education Code section 64001. Furthermore, the LCAP should be shared with, and input requested from, school site-level advisory groups, as applicable (e.g., school site councils, English Learner Advisory Councils, pupil advisory groups, etc.) to facilitate alignment between school-site and district-level goals and actions. An LEA may incorporate or reference actions described in other plans that are being undertaken to meet the goal.

**Using the following instructions and guiding questions, complete a goal table (see below) for each of the LEA's goals. Duplicate and expand the fields as necessary.**

**Goal:** Describe the goal.

When completing the goal tables, include goals for all pupils and specific goals for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and, where applicable, at the school site level. The LEA may identify which school sites and subgroups have the same goals, and group and describe those goals together. The LEA may also indicate those goals that are not applicable to a specific subgroup or school site.

**Related State and/or Local Priorities:** Identify the state and /or local priorities addressed by the goal by placing a check mark next to the applicable priority or priorities. The LCAP must include goals that address each of the state priorities, as defined in 5 CCR 15495(i), and any additional local priorities; however, one goal may address multiple priorities.

**Identified Need:** Describe the need(s) identified by the LEA that this goal addresses, including a description of the supporting data, used to identify the need(s).

**Schools:** Identify the schools sites to which the goal applies. LEAs may indicate “all” for all schools, specify an individual school or a subset of schools, or specify grade spans (e.g., all high schools or grades K-5).

**Applicable Pupil Subgroups:** Identify the pupil subgroups as defined in Education Code section 52052 to which the goal applies, or indicate “all” for all pupils.

**Expected Annual Measurable Outcomes:** For each LCAP year, identify and describe specific expected measurable outcomes for all pupils using, at minimum, the applicable required metrics for the related state priorities. Where applicable, include descriptions of specific expected measurable outcomes for school sites and specific subgroups, including pupils with disabilities, both at the LEA level and at the school site level.

The metrics used to describe the expected measurable outcomes may be quantitative or qualitative, although the goal tables must address all required metrics for every state priority in each LCAP year. The required metrics are the specified measures and objectives for each state priority as set forth in Education Code sections 52060(d) and 52066(d). For the pupil engagement priority metrics, LEAs must calculate the rates specified in Education Code sections 52060(d)(5)(B), (C), (D) and (E) as described in the Local Control Accountability Plan and Annual Update Template Appendix, sections (a) through (d).

**Action/Services:** For each LCAP year, identify all annual actions to be performed and services provided to meet the described goal. Actions may describe a group of services that are implemented to achieve the identified goal.

**Scope of Service:** Describe the scope of each action/service by identifying the school sites covered. LEAs may indicate “all” for all schools, specify an individual school or a subset of schools, or specify grade spans (e.g., all high schools or grades K-5). If supplemental and concentration funds are used to support the action/service, the LEA must identify if the scope of service is districtwide, schoolwide, countywide, or charterwide.

**Pupils to be served within identified scope of service:** For each action/service, identify the pupils to be served within the identified scope of service. If the action to be performed or the service to be provided is for all pupils, place a check mark next to “ALL.”

For each action and/or service to be provided above what is being provided for all pupils, place a check mark next to the applicable unduplicated pupil subgroup(s) and/or other pupil subgroup(s) that will benefit from the additional action, and/or will receive the additional service. Identify, as applicable, additional actions and services for unduplicated pupil subgroup(s) as defined in Education

Code section 42238.01, pupils redesignated fluent English proficient, and/or pupils subgroup(s) as defined in Education Code section 52052.

**Budgeted Expenditures:** For each action/service, list and describe budgeted expenditures for each school year to implement these actions, including where those expenditures can be found in the LEA's budget. The LEA must reference all fund sources for each proposed expenditure. Expenditures must be classified using the California School Accounting Manual as required by Education Code sections 52061, 52067, and 47606.5.

**Guiding Questions:**

- 1) What are the LEA's goal(s) to address state priorities related to "Conditions of Learning"?
- 2) What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes"?
- 3) What are the LEA's goal(s) to address state priorities related to parent and pupil "Engagement" (e.g., parent involvement, pupil engagement, and school climate)?
- 4) What are the LEA's goal(s) to address any locally-identified priorities?
- 5) How have the unique needs of individual school sites been evaluated to inform the development of meaningful district and/or individual school site goals (e.g., input from site level advisory groups, staff, parents, community, pupils; review of school level plans; in-depth school level data analysis, etc.)?
- 6) What are the unique goals for unduplicated pupils as defined in Education Code sections 42238.01 and subgroups as defined in section 52052 that are different from the LEA's goals for all pupils?
- 7) What are the specific expected measurable outcomes associated with each of the goals annually and over the term of the LCAP?
- 8) What information (e.g., quantitative and qualitative data/metrics) was considered/reviewed to develop goals to address each state or local priority?
- 9) What information was considered/reviewed for individual school sites?
- 10) What information was considered/reviewed for subgroups identified in Education Code section 52052?
- 11) What actions/services will be provided to all pupils, to subgroups of pupils identified pursuant to Education Code section 52052, to specific school sites, to English learners, to low-income pupils, and/or to foster youth to achieve goals identified in the LCAP?
- 12) How do these actions/services link to identified goals and expected measurable outcomes?
- 13) What expenditures support changes to actions/services as a result of the goal identified? Where can these expenditures be found in the LEA's budget?

<b>GOAL:</b>		Related State and/or Local Priorities: 1__ 2__ 3__ 4__ 5__ 6__ 7__ 8__ COE only: 9__ 10__ Local : Specify _____
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<b>Identified Need :</b>			
<b>Goal Applies to:</b>	<b>Schools:</b>		
	<b>Applicable Pupil Subgroups:</b>		

**LCAP Year 1: xxxx-xx**

<b>Expected Annual Measurable Outcomes:</b>			
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Actions/Services	Scope of Service	Pupils to be served within identified scope of service	Budgeted Expenditures
		__ ALL ----- OR: __ Low Income pupils __ English Learners __ Foster Youth __ Redesignated fluent English proficient __ Other Subgroups:(Specify)_____	
		__ ALL ----- OR: __ Low Income pupils __ English Learners __ Foster Youth __ Redesignated fluent English proficient __ Other Subgroups:(Specify)_____	
		__ ALL ----- OR: __ Low Income pupils __ English Learners __ Foster Youth __ Redesignated fluent English proficient __ Other Subgroups:(Specify)_____	

**LCAP Year 2: xxxx-xx**

Expected Annual Measurable Outcomes:			
Actions/Services	Scope of Service	Pupils to be served within identified scope of service	Budgeted Expenditures
		__ALL ----- OR: __Low Income pupils __English Learners __Foster Youth __Redesignated fluent English proficient __Other Subgroups:(Specify)_____	
		__ALL ----- OR: __Low Income pupils __English Learners __Foster Youth __Redesignated fluent English proficient __Other Subgroups:(Specify)_____	
		__ALL ----- OR: __Low Income pupils __English Learners __Foster Youth __Redesignated fluent English proficient __Other Subgroups:(Specify)_____	
<b>LCAP Year 3: xxxx-xx</b>			
Expected Annual Measurable Outcomes:			
Actions/Services	Scope of Service	Pupils to be served within identified scope of service	Budgeted Expenditures
		__ALL ----- OR: __Low Income pupils __English Learners __Foster Youth __Redesignated fluent English proficient __Other Subgroups:(Specify)_____	

		<input type="checkbox"/> ALL <hr/> OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify) _____	
		<input type="checkbox"/> ALL <hr/> OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify) _____	

**Complete a copy of this table for each of the LEA’s goals. Duplicate and expand the fields as necessary.**

**Annual Update**

**Annual Update Instructions:** For each goal in the prior year LCAP, review the progress toward the expected annual outcome(s) based on, at a minimum, the required metrics pursuant to Education Code sections 52060 and 52066. The review must include an assessment of the effectiveness of the specific actions. Describe any changes to the actions or goals the LEA will take as a result of the review and assessment. In addition, review the applicability of each goal in the LCAP.

Guiding Questions:

- 1) How have the actions/services addressed the needs of all pupils and did the provisions of those services result in the desired outcomes?
- 2) How have the actions/services addressed the needs of all subgroups of pupils identified pursuant to Education Code section 52052, including, but not limited to, English learners, low-income pupils, and foster youth; and did the provision of those actions/services result in the desired outcomes?
- 3) How have the actions/services addressed the identified needs and goals of specific school sites and were these actions/services effective in achieving the desired outcomes?
- 4) What information (e.g., quantitative and qualitative data/metrics) was examined to review progress toward goals in the annual update?

- 5) What progress has been achieved toward the goal and expected measurable outcome(s)? How effective were the actions and services in making progress toward the goal? What changes to goals, actions, services, and expenditures are being made in the LCAP as a result of the review of progress and assessment of the effectiveness of the actions and services?
- 6) What differences are there between budgeted expenditures and estimated actual annual expenditures? What were the reasons for any differences?

**Complete a copy of this table for each of the LEA’s goals in the prior year LCAP. Duplicate and expand the fields as necessary.**

Original GOAL from prior year LCAP:			Related State and/or Local Priorities: 1__ 2__ 3__ 4__ 5__ 6__ 7__ 8__ COE only: 9__ 10__ Local : Specify _____	
Goal Applies to:	Schools:			
	Applicable Pupil Subgroups:			
Expected Annual Measurable Outcomes:			Actual Annual Measurable Outcomes:	
<b>LCAP Year: xxxx-xx</b>				
Planned Actions/Services			Actual Actions/Services	
		Budgeted Expenditures	Estimated Actual Annual Expenditures	
Scope of service:			Scope of service:	
__ALL			__ALL	

OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____		OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
Scope of service:		Scope of service:	
<input type="checkbox"/> ALL		<input type="checkbox"/> ALL	
OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____		OR: <input type="checkbox"/> Low Income pupils <input type="checkbox"/> English Learners <input type="checkbox"/> Foster Youth <input type="checkbox"/> Redesignated fluent English proficient <input type="checkbox"/> Other Subgroups:(Specify)_____	
What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals?			

**Complete a copy of this table for each of the LEA's goals in the prior year LCAP. Duplicate and expand the fields as necessary.**

**Section 3: Use of Supplemental and Concentration Grant funds and Proportionality**

- A. In the box below, identify the amount of funds in the LCAP year calculated on the basis of the number and concentration of low income, foster youth, and English learner pupils as determined pursuant to 5 CCR 15496(a)(5).

Describe how the LEA is expending these funds in the LCAP year. Include a description of, and justification for, the use of any funds in a districtwide, schoolwide, countywide, or charterwide manner as specified in 5 CCR 15496.

For school districts with below 55 percent of enrollment of unduplicated pupils in the district or below 40 percent of enrollment of unduplicated pupils at a school site in the LCAP year, when using supplemental and concentration funds in a districtwide or schoolwide manner, the school district must additionally describe how the services provided are the most effective use of funds to meet the district's goals for unduplicated pupils in the state and any local priority areas. (See 5 CCR 15496(b) for guidance.)

Total amount of Supplemental and Concentration grant funds calculated:	\$ _____

B. In the box below, identify the percentage by which services for unduplicated pupils must be increased or improved as compared to the services provided to all pupils in the LCAP year as calculated pursuant to 5 CCR 15496(a).

Consistent with the requirements of 5 CCR 15496, demonstrate how the services provided in the LCAP year for low income pupils, foster youth, and English learners provide for increased or improved services for these pupils in proportion to the increase in funding provided for such pupils in that year as calculated pursuant to 5 CCR 15496(a)(7). An LEA shall describe how the proportionality percentage is met using a quantitative and/or qualitative description of the increased and/or improved services for unduplicated pupils as compared to the services provided to all pupils.

	%

NOTE: Authority cited: Sections 42238.07 and 52064, Education Code. Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.

#### LOCAL CONTROL AND ACCOUNTABILITY PLAN AND ANNUAL UPDATE APPENDIX

For the purposes of completing the LCAP in reference to the state priorities under Education Code sections 52060 and 52066, the following shall apply:

(a) "Chronic absenteeism rate" shall be calculated as follows:

- (1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where "chronic absentee" means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.
- (2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).
- (3) Divide (1) by (2).

(b) "Middle School dropout rate" shall be calculated as set forth in California Code of Regulations, title 5, section 1039.1.

(c) "High school dropout rate" shall be calculated as follows:

- (1) The number of cohort members who dropout by the end of year 4 in the cohort where "cohort" is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.
- (2) The total number of cohort members.
- (3) Divide (1) by (2).

(d) "High school graduation rate" shall be calculated as follows:

(1) The number of cohort members who earned a regular high school diploma [or earned an adult education high school diploma or passed the California High School Proficiency Exam] by the end of year 4 in the cohort where “cohort” is defined as the number of first-time grade 9 pupils in year 1 (starting cohort) plus pupils who transfer in, minus pupils who transfer out, emigrate, or die during school years 1, 2, 3, and 4.

(2) The total number of cohort members.

(3) Divide (1) by (2).

(e) “Suspension rate” shall be calculated as follows:

(1) The unduplicated count of pupils involved in one or more incidents for which the pupil was suspended during the academic year (July 1 – June 30).

(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).

(3) Divide (1) by (2).

(f) “Expulsion rate” shall be calculated as follows:

(1) The unduplicated count of pupils involved in one or more incidents for which the pupil was expelled during the academic year (July 1 – June 30).

(2) The unduplicated count of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30).

(3) Divide (1) by (2).

## **FINAL STATEMENT OF REASONS**

### **LOCAL CONTROL FUNDING FORMULA (LCFF) SPENDING REQUIREMENTS FOR SUPPLEMENTAL AND CONCENTRATION GRANTS AND LOCAL CONTROL AND ACCOUNTABILITY PLAN (LCAP) TEMPLATE**

#### **UPDATE OF INITIAL STATEMENT OF REASONS**

The original proposed text was made available for public comment for at least 45 days from February 1, 2014 through March 17, 2014. Comments were received from over 2,200 commenters during the 45-day comment period.

A public hearing was held at 10:00 a.m. on March 17, 2014, at the California Department of Education (CDE). Two individuals provided comments at the public hearing.

#### **SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD OF FEBRUARY 1, 2014 THROUGH MARCH 17, 2014.**

##### **NON-FORM LETTER COMMENTERS**

1. Serge Bonte
2. David Kopperud, State SARB member
3. Marvin Andrade, Dir. Of Leadership Development, Asian Americans Advancing Justice
4. Steve Ward, Legislative Analyst, CA School Finance Reform Coalition
5. Dale Shimasaki, Assoc. of American Publishers, Inc.
6. Jeff Frost, Legislative Advocate, California Schl Library Assoc.
7. Ellen Wu, Exec. Dir., California Pan-Ethnic Health Network; Jamila Iris Edwards, Northern California Dir., Children's Defense Fund; Anne Kelsey Lamb, MPH, Dir., Regional Asthma Management and Prevention
8. Carl Pinkston, Secretary, Black Parallel School Board
9. Colin Miller, VP of Policy, California Charter Schools Assoc.
10. Brian Lee, State Dir., Fight Crime: Invest in Kids *California*
11. Laura Faer, Statewide Education Rights Dir., Public Counsel
12. Eric Premack, Exec. Dir., Charter Schools Development Ctr., Inc.
13. Arun Ramanathan, Exec. Dir., Education Trust-West
14. Araceli Simeon-Luna, Project Dir., Parent Organization Network
15. Carolyn Laub, Exec. Dir., Gay-Straight Alliance Network
16. Cynthia Rice, Dir. Of Litigation, Advocacy & Training, CRLA; Shelly Spiegel Coleman, Exec. Dir., Californians Together, Jan Gustafson Corea, Exec. Dir., California Association of Bilingual Education.
17. Philip Y. Ting, Assemblymember, Shirley Weber, Assemblymember (19 signatures)
18. Zoe Rawson
19. Taryn Ishida, Exec. Dir., Californians for Justice (36 signatures from other community-based and civil rights organizations)
20. Bill Lucia, President, EdVoice

21. John Affeldt, Letter from coalition of advocates and grassroots, community-based organizations (appears to be same letter)
22. John Affeldt, Public Advocate; David Sapp, ACLU
23. Oscar Cruz, Families in School
24. Dean Vogel, President, CTA
25. Roberta Furger, Dir. Of Policy and Research, PICO CA
26. Andrea Ball, Legislative Advocate, CA School Boards Assoc.
27. Debra Brown, Assoc. Dir., CHILDREN NOW
28. Melia Franklin, Exec. Dir., Bay Area Parent Leadership Action Network (PLAN)
29. Shydae Garcia, Edison High School (29, 30, 31, and 32 – all same issues)
30. Citlali Hernandez, Woodrow Wilson High School
31. Tony Bui, James Lick High School
32. Naudika Williams, Oakland High School

**FORM LETTER #1 – 2,221 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #2 - 177 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #3 - 16 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #4 – 102 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #5 – 16 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #6 – 18 COMMENTERS**

See comments and responses in attached chart.

**Public Hearing – March 17, 2014**

CDE staff conducted a public hearing on March 17, 2014.

Two individuals presented oral and written comments: Martha Zaragoza-Diaz (on behalf of CABE, Californians Together, and CRLA) and Cynthia Rice. See responses in attached chart.

***After the 45-day comment period, the following changes were made to the proposed text of the regulations and sent out for a 15-Day comment period:***

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

**Proposed section 15495(a)** has been added to define “Consult with pupils.” This addition is necessary for reasons set forth in response to comment # 1.

**Proposed section 15495(b)** has been added to define “English learner parent advisory committee.” This addition is necessary for reasons set forth in response to comment #31.

**Proposed section 15495(e)** has been added to define “Parent advisory committee.” This addition is necessary for reasons set forth in response to comment #31.

**Proposed section 15495(g)** has been added to define “Required metric.” This addition is necessary for reasons set forth in response to comment #43.

**Proposed section 15495(j)** has been added to define “Subgroup.” This addition is necessary for reasons set forth in response to comment #41.

**Proposed section 15496(b)(1)** is amended to delete the words “in excess” and add “or more.” This amendment is necessary for reasons set forth in response to comment #12.

**Proposed sections 15496(b)(1)(A), (2)(A), (3)(A), (4)(A), and (5)(A)** are amended to add the words “funded and.” This amendment is necessary for reasons set forth in response to comment #12.

**Proposed sections 15496(b)(1)(B), (2)(B), (3)(B), (4)(B), and (5)(B)** are amended to add the word “principally” after the words “services are” and “and are effective in” after “directed towards.” These amendments are necessary for reasons set forth in response to comment #8.

**Proposed section 15496(b)(2)** is amended to delete the words “or in the prior year” and add “and concentration.” Deletion of “or in the prior year” is necessary to clarify that when prior year enrollment of unduplicated pupils at a school district or school site is below 55 percent or 40 percent, respectively, a school district does not need to provide additional justification for the expenditure of supplemental or concentration funds on a districtwide or schoolwide basis.

The amendment to add “concentration” is necessary to clarify that a school district must apply the standard of explanation specified in this section for the expenditure of both supplemental and concentration grant funds on a districtwide basis when enrollment of unduplicated pupils is below 55 percent. This amendment also conforms the section to the requirements applicable to school wide expenditures set forth in section 15496(b)(4).

**Proposed sections 15496(b)(2)(C) and (4)(C)** are amended to add the language “The description shall include the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experience, or educational

theory.” These amendments are necessary for reasons set forth in response to comment #13.

**Proposed section 15496(b)(3)** is amended to delete the words “in excess of “ and add “or more.” This amendment is necessary to ensure that the regulations are applicable to school districts with exactly 40 percent enrollment of unduplicated pupils, and is edited as follows:

(3) A school district that has an enrollment of unduplicated pupils at a school that is in excess of 40 percent or more of the school’s total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a schoolwide basis. A school district expending funds on a schoolwide basis shall do all of the following

**Proposed section 15496(b)(4)** is amended to delete the words “or in the prior year.” See necessity statement in section 15496(b)(2) above.

**Proposed section 15496(c)** is amended and renumbered to proposed section 15497. This amendment is necessary for reasons set forth in response to comments #3 and #20. The amendment is identified at comment #3.

**Proposed section 15498 (LCAP Template)(formerly proposed section 15497)** is renumbered to section 15498 and amended. A revised template is necessary in order to clarify the requirements applicable for the completion of a local educational agency’s (LEA’s) LCAP and Annual Update. See comments #57 and #60.

## **SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE 15-DAY COMMENT PERIOD FROM JULY 12, 2014, THROUGH JULY 28, 2014, INCLUSIVE.**

Approximately 122 letters were received from commenters during the 15-day comment period. See comments and responses in attached chart.

### **NON-FORM LETTER COMMENTERS**

1. Kathy DiRanna
2. Don Whisman
3. Rita Starnes
4. Debra Schneider
5. Maria Raouf
6. Kim Miles
7. Kristine Andarmani
8. Cheryl Ingham
9. Leslie DeRose
10. Sheedy Dedashti
11. Jessica L. Sawko (letter from Dr. Laura Henriques CSTA)
12. John Lorona
13. Renae Will (Garry T. Eagles)
14. Darouny Phouangvankham (Wendy Benkert)

15. Jeff Frost
16. Lori Mente (Niccole Childs)
17. Kimberly Ussery
18. Jonathan Peterson (Chris Roe – CA STEM)
19. Kelly Satterfield (Cal. Schl Fin. Ref. Coalition signed by 14 ppl)
20. Brian Lee
21. Deborah Genzer (Gordon & McConnell)
22. Hillary Martinez
23. Valerie Pitts
24. Colin Miller
25. Shirley Bell (Sherri Reusche)
26. Valerie Chrisman
27. Jason Willis (Vincent Matthews)
28. Angela Sims
29. Josh Schultz
30. Kent Kern
31. Kimberly Lewis (Oscar Cruz)
32. Liza Morris (Wesley Smith - regs)
33. Martha Zaragoza Diaz (CRLA, CA Together, CABE)
34. Brian Rivas (Valerie Cuevas)
35. Eric Premack
36. Sarah Lillis (EdVoice)
37. Steven Nelson
38. Liza Morris (ACSA – LCAP Template & Annual Update)
39. Andrea Ball
40. Alvarez Martha (Cindy Marten, San Diego USD)
41. David Sapp (21 signatures)
42. Debra Brown (Children NOW)
43. TinaMarie Marraccini
44. Efrain Mercado (Peter Birdsall - CCSESA)
45. Ron Rapp (CA Federation of Teachers)
46. Annie Fox
47. Mark Reeder (Sen. Mark Wyland)
48. Patty Scriptor (CA State PTA)

**FORM LETTER #1 – 27 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #2 - 26 COMMENTERS**

See comments and responses in attached chart.

**FORM LETTER #3 - 16 COMMENTERS**

See comments and responses in attached chart.

## Public Hearing – July 22, 2014

CDE and SBE staff conducted a public hearing on July 22, 2014, at 9:00 a.m. At the hearing, two individuals (Cynthia Rice and Martha Zaragoza-Diaz) presented oral and written comments to CDE and State Board of Education (SBE) staff regarding the proposed new Section 2 Goals, Actions, Expenditures, and Progress Indicators Table and the Annual Update Table. See comments and responses in attached chart.

***After the 15-day comment period, the following changes were made to the proposed text of the regulations and sent out for a second 15-Day comment period:***

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

**Proposed section 15495(a)** was amended to delete the words “for the presentation of the LCAP to,” and the words “but is not limited to,” and to add the words “including unduplicated pupils and other numerically significant pupil subgroups, to” and the words “on the development of the LCAP.” These changes are necessary to clarify that pupils, including unduplicated pupils and other numerically significant pupil subgroups, are involved in the development of the LCAP. In addition, Education Code section 47605.5 was deleted and Education Code section 47606.5 was added.

**Proposed section 15495(b)** was amended to delete the words “or legal guardians” and to add the words “as defined in subdivision (e).” This deletion and addition are to clarify that the term “parents” is defined by the newly added subdivision (e). The definition of “parents” set forth in subdivision (e) includes legal guardians, thus the inclusion of “legal guardians” is unnecessary. The section was also amended to delete the word “of” and replace it with the word “in” to improve the clarity of the regulation. The word “apply” was changed to “applies” for grammatical reasons.

**Proposed section 15495(e)** is amended. Former section 15495(e) is renumbered to 15495(f). A new section 15495(e) is added to the proposed regulations to provide a definition of “parents.” Addition of a definition is necessary in order to clarify who is a parent for purposes of the proposed regulations.

**Proposed section 15495(f)** is amended. As described above, as a result of the renumbering resulting from addition of a new proposed section 15495(e), former section 15495(e) is renumbered to 15495(f). Renumbered section 15495(f) is also amended to delete the words “or legal guardians” and to add the words “as defined in subdivision (e).” This deletion and addition are to clarify that the term “parents” is defined by the newly added subdivision (e). The definition of “parents” set forth in subdivision (e) includes legal guardians, thus the inclusion of “legal guardians” is unnecessary. The section was also amended to delete the word “of” and replace it with the word “in” to improve the clarity of the regulation.

**Proposed section 15495(f)** is renumbered to section 15495(g) as a result of the addition of a new subdivision (e), described above.

**Proposed section 15495(g)** is deleted and the definition for “required metric” is included in the revisions to instructions for completion of the LCAP template to clarify the instructions and requirements for completion of the LCAP and Annual Update.

**Proposed section 15497** is revised to add “or schoolwide” and “15496(b)(1) through (b)(40)” and to delete “15496(b)(2) or descriptions of schoolwide services provided pursuant to section 15496(b)(4)” to improve the clarity of the section.

**Proposed section 15497.5 (LCAP Template)** is amended. A revised template is necessary in order to clarify the requirements applicable for the completion of the LEA LCAP and Annual Update. See response to comments #31, #38, #39, #46, #49, #43, #53, #54, #55, #56, #58, #60 - #68, #75 and #76.

## **ALTERNATIVES DETERMINATION**

The SBE has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective and less burdensome to affected private persons than the proposed regulation or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## **LOCAL MANDATE DETERMINATION**

The proposed regulations do not impose any mandate on local agencies or school districts.

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
1	<p>Leslie DeRose, Board Member, Pajaro Valley Unified School District Niccole Childs, Board President, Hesperia Unified School District Sherri Reusche, Board Member, Calaveras Unified School District Annie Fox, PICO California Cindy Marten, Superintendent, San Diego Unified</p>	<p><b>15495(a) - No specific language recommended:</b></p> <p>Amend language to ensure pupils are consulted as the LCAP is being developed, rather than sharing the LCAP once it is completed.</p>	<p>Accept: As stated in response to comment #3, the language of proposed section 15495(a) is revised to ensure pupils are involved in the development of the LCAP.</p>
2	<p>Kimberly Rodriguez, Association of California School Administrators</p>	<p><b>15495(a) - No specific language recommended:</b></p> <p>Carefully consider if definition of “consult with pupils” is necessary and if so, clarify what is meant by “consulting”.</p> <p>The proposed definition is overly broad and unnecessary and may have implications in the Uniform Complaint Process as this process may be used when LEAs fail to comply to complete the required consultations.</p>	<p>Reject. The language of proposed section 15495(a), revised as described in response #3, provides a definition for “consult with pupils” to clarify that the consultation process is to enable review and comment on development of the LCAP. Inclusion of a definition for consultation with pupils is necessary to assist local education agencies (LEAs) to implement LCFF’s new statutory process for consultation with pupils. It also provides a list of permissive examples for how to complete this engagement. The revised definition provides needed flexibility for an LEA to design a process that meets the needs of its pupils, grade levels served, and type of program. As clarified, the proposed definition sufficiently informs LEAs and potential UCP complainants regarding the purpose and process for “consultation”</p>



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		<p>LCAP to pupils for review and comment. <b><u>Students are the ultimate stakeholders and they bring an important perspective to the table, especially at the high school level.</u></b> This process may include, but is not limited to, surveys of pupils, forums with pupils, or meetings with pupil government bodies or other groups representing pupils, <b><u>or student representation on the District Advisory Committee.</u></b></p>	<p>consult on the LCAP.</p>
5	Cecelia Mansfield California State PTA	<p><b>15495(a):</b></p> <p>Add the following to increase the role of students in the planning process:</p> <p>“Consult with pupils”, as used in Education Code sections 52060, 52066, and 47605.5, means a process for the presentation of the LCAP to pupils for review and comment. This process may include, but is not limited to, <b><u>student representation on the District Advisory Committee,</u></b> surveys of pupils, forums with pupils, or meetings with pupil government bodies or other groups representing pupils.</p>	<p>Reject: The District Advisory Committee is not required to be used as the parent advisory committee with which the LEA must consult on the LCAP.</p>
6	Oscar Cruz, President and CEO, Families in Schools Civil Rights Coalition Student Voice Coalition	<p><b>15495(a):</b></p> <p>Add the following to increase the role of students in the planning process:</p> <p>“Consult with pupils”, as used in Education Code sections 52060, 52066, and 47605.5, means <b><u>establishing a process or processes for the inclusion of pupils in the development of the LCAP and for the</u></b> presentation of the LCAP to pupils for review and comment. This process may include, but is not limited to, <b><u>formation of a student advisory committee similar in function to parent committees in subparagraphs (b) and (e) of this section,</u></b> surveys of pupils, forums with pupils, or meetings</p>	<p>Partially Accept: The language of proposed section 15495(a) was revised as set forth in response #3 to ensure pupils, including unduplicated pupils and other numerically significant pupil subgroups, are involved in the development of the LCAP.</p> <p>Partially Reject: Addition of the suggested language regarding formation of a student advisory commit is not necessary as LEAs have discretion to form such a committee for</p>

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		<p>with pupil government bodies or other groups representing pupils. <b><u>The process or processes that an LEA adopts should ensure the inclusion of unduplicated pupils and other numerically significant pupil subgroups.</u></b></p>	<p>consultation.</p>
7	Colin Miller, California Charter Schools Association	<p><b>15495(a):</b>  This section contains an incorrect cross reference, on page 2, line 1, replace 47605.5 with 47606.5.</p>	<p>Accept: The language of proposed section 15495(a) was revised as set forth in response to comment #3. The revisions include replacing the reference to section 47605.5 with 47606.5.</p>
8	Oscar Cruz, President and CEO of Families in Schools	<p><b>15495(b) and (e):</b>  <b>Amend section 15495(b) and (e) to state:</b>  (b) "English learner parent advisory committee," as used in Education Code sections 52063 and 52069 for those school districts or schools and programs operated by county superintendents of schools whose enrollment includes at least 15 percent English learners and at least 50 pupils who are English learners, shall be composed of <b><u>parents or legal guardians, of which at least a majority of are</u></b> parents or legal guardians of pupils to whom the definition of Education Code section 42238.01(c) apply <b><u>or an equivalent percentage as the number of pupils to whom to the definition of Education Code section 42238.01(c) apply, whichever is greater.</u></b> A governing board of a school district or a county superintendent of schools shall not be required to establish a new English learner parent advisory committee if a previously established committee meets these requirements.  (e) "Parent advisory committee," as used in Education Code</p>	<p>Reject: The suggested revisions to the proposed regulation section 15495(b) and (e) would create an additional and potentially insurmountable burden for LEAs to ensure they meet the specified percentage requirements for committee composition.  Regulation section 15495(e) is renumbered to be 15495(f) due to the addition of a new subdivision (e), which adds a definition of "parents". In addition, the wording of the renumbered 15495(f) is revised, as is the wording of 15495(b), as a result of the addition of new subdivision (e). See revised language set forth in response to comment #11.</p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
		<p>sections 52063 and 52069, shall be composed of <u>parents or legal guardians, of which at least</u> a majority <del>of</del> <u>are</u> parents or legal guardians of pupils <del>and include parents or legal guardians</del> of pupils to whom one or more of the definitions of Education Code section 42238.01 apply <u>or an equivalent percentage as the number of pupils to whom to the definition of Education Code section 42238.01(c) apply, whichever is greater</u>. A governing board of a school district or a county superintendent of schools shall not be required to establish a new parent advisory committee if a previously established committee meets these requirements, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act.</p>	
9	<p>Civil Rights Coalition</p> <p>Maria Raouf Annie Fox, PICO California Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education</p>	<p><b>Section 15495(e):</b></p> <p>Ensure parents of unduplicated pupils are represented on the parent advisory committees in proportion to the composition of unduplicated pupils in the district.</p> <p><b>Amend Section 15495(e) to state:</b></p> <p>(e) "Parent advisory committee," as used in Education Code sections 52063 and 52069, shall be composed of a majority of parents or legal guardians of pupils and include parents or legal guardians of pupils to whom one or more of the definitions of Education Code section 42238.01 apply. A governing board of a school district or a county superintendent of schools shall not be required to establish a new parent advisory committee if a previously established committee meets these requirements, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110)</p>	<p>Reject: The suggested revisions to the proposed regulations may create an additional and potentially insurmountable burden for LEAs to ensure they meet the specified percentage requirements for committee representation.</p>

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		pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act. <b><u>The overall representation on the committee of parents or legal guardians of pupils to whom one or more of the definitions of Education Code section 42238.01 apply should, at a minimum, be proportional to the overall representation of such pupils among the LEA's total enrollment.</u></b>	
10	Leslie DeRose, Board Member, Pajaro Valley Unified School District Niccole Childs, Board President, Hesperia Unified School District Sherri Reusche, Board Member, Calaveras Unified School District California School Boards Association	<b>15495(e) - No specific language change recommended:</b>  Support the clarification that the Parent Advisory Committee must be comprised of a majority of parents/guardians of pupils in general and is not limited to the categories of unduplicated pupils.	Reject: The suggested revision is not necessary. The proposed section 15495(f) requires an LEA parent advisory committee to be composed of a majority of parents of pupils, and requires inclusion of parents of pupils to whom one or more of the definitions of unduplicated pupils applies.
11	Jackie Thu-Huong Wong, Director Foster Ed, National Center for Youth Law Debra Brown, Associate Director, Children Now Alliance for Children's Rights	<b>15495(e)</b>  Amend this section to ensure representation of foster youth on the parent advisory committee as follows:  “(e) “Parent advisory committee,” as used in Education Code sections 52063 and 52069, shall be composed of a majority of parents, or legal guardians, <b><u>or educational rights holders</u></b> of pupils and include parents, or legal guardians, <b><u>or educational rights holders</u></b> of pupils to whom one or more of the definitions of Education Code section 42238.01 apply. <b><u>The committee shall include representation from each of the three subgroups of</u></b>	Partially Accept: The language of proposed section 15495 was revised to add a proposed subdivision (e) to add a definition of “parents.” The proposed definition of “parents” includes “parent, legal guardian, and educational rights holder,” as follows:  <b><u>“(e) “Parents” means the natural or adoptive parents, legal guardians, or other persons holding the right to make educational</u></b>

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		<p><b><u>pupils defined in Education Code section 42238.01 and served by the district.</u></b> A governing board of a school district or a county superintendent of schools shall not be required to establish a new parent advisory committee if a previously established committee meets these requirements, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act.”</p>	<p><u>decisions for the pupil pursuant to Welfare and Institutions Code section 361 or 727 or Education Code sections 56028 or 56055, including foster parents who hold rights to make educational decisions.”</u></p> <p>In addition, proposed section 15495, subdivisions (b) and (f), are revised to make reference to “parent,” as follows:</p> <p><b><u>“(b) “English learner parent advisory committee,” as used in Education Code sections 52063 and 52069 for those school districts or schools and programs operated by county superintendents of schools whose enrollment includes at least 15 percent English learners and at least 50 pupils who are English learners, shall be composed of a majority of parents, as defined in subdivision (e), or legal guardians of pupils to whom the definition of in Education Code section 42238.01(c) applies. A governing board of a school district or a county superintendent of schools shall not be required to establish a new English learner parent advisory committee if a previously established committee meets these requirements.”</u></b></p> <p><b><u>“(f)(e) “Parent advisory committee,” as used in Education Code sections 52063</u></b></p>

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			<p><b><u>and 52069, shall be composed of a majority of parents, as defined in subdivision (e), or legal guardians of pupils and include parents or legal guardians of pupils to whom one or more of the definitions of in Education Code section 42238.01 apply. A governing board of a school district or a county superintendent of schools shall not be required to establish a new parent advisory committee if a previously established committee meets these requirements, including any committee established to meet the requirements of the federal No Child Left Behind Act of 2001 (Public Law 107-110) pursuant to Section 1112 of Subpart 1 of Part A of Title I of that act.”</u></b></p> <p>Partially Reject: The suggested language requiring representation from each of the three groups identified as unduplicated pupils may be burdensome for LEAs, particularly in those that have lower enrollment of unduplicated students.</p>
12	California School Finance Reform Coalition	<p><b>15495(g):</b></p> <p>Amend language to focus on specified measures in statute and not the quantity of identified measurements as follows:</p> <p>(g) “Required metric” means <del>all of</del> the specified measures and standards for each state priority as set forth in Education Code sections 52060(d) and 52066(d), as applicable.</p>	<p>Reject: Pursuant to <i>EC</i> sections 52060 and 52066, LEAs must include every metric and objective set forth in statute for each state priority with the exception of metrics that are not applicable to the particular LEA (for example an elementary school district would not report graduation rates). The definition of “required metric” is now in the LCAP template to provide additional clarity in the instructions</p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
	Cindy Marten, Superintendent, San Diego Unified  California School Boards Association	As written, this definition can be interpreted to suggest that LEAs will be required to use <i>all</i> metrics included in the statutory provisions in the Education Code related to each state priority. This may be a requirement that may not be appropriate in all circumstances, and LEAs may also choose to establish locally defined metrics.  Clarify this definition be clarified to require that “only those metrics that are applicable for each state priority are required.”	for the goal table.  The commenters’ suggested language would give an LEA an option to choose only the metrics it would like to include in its LCAP to measure progress on state priorities.  LEAs are authorized to identify and report locally identified metrics in addition to the required metrics.
13	Peter Birdsall, California County Superintendents Educational Services Association	<b>15495(g) No specific language requested:</b>  Support the addition of the proposed section 15495(g) that defines “Required Metric.” This addition will help provide clarity for the LEAs when they are determining the different metrics for each of their goals as aligned to the state priorities. This addition will also enhance the review of the LCAPs by the county offices of education, as the “required metric” will be a key component of each LEA’s plan.	This commenter supports the definition of “Required Metric” which is now included in the proposed revised LCAP template. See response to comment #12.
14	Leslie L. DeRose, Board Member, Pajaro Valley Unified School District Wendy Benkert Ed.D. Associate Superintendent of Business Services,	<b>15496(b)(1)(B), (b)(2)(B), (b)(3)(B), and (b)(4)(B):</b>  Delete the word “principally” from the referenced sections. Use of this term makes the result less transparent, may limit use of funds to best serve students and distracts from the goal to improve pupil outcomes and close gaps in achievement.	Reject: The term “principally” applies to the description of services that must be provided when funds apportioned on the basis of the number and concentration of unduplicated pupils are used for services on a districtwide

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
	<p>Orange County Department of Education. Niccole Childs, Board President, Hesperia Unified School District Sherri Reusche, Board Member, Calaveras Unified School District Kimberly Rodriguez, Association of California School Administrators</p> <p>Cindy Marten, Superintendent San Diego Unified</p> <p>Eric Premack, Charter Schools Development Center</p>	<p>Delete the words “principally...and are effective in” and maintaining the sentence as it was written in the emergency regulations, so that the sentence would read, “<i>Describe in the LCAP how such services are directed towards meeting the district’s goals for its unduplicated pupils in the state priority areas.</i>”</p> <p>No specific language is recommended, comment expresses general concern over the addition of the words “principally...and are effective in”. The terms are vague and impractical.</p>	<p>or schoolwide basis. It provides additional clarity and does not limit the use of funds beyond the current expenditure regulations set forth in section 15496(b). Inclusion of the term “principally” is consistent with EC 42238.07 and existing language of proposed sections 15496(b)(1)(B), (b)(2)(B), (b)(3)(B), and (b)(4)(B), that such services are intended to benefit unduplicated pupils, though they may be provided on a districtwide or schoolwide basis as specified in the proposed sections.</p>
15	<p>Oscar Cruz President and CEO of Families in Schools Jackie Thu-Huong Wong, Director Foster Ed, National Center for Youth Law Civil Rights Coalition</p>	<p><b>15496(b)(1)(B), (b)(2)(B), (b)(3)(B), and (b)(4)(B):</b></p> <p>Retain the 5 words, “principally” and “and are effective in” in the above-referenced sections. This amendment to the regulations will still enable districts to be innovative while fostering robust conversations at the local level on how to best serve high need pupils.</p>	<p>These commenters support the language of proposed sections 15496(b)(1)(B), (b)(2)(B), (b)(3)(B), and (b)(4)(B). Therefore, no response is necessary.</p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
	Debra Brown, Associate Director, Children Now Annie Fox, PICO California Ron Rapp, California Federation of Teachers Steve Nelson, Trustee, Mountain View Whisman School District Valerie Cuevas Interim Executive Director The Education Trust–West Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education Kristine Andarmani Hillary Martinez Sheedy Dedashti Kim Miles		
16	Angela Sims	<b>15496(b)(1)(B), (b)(2)(B), (b)(3)(B), and (b)(4)(B):</b>  Keep 8 words (reference to comments proposed in 45 day public comment period). Retain the term “principally” and “and are effective in” in the referenced sections, add “serving unduplicated pupils”. This amendment to the regulations will still enable districts to be innovative while fostering robust conversations at the local level on how to best serve high need pupils.	Reject: Addition of the suggested phrase “serving unduplicated pupils” is unnecessary because it is redundant.

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17	California School Finance Reform Coalition	<p><b>15496(b)(1)(B), (b)(2)(B), (b)(3)(B), (b)(4)(B), and (b)(5)(B):</b></p> <p>Support the use of the term “principally” as proposed in the regulations, add specific language to include local priority areas and additional detail on the description required as follows:</p> <p>(1)(B), (2)(B), (3)(B) and (4)(B): Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district’s goals for its unduplicated pupils in the state <b><u>and any local</u></b> priority areas. <b><u>The description may include alternatives considered, research, experience, or educational theory that informs the choice of services.</u></b></p> <p>(5)(B): Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the county office of education’s or charter schools goals for its unduplicated pupils in the state and any local priority areas, as applicable. <b><u>The description may include alternatives considered, research, experience, or educational theory that informs the choice of services.</u></b></p>	<p>Partially Accept: The language of proposed sections 15496(b)(1)(B), (b) (2)(B), (b)(3)(B) and (b)(4)(B) was revised to include local priority areas, as follows:</p> <p><b><u>“Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district’s goals for its unduplicated pupils in the state and any local priority areas.”</u></b></p> <p>In addition, proposed sections 15496(b)(2)(C) and (b)(4)(C), were revised to include local priority areas, as follows:</p> <p><b><u>“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 and any local priority areas.</u></b></p> <p>Partially Reject: Addition of suggested language to proposed regulations sections 15496(b)(1)(B), (b)(2)(B), (b)(3)(B), (b)(4)(B) and (b)(5)(B) to permit descriptions of how a choice of services is made is unnecessary when enrollment of unduplicated pupils meets or exceeds the thresholds specified in the proposed regulations and in the case of county offices of education, which serve unique populations and pupils and whose programs to serve those pupils vary significantly.</p>

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18	California School Boards Association	<p><b>15496(b)(1)(B), (b)(2)(B), (b)(3)(B), (b)(4)(B):</b></p> <p>(1)(B), (2)(B), (3)(B) and (4)(B): Describe in the LCAP how such services are <del>principally</del> directed towards, and are effective in, meeting the district's goals for its unduplicated pupils in the state <u>and any local</u> priority areas. <b><u>The description may include supporting research, experience, or educational theory.</u></b></p>	<p>Partially Accept: The language of proposed sections 15496(b)(1)(B), (b)(2)(B), (b)(3)(B), (b)(4)(B) was revised to include “ <u>and any local</u> priority” as described in response to comment #17.</p> <p>Partially Reject: The suggestion to delete the term “principally” is rejected for the reasons set forth in response to comment #14.</p> <p>Addition of the suggested language regarding description of supporting research, experience, or educational theory is rejected for the reasons set forth in response to comment #17.</p>
19	Cheryl Ingham, Humboldt County LCAP Lead	<p><b>15496(b)(1)(B), (b)(2)(B), (b)(3)(B), (b)(4)(B) and (b)(5)(B), no specific language requested:</b></p> <p>The term “principally” allows for local interpretation, COEs should be instructed to accept LCAPs that indicate how funds will be used “principally” for an identified group if LEA stakeholders and the governing board have approved the descriptions.</p>	<p>Reject: Directing County Offices of Education to accept or reject LCAPs as described by the commenter is beyond the scope of regulations.</p>
20	California School Finance Reform Coalition	<p><b>15496(b)(2)(C) and (b)(4)(C):</b></p> <p>Amend language to add flexibility as follows:</p> <p>(b)(2)(C) and (4)(C): Describe how these services are the most effective use of funds to meet the district's goals for its unduplicated pupils in the state priority areas. The description shall <del>include provide</del> the basis for this determination, <del>including, but not limited to, any alternatives considered and any supporting research, experience, or educational theory</del></p>	<p>Partially Accept: Proposed regulation sections 15496(b)(2)(C) and (b)(4)(C) are revised to substitute “provide” in place of “include,” as follows:</p> <p><u>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 and any local priority areas. The description shall include provide the basis for this</u></p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
	California School Boards Association	<p><u>which may include a description of alternatives considered, research, experience, or educational theory that informs the choice of services.</u></p> <p>(b)(2)(C) and (4)(C): Describe how these services are the most effective use of 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, <del>including, but not limited to,</del> <u>which may include</u> any alternatives considered, and <del>any</del> research, experience, or educational theory.</p>	<p><u>determination, including, but not limited to, any alternatives considered and any supporting research, experience, or educational theory.</u>"</p> <p>Partially Reject: The commenters' suggestion to remove "including, but not limited to" and add "which may include" would eliminate the proposed regulation's requirement that an LEA select at least one option from the list and would instead allow the LEA to use any description they so choose. The proposed change would weaken the requirement that LEAs add this description when they provide services on a districtwide or schoolwide basis and are under the enrollment thresholds specified in the regulations.</p>
21	Eric Premack, Charter Schools Development Center	<p><b>15496(b)(2)(C) and (b)(4)(C) No specific language recommended:</b></p> <p>The addition of "include the basis for this determination including, but not limited to, any alternatives considered and any supporting research, experience, or educational theory" adds considerably to the length and complexity of the LCAP, likely making it less comprehensible. It is not required by statute and is burdensome.</p>	<p>Reject: This referenced language of proposed regulation sections 15496(b)(2)(C) and (b)(4)(C) further defines the description required to demonstrate that selected services are the "most effective" use of funds to meet goals for unduplicated student when an LEA under the enrollment threshold specified in regulations provides services districtwide or schoolwide pursuant to the regulations.</p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
22	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<p><b>15496 (b)(2):</b></p> <p>Replace existing 15496(b)(2) with the following to ensure that the same requirements apply to county offices and school districts. This would also limit the use of supplemental and concentration funds for districtwide or schoolwide purposes to LEAs, including county offices of education, over the 55% districtwide threshold or 40% schoolwide threshold for unduplicated student enrollment. Finally this would apply the standard formerly required only of those LEAs below the threshold to describe how this is the “most effective” use of funds to LEAs above the thresholds.</p> <p>“(b)(2): A school district or county office of education that has an enrollment of unduplicated pupils of more than 55 percent of the district’s, county office of education’s total enrollment, or a district or county office of education that has an enrollment of unduplicated pupils of more than 40% school site with more than 40 percent of the school sits total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a district wide basis shall do all of the following:</p> <p>(a) Identify in the LCAP those services that are being funded and provided on a district wide basis.</p> <p>(b) Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district’s goals for its unduplicated pupils in the state eight priority areas.</p> <p>(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, including, but not limited to, any alternatives considered and any supporting research, experience or educational theory.</p>	<p>Reject: Statute does not specify a minimum threshold for districtwide, charterwide, countywide, or schoolwide use of funds.</p> <p>The commenters’ suggested thresholds would limit LEAs’ ability to locally determine use of supplemental and concentration funds; proposed regulations require additional description of funded services when district or school enrollment of unduplicated pupils is below levels specified in the proposed regulations.</p> <p>County offices of education serve unique populations of pupils. The needs of those pupils and the programs operated by county offices of education to serve those pupils necessarily vary significantly within and across county offices of education. Thus, it is not appropriate to prescribe a particular threshold and higher standard of effectiveness for county offices of education.</p>

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		<p><b>15496(b)(3), (b)(4) and (b)(5):</b></p> <p>Delete these sections, LEAs under the 55% districtwide threshold or 40% schoolwide threshold for unduplicated student enrollment should not have the option of using supplemental and concentration funds for districtwide or schoolwide purposes.</p> <p><b>15496 No specific language required:</b></p> <p>Establish criteria for determining whether a service meets the standards for “most effective use of funds”. These criteria should track the requirements of the Title I and Title III regulations, as anticipated by the statute, and require that expenditures be based on strategies that specifically address the purpose of the supplemental and concentration grant funding as well as the eight state priorities.</p> <p>Establish stronger provisions stating that supplemental and concentration funds can be used for district wide and school wide services only if the service demonstrably provides a differential benefit to unduplicated pupils by showing an actual increase or improvement of services to unduplicated pupils that promotes priority goals for those subgroups, also benefiting the general student population. This is necessary to ensure use of the funds in a manner that addresses unduplicated pupil achievement, goals and priorities as required by Sections 52052, 52060, and 52066.</p> <p><b>15496(b):</b></p> <p>Insert after “funded” the words “from all sources, including</p>	<p>Reject: Commenters’ suggestion to establish criteria for “most effective use of funds” that track Title I and Title III criteria would add restrictive criteria which are inconsistent with the statute’s intended flexibility for LEAs to implement locally-determined strategies and services to improve outcomes for unduplicated pupils in the state priority areas. The proposed regulations at sections 15496(b)(1)(B), (b)(2)(B), (b)(3)(B), (b)(4)(B) and (b)(5)(B) require LEAs to describe how services are principally directed towards, and effective in, meeting the district’s goals for unduplicated pupils in the state priorities and in local priorities. In addition, the proposed regulations at sections 15496(b)(1)(B), (b)(2)(C) and (b)(4)(C) require school districts to describe how these services are the most effective use of funds, and to provide the basis for that determination, as specified.</p> <p>Reject: Education Code section 42238.07 provides the SBE with the authority to adopt</p>

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		<p>federal funding”, in (b)(1)(A) [pg 5, line 16], (b) (2)(A) [pg 5, line 26]; (b)(3)(A) [pg 6, line 11]; (b)(4)(A)[pg 6, line 21] and (b)(5)(A) [pg 7, line 4].</p> <p>Delete “such” on line 3, pg 4 and replace with “from all sources of funds, including federal funds, and description of services provided pursuant to this section.”</p>	<p>regulations governing expenditure of LCFF funds. Federal funds are governed by federal law and regulations. Insertion of language related to all fund sources goes beyond the scope of the LCFF statute and these regulations.</p>
23	Annie Fox, PICO California	<p><b>15497 No specific language requested:</b></p> <p>The COE oversight section is narrowed to one aspect of the review and is confusing to the field.</p>	<p>Accept: See response to comment #24.</p>
24	Civil Rights Coalition	<p><b>15497:</b></p> <p>“In making the determinations required under Education Code section 52070(d)(3), the county superintendent of schools shall include review of any descriptions of districtwide services provided pursuant to section <b>15496(b)(1) or section</b> 15496(b)(2) or descriptions of schoolwide services provided pursuant to section <b>15496(b)(3) or section</b> 15496(b)(4) when determining whether the school district has fully demonstrated that it will increase or improve services for unduplicated pupils pursuant to section 15496(a).”</p> <p>Alternatively, delete this sentence.</p>	<p>Accept: Proposed regulations section 15497 is revised to clarify that the COE oversight extends to all LEAs providing districtwide or schoolwide services, as follows:</p> <p><b><u>“In making the determinations required under Education Code section 52070(d)(3), the county superintendent of schools shall include review of any descriptions of districtwide or schoolwide services provided pursuant to sections 15496(b)(1) through (b)(4) 15496(b)(2) or descriptions of schoolwide services provided pursuant to section 15496(b)(4) when determining whether the school district has fully demonstrated that it will increase or improve services for unduplicated pupils pursuant to section 15496(a).”</u></b></p>

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25	Valerie Cuevas Interim Executive Director The Education Trust–West	<p><b>15497:</b></p> <p>Add section (b) to ensure COEs monitor compliance with prior year expenditures in the proportionality calculation:</p> <p><b><u>“(b) The expenditures included in the estimate of the amount of LCFF funds expended by the LEA on services for unduplicated pupils in the prior year that is in addition to what was expended on services provided for all pupils pursuant to section 15496 (a) (2). If a county superintendent of schools does not approve an LCAP because the school district has failed to meet the requirement to appropriately calculate the percentage by which services for unduplicated pupils must be increased or improved above services provided to all pupils in the fiscal year, it shall provide technical assistance to the school district in meeting that requirement pursuant to Education Code section 52071.”</u></b></p>	<p>Reject: The suggested additions are not necessary. <i>EC 52070</i> requires a county office of education to ensure a school district adheres to the LCAP template adopted by the SBE, adopts a budget that includes expenditures sufficient to implement the actions and strategies in the LCAP, and adopts an LCAP that adheres to the LCFF expenditure regulations adopted by the SBE. This process would include a review of the accuracy of the LEA’s calculations of proportionality, with the understanding that best estimates available at the time of LCAP adoption are utilized. Statute also requires the county office of education to provide technical assistance to school districts when it disapproves an LCAP.</p>
26	Cheryl Ingham, Humboldt County LCAP Lead	<p><b>15497 No specific language requested:</b></p> <p>Resist any changes to COE oversight, COEs can check technical aspects of the LCAP but should not weigh in on appropriateness of actions, this responsibility lies with the LEA and local stakeholders.</p>	<p>Accept: See response to comment #24.</p>
27	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<p><b>15497 No specific language requested:</b></p> <p>Clarify and strengthen COEs authority to review LCAPs &amp; aligned budgets for the purposes of determining whether federal funds were appropriately used.</p>	<p>Reject. The suggested changes are beyond the scope of this rulemaking. Statute (<i>EC 52070</i>) states the requirements for county office of education review of LCAPs. In</p>

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		<p><b>Other/ No specific language requested:</b></p> <p>These regulations should also make clear that CDE has responsibility to monitor the COE's, Districts and Charter schools both as to the LCFF compliance with respect to their obligations to subgrantees as specified in Sections 3113-3116, 3121-3022 and 3302 of the ESEA: EDGAR 34 CFR 80.40. The current regulations do not address this important oversight requirement and should be revised to add a new section doing so.</p>	<p>addition, <i>EC</i> section 42238.07 provides the SBE authority to adopt regulations governing expenditure of LCFF funds. Compliance with requirements related to federal funds is governed by federal law and regulations and is outside the scope of these regulations.</p>
28	<p>California School Finance Reform Coalition</p> <p>Valerie Pitts, Ed.D. Superintendent Larkspur-Corte Madera School District</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>No specific language requested:</p> <p>Recommend that SBE reject changes to the LCAP template made at the July SBE meeting and retain the emergency regulations version of the LCAP template and convene a stakeholder working group to inform changes to a template at a later date.</p> <p>Recommend that SBE reject changes to the LCAP template made at the July SBE meeting and retain the emergency regulations version of the LCAP template and make changes after the first round of state student performance data is available.</p>	<p>Reject: The LCAP template in proposed section 15497.5 is revised to improve clarity. See responses to comments #49 and #53.</p>
29	<p>Vincent Matthews, San Jose Superintendent of Schools</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>No specific language requested:</p> <p>Reduce the legal language in the main LCAP template, using an appendix for references (remove Education Code references and</p>	<p>Reject: Statute requires LEAs to adhere to the template to obtain approval of an LCAP, so some legal language is necessary. In addition, the LCAP template (proposed</p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
		language shall/pupils) to increase readability and understanding for stakeholders.	regulation section 15497.5) is revised to make it more readable and understandable to stakeholders. See responses to comments #49 and #53.
30	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>No specific language requested:</p> <p>The following sentence from the LCAP Introduction should include a reference to the ESEA Title III, Part A, 3102, this would be consistent with the explicit reference to Title I already contained in the language:</p> <p>“The information contained in the LCAP, or annual update, may be supplemented by information contained in other plans (including the LEA plan pursuant to Section 1112 of Subpart 1 of Part A of Title I of Public Law 107-110) that are incorporated or referenced as relevant in this document.”</p> <p>In the State Priorities section of the LCAP, the description of Pupil Outcomes should include a sentence stating:</p> <p>“Pupils outcomes and other pupil outcomes shall be disaggregated by unduplicated pupil for the purpose of showing performance or progress by these pupils”.</p>	Reject: Not necessary because the instructions for the Goal Table in the revised LCAP template, Section 2, “Expected Annual Measurable Outcomes” require identification and description of specific expected outcomes for all pupils and, where applicable, for specific subgroups.
31	Peter Birdsall, California County Superintendents Educational Services Association	<p><b>No specific language requested:</b></p> <p>Recommend that the terminology and verbiage used in proposed section 15497.5 (LCAP Template) be aligned to the Proposed</p>	Accept: The proposed guiding question #12 in Section 2 of the proposed LCAP template

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		<p>Regulations for LCFF. Currently there is incoherence between the two that will lead to confusion in the field. An example of this can be found on page seven of the LCAP Template in which question 12 outlines “performance indicators” as opposed to the “required metric” description outlined in the regulations.</p>	<p>in section 15497.5 is revised as follows: <b><u>“12) How do these actions/services link to identified goals and expected measurable outcomes performance indicators?”</u></b></p>
32	<p>California School Finance Reform Coalition Eric Premack, Charter Schools Development Center</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>If the recommendation to return to the LCAP template adopted through emergency regulations is not adopted, then recommend deleting from the Introduction, as follows:</p> <p><b><del>“However, the narrative response and goals and actions should demonstrate each guiding question was considered during the development of the plan.”</del></b></p>	<p>Reject: The commenters note that this language contradicts the previous sentence which states that no narrative response is required for a guiding question. However, this language does not impose a new requirement, but instead recommends guiding questions be considered and answers reflected as the LEA deems appropriate.</p>
33	<p>California Science Teachers Association Form Letter #1 Form Letter #2 Form Letter #3 Debra Brown, Associate Director, Children Now Valerie Cuevas Interim Executive Director The Education Trust–West</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Address all fields and standards in the LCAP, in particular the Next Generation Science standards.</p> <p>Amend language as follows:</p> <p>implementation of <u>all</u> academic content and performance standards <del>and English language development standards</del> adopted by the state board, <u>including common core state standards (CCSS), next generation science standards (NGSS), English language development standards (ELD), career technical</u></p>	<p>Reject: <i>EC</i> sections 52060 and 52066 do not list all specific state board adopted standards. Instead, the statutes generally reference adopted standards. Accordingly, it includes all the adopted standards. The language of proposed regulation section 15497.5 reflects statute.</p> <p>However, this is an area SBE and CDE staff will continue to work on clarifying through communications on the CDE and SBE websites.</p>

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	<p>California Task Force on K-12 Civic Learning Cecelia Mansfield California State PTA</p>	<p><u>education standards (CTE), history-social science, visual and performing arts, health education, world language, model school library, and physical education standards</u>, for all pupils, including English learners. (Priority 2)</p> <p>Suggested variations on the above language:</p> <p>Specifically state CCSS, ELA, mathematics, ELD, and NGSS. Specifically state CCSS, ELA, ELD, and NGSS. Specifically state CCSS, ELD, and NGSS.</p> <p>Additional variation:</p> <p>Include History Social Science Standards and a reference to civic learning:</p> <p><b>Implementation of State Standards:</b> implementation of academic content and performance standards <del>and English language development standards</del> adopted by the state board for <u>all subjects, including the Common Core State Standards (CCSS), English Language Development (ELD) standards, Next Generation Science Standards (NGSS), and California History-Social Science Standards, to prepare</u> all pupils, including English learners, <u>for college, career and civic life.</u> (Priority 2)</p> <p>Also received comments on general support for science education and language that identifies NGSS specifically but no specific suggested language.</p>	
34	<p>Annie Fox, PICO California Civil Rights Coalition Cynthia Rice, CRLA</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template] No specific language requested.</b></p> <p>Support clarification of English Language Development Standards</p>	<p>Letter of support; no response is necessary.</p>

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	Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	as part of the state standards.	
35	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template] No specific language requested.</b></p> <p>The first paragraph of Section 1 should include references to Education Code sections 52060(g) and 52066(g) to ensure the public knows the ways the LCFF authorizes parents and students to participate.</p>	<p><b>Accept:</b> The first paragraph of the instructions for Section 1 is revised as follows:</p> <p><b><u>Meaningful engagement of parents, pupils, and other stakeholders, including those representing the subgroups identified in Education Code section 52052, is critical to the LCAP and budget process. Education Code sections 52060(g), 52062 and 52063 specify the minimum requirements for school districts; Education Code sections 52066(g), 52068 and 52069 specify the minimum requirements for county offices of education, and Education Code section 47606.5 specifies the minimum requirements for charter schools. In addition, Education Code section 48985 specifies the requirements for translation of documents.</u></b></p>
36	Oscar Cruz, President and CEO, Families in Schools	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Amend the instructions section to ensure that the broad use of parents is not limited to the parent advisory committee, as follows:</p> <p>Instructions: Describe the process used to consult with parents, <b>parent advisory committees</b>, pupils, school personnel, <b>school</b></p>	<p><b>Reject:</b> The proposed changes are not necessary. The instructions for the proposed LCAP template accurately reflect the statute regarding consultation with parents.</p>

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		<p><u>site councils</u>, local bargaining units and the community and how this engagement contributed to development of the LCAP or annual update.</p>	
37	<p>Oscar Cruz, President and CEO, Families in Schools Civil Rights Coalition Student Voice Coalition</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Amend guiding question #6 in section 1 as follows:</p> <p>6) What specific actions were taken to consult with pupils, <u>including unduplicated pupils</u>, to meet the requirements 5 CCR 15495(a)?</p>	<p>Reject: The suggested change is not necessary. The phrase “consult with pupils” is defined in proposed regulation section 15496(a), which is revised to reference “unduplicated pupils” as set forth in response to comment #3.</p>
38	<p>Colin Miller, California Charter Schools Association</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Amend the instructions section to more accurately reflect statute as follows:</p> <p>“Describe the process used to consult with <del>parents, pupils, school personnel, local bargaining units and the community</del> <u>applicable stakeholders as referenced above</u> and how this engagement contributed to development of the LCAP or annual update.”</p> <p>Amend guiding question 1 as follows:</p> <p>1) How have <del>parents, community members, pupils, local bargaining units, and other</del> <u>applicable</u> stakeholders (e.g., <u>parents, community members, pupils, local bargaining units, and other stakeholders</u>, LEA personnel, county child welfare agencies, county office of</p>	<p>Partially Accept: The instructions in the proposed LCAP template, Section 1, are revised as follows: <b><u>Describe the process used to consult with parents, pupils, school personnel, local bargaining units as applicable, and the community and how this engagement consultation contributed to development of the LCAP or annual update.</u></b></p> <p>Amend Section 1, guiding question #1 as follows:</p> <p><b><u>How have parents, community members, pupils, local bargaining units, and other applicable stakeholders (e.g., parents and pupils, including parents of unduplicated</u></b></p>

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		<p>education foster youth services programs, court-appointed special advocates, foster youth, foster parents, education rights holders and other foster youth stakeholders, English learners, English learner parents, community organizations representing English learners, low income youth, and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP?</p>	<p><u>pupils and unduplicated pupils identified in Education Code section 42238.01; community members; local bargaining units; LEA personnel; county child welfare agencies; county office of education foster youth services programs, court-appointed special advocates, foster youth, foster parents, education rights holders and other foster youth stakeholders; English learners, English learner parents, community organizations representing English learners; low income youth, and others as appropriate) been engaged and involved in developing, reviewing, and supporting implementation of the LCAP? “</u></p> <p>Partially Reject: Removing the list of those with whom to consult and replacing it with the suggested reference reduces clarity. However, the note that bargaining units are not included in the groups with which charter schools are required to consult is addressed in the revised language.</p>
39	<p>Valerie Chrisman, Associate Superintendent of Educational Services, Ventura County Office of Education</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Section 1 Instructions, line 2, to be consistent with the change made from “engage” to “consult” amend as follows:</p> <p>Instructions: Describe the process used to consult with parents, pupils, school personnel, local bargaining units and the community and how this <b>engagement consultation</b> contributed to development of the LCAP or annual update.</p>	<p>Accept: The proposed LCAP instructions are revised as set forth in response to comment #38.</p>

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40	Cheryl Ingham, Humboldt County LCAP Lead	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Add specific sections to LCAP Section 1 – Engagement:</p> <p>Add new subheadings to the chart in Section 1 of the template:</p> <ul style="list-style-type: none"> <li>• Dates of Meetings</li> <li>• Audience (or, Group(s) attending)</li> <li>• Summary of progress - from prior year that was provided to attendees</li> <li>• Recommendations collected from group</li> </ul> <p>Under Impact column add:</p> <ul style="list-style-type: none"> <li>• Changes made to LCAP based on input from meeting, such as: <ul style="list-style-type: none"> <li>○ Goals revised</li> <li>○ Targets for progress adjusted</li> <li>○ New actions</li> <li>○ Deletions</li> </ul> </li> </ul>	<p>Reject: Addition of the suggested specific sections in the proposed LCAP template, Section 1, are not necessary. They may inhibit an LEA's narrative and require unnecessary and burdensome reporting. In addition, LEAs' compliance with statutory requirements for the LCAP process is currently included in the audit guide and will be reviewed as part of annual audits.</p>
41	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Add specific requirements to LCAP Section 1 – Engagement:</p> <p>Include districts listing what recommendations offered by the</p>	<p>Reject: The suggested edits are not necessary. The addition of the proposed additional requirements may lead to LEAs</p>

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		<p>parent advisory committees, specifically the DELAC committees, were included in the LCAP and which were rejected by the local governing body and by the superintendent.</p> <p>Additionally, the LCFF statute requires that the school superintendent respond in writing to the DELAC members regarding their LCAP recommendations. Include verification that this occurred and a summary of the superintendent response.</p> <p>Add a sentence in the instructions referencing Education Code section 52062(a)(2) and the requirement that the school district superintendent present the LCAP to the English learner parent advisory committee and to respond to their comments in writing to ensure districts understand this is a requirement and COEs review this. In addition a guiding question should be added reflecting this requirement.</p> <p>Amend Guiding Question #4 (this is possibly a reference to #3) as follows:</p> <p>“3) What information (e.g., quantitative and qualitative data/metrics <b><u>on pupils, including duplicated pupils</u></b> was made available to stakeholders related to the state priorities and used by the LEA to inform the LCAP goal setting process? How was the information made available?</p>	<p>including unnecessary and lengthy information regarding process that would detract from the transparency of the changes to be implemented through the goals, actions, and expenditures.</p> <p>Reject: The question is purposefully broad in scope to consider all students and, as applicable, specific subgroups.</p>

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42	Cheryl Ingham, Humboldt County LCAP Lead	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Remove instructions, guiding questions, and “appendix” from the LCAP template. Include them in a separate, companion document.</p>	Reject: Instructions and guiding questions are provided before each table to ensure LEAs fill out the tables with the appropriate instructions and context in mind. However, this area may be further explored in the future in connection with creation of an electronic template.
43	Cheryl Ingham, Humboldt County LCAP Lead	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Number required metrics to correspond to State Priorities, i.e. Priority 1, metrics 1.1, 1.2, 1.3, etc. and use these in section tables to identify which metrics are addressed by which goal.</p>	Reject: The LCAP template is intended to allow an LEA to comply with statute and regulations and provide a transparent, narrative document to share with all stakeholders. Additional coding that requires stakeholders to search for appendices to understand how a goal is measured or addressed would take away from this purpose.
44	<p>Debra Brown, Associate Director Children Now</p> <p>Brian Lee, State Director Fight Crime, Invest in Kids California</p>	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Require the reporting of baseline data for all standardized metrics for which baseline data is available.</p> <p>See the proposed template to collect and summarize this information in a transparent format from Children Now, includes: a list of all required LCAP metrics with columns indicating LEA wide, school or subgroup and anticipated outcome for each year of the next 4 year period.</p> <p>The LCAP template should require the reporting of baseline data for all metrics for which baseline data is available. This would ensure transparency around the starting point that progress towards goals is measured against.</p>	Reject: Optional reporting, collection, and display of this data may be explored in the future in connection with creation of an electronic template.



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		<p>the state priorities. In crafting goals, specific actions, and expenditures, LEAs should carefully consider how to reflect the services and related expenses for their basic instructional program in relationship to the state priorities. The LCAP should reflect how all LCFF funds are being spent.”</p> <p>Add guiding question #14:</p> <p><b><u>“14) Do the LEA’s goals, services, and related expenses reflect almost all of the LEA’s expenditures, including all LCFF funding?”</u></b></p> <p>Modify the Instructions for Section 2 of the LCAP under “Actions/Services and Related Expenditures” to read: “Left Column: Identify <b>all</b> annual actions to be performed and services provided. . . ” and “Right Column: Identify <b>all</b> annual actions to be performed and services provided. . . .”</p>	<p><i>Accordingly, in developing goals, specific actions, and expenditures, LEAs should carefully consider how to reflect the services and related expenses for their basic instructional program in relationship to the state priorities.</i></p> <p>Reject: The suggested guiding question #14 is unclear; the term “almost all” may create confusion.</p>
47	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>In order to ensure the appropriate uses of the LCFF funds and federal funds, the <b>Instructions</b> section should clearly state supplemental or concentration funds used for district wide, schools wide or county wide purposes, must not supplant Title I or Title III funds.</p>	<p>Reject: Supplanting of federal funds is addressed from the perspective of, and pursuant to requirements specific to, federal programs.</p>

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48	Eric Premack, Charter Schools Development Center	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The instructions and revised goals table in section 2 state that it “must include all metrics as applicable,” which is vague and/or incorrect. This should be revised to clearly note that charter schools need not include all metrics if they are not applicable to the charter school’s program, grades served, and/or if the metric relates to a law that is not explicitly applicable to charter schools. The same should be done with respect to the annual update table.</p>	<p>Reject: The instructions for the goal table in the proposed LCAP template, Section 2, as revised, reflect statute by requiring that all metrics be addressed, as applicable to an LEA (e.g., an elementary school district, or a charter serving only elementary school students would not provide a graduation rate). As specified in <i>EC</i> sections 47605 and 47605.6, a charter school need only address the state priorities specified in <i>EC</i> section 52060 that apply for the grade levels served, or the nature of the program operated, by the charter school.</p>
49	Valerie Chrisman, Associate Superintendent of Educational Services, Ventura County Office of Education	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The instructions for section 2 should have directions for all parts of the section 2 table, having some but not all is confusing.</p> <p>Does the new template accommodate including an overarching goal, with multiple outcomes with different actions and services.</p> <p>In section 2, guiding question number 12, the term performance indicators should be clarified, does this mean metrics?</p> <p>In the table, expected annual outcomes line is unclear, do the metrics connected to the goal go in that box or do you list the metrics in the second row and the expected changes in the third</p>	<p>Partially accept: The instructions, tables, and guiding questions in the proposed LCAP template, Section 2, are revised to provide greater clarity and transparency regarding the presentation of related goals, expected measurable outcomes, and actions/services and expenditures, as well as the scope of services and pupils, including pupil subgroups, served. The information in the Section 2 goal table is revised to reflect a vertical alignment by LCAP year. The revised instructions include headings and instructions for each part of the goal table.</p> <p>The instructions with the heading “Expected Measurable Outcomes” clarify where and how expected annual measurable outcomes should be identified.</p> <p>In addition, the proposed LCAP template,</p>

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		<p>row? Clarification is needed in chart or instructions.</p> <p>Reviewers need to find the metrics easily. Correct this by including a description of lines 2 and 3 of the table that tell the writers to include the metrics. As it now stands line 2 looks like a general caution that all metrics must be included and it's not clear where.</p> <p>In section 2, guiding question number 13 asks where "expenditures can be found in the LEA's budget", but in the table it asks for budgeted expenditures, the guiding question should refer to both</p> <p>In the section 2 table line 4 is very awkward- "Describe the need(s) identified, including a description of the supporting data, to develop the goal"? Here are some choices- not sure they are better but it gives an idea of the change that is needed.</p> <p>"Describe the specific data used and the needs that data surfaced which resulted in the identification this goal. "</p> <p>"Describe how this goal was identified using the data, and the identified need the data illuminated."</p> <p>"Detail the data and subsequent needs that led to the identification of this goal."</p> <p>Section 3A is much better than the old 3C and will be easier for the districts to understand.</p>	<p>Section 2, guiding question #12 in 15497.5 is revised to read, as follows:</p> <p><b><u>"12) How do these actions/services link to identified goals and performance indicators expected measurable outcomes-performance indicators?"</u></b></p> <p>Reject: The instructions for the proposed LCAP template, Section 2, under the heading "Budgeted Expenditures," specify that both the budgeted expenditures and where they can be located must be identified.</p> <p>Partially accept: The proposed LCAP template, Table 2, goal table instructions under the heading "Identified Need" are revised as follows: <b><u>"Describe the need(s) identified by the LEA that this goal addresses, including a description of the supporting data, used to identify the need(s) develop each goal."</u></b></p> <p>The commenter supports the revisions to the LCAP template, section 3A; thus no response required.</p>



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		<p>amending language on identified need in the LCAP Table 2 Instructions as follows to reduce unnecessary amount of text added to the LCAP:</p> <p>“Identified Need: Describe the need(s) identified, <del>including a description of the supporting data,</del> to develop each goal.”</p>	<p>instructions regarding “Identified Need” were revised to improve clarity as set forth in response to comment #49 above.</p>
52	California School Boards Association	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Recommend amending language on identified need in the LCAP Table 2 Instructions as follows to reduce unnecessary amount of text added to the LCAP:</p> <p>“Identified Need: Describe the need(s) identified, <b>which may include including</b> a description of the supporting data <b>used</b> to develop each goal.”</p>	<p>Reject: The language which the commenter suggests amending is necessary for the reasons specified in response to comment #51.</p>
53	Cindy Marten, Superintendent, San Diego Unified	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template] No specific language required:</b></p> <p>The description of actions, services, and outcomes should be the focus of the LCAP, not expenditures as the new template seems to suggest.</p> <p>The layout of the revised LCAP template suggests the columns for the actions and services provided to all students (first column for LCAP Year 1 subgroups, schools or level of services) should be aligned with the actions and services provided to the unduplicated students (second column for LCAP Year 1 schools or level of service) since the lines read across. This current structure does not seem to acknowledge the reality of districtwide approaches.</p>	<p>Partially accept: The instructions, tables, and guiding questions in the proposed LCAP template, Section 2, are revised to provide greater clarity and transparency as set forth in response to comment #49.</p> <p>Partially reject: The goal template does not require reporting of more detailed expenditure information. The annual update table does require an LEA to provide information related to whether or not an LEA implemented the plan for actions and expenditures laid out in the prior year LCAP. Changes were made to clarify the language in the annual update table consistent with the changes to the goal</p>

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		<p>The layout of the revised LCAP template suggests that school districts are able to differentiate the expenditures associated with the three different unduplicated pupil subgroups (English learners, low-income and foster youth), this may not be the case for many districtwide expenditures</p> <p>The inclusion of new requirements calling for more information on expenditures fails to recognize that LEAs are allowed to use supplemental and concentration grant funds to “improve or increase services,” since the focus on expenditures is more relevant if a school district increased services. By requiring more detailed expenditures, the LCAP template, in effect, will result in the reporting of dollar amounts, but does not consider the inclusion of qualitative descriptions if the delivery of services is in fact being improved.</p>	<p>table. The LEA may still include descriptions of qualitative changes in reporting on actions to achieve a goal.</p>
54	Valerie Cuevas Interim Executive Director The Education Trust–West	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>See attached suggested Goal Table and Annual Update template from Ed Trust West. The suggested template includes:</p> <p>Changing the orientation of table 2 so that actions, services, and expenditures for unduplicated students are listed separately from and below those for all students, similar to the 2014-15 template.</p> <p>Changing the orientation of table 2 to maintain left to right descriptions of year over year actions and expenditures to avoid repetitiveness.</p> <p>Clarify that all applicable subgroups and affected schools must be addressed separately as necessary. Add language in the</p>	<p>Partially accept: The instructions, tables, and guiding questions in the proposed LCAP template, Section 2, are revised to provide greater clarity and transparency as specified in the responses to comments #49 and #53.</p> <p>The instructions for the proposed LCAP, Section 2, goal table clearly state that goals for all pupil subgroups and school sites must be included, including goals for specific subgroups and school sites as applicable.</p>

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		template boxes to ensure this.	
55	Kimberly Rodriguez, Association of California School Administrators Coalition of LEAs and statewide organizations	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Make the following changes to guiding questions for table 2:</p> <p>2) What are the LEA's goal(s) to address state priorities related to "Pupil Outcomes, <b><u>including improving deficiencies in positive outcomes for numerically significant pupil subgroups, redesignated fluent English proficient students, and unduplicated pupils (i.e., English learners, low-income, and foster youth)</u></b>?"</p> <p>6) What are the unique goals for unduplicated pupils as defined in Education Code sections 42238.01 and <b><u>numerically significant</u></b> subgroups as defined in section 52052 that are different from the LEA's goals for all pupils?</p> <p>7) What are the specific <b><u>expected</u></b> outcomes, metrics, <b><u>and measurable</u></b> changes associated with each of the goals annually and over the term of the LCAP?</p> <p>10) What information was considered/reviewed for <b><u>numerically significant</u></b> subgroups identified in Education Code section 52052?</p> <p>11) What actions/services will be provided to all pupils, to <b><u>numerically significant</u></b> subgroups of pupils identified pursuant</p>	<p>Partially accept: The proposed LCAP, Section 2, guiding question #7, is revised, as follows:</p> <p><b><u>"7) What are the specific predicted expected measurable outcomes/metrics/noticeable changes associated with each of the goals annually and over the term of the LCAP?"</u></b></p> <p>Reject: The phrase "improving deficiencies in positive outcomes" is unclear.</p> <p>Reject: Addition of the term "numerically significant," because the term is already included under the reference to <i>EC</i> section 52052 and in proposed section 15495(j).</p> <p>Reject: Addition of "unduplicated students" is unnecessary because the question identifies and includes "unduplicated students" by</p>

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		<p>to Education Code section 52052, to specific school sites, to <b>unduplicated students</b> (English learners, to low-income pupils, and/or to foster youth) to achieve goals identified in the LCAP?</p> <p>Table 2 emphasizes the amount of funding expended on each pupil subgroup rather than the amount expended on the action/service aligned to the goal. By proposing to tie expenditures to pupil subgroups, the template creates an impossible accounting challenge that cannot be reconciled. For example, an LEA receives supplemental or concentration grant funding based on whether the pupil is either an English learner (EL), low-income (LI), or a foster youth. The LEA receives only one allocation regardless if the pupil is both an EL and LI, hence the term unduplicated. The proposed template indicates expenditures are to be detailed by subgroup and for an unduplicated pupil a dollar may be counted twice, which does not accurately reflect expenditures.</p> <p>See attached suggested goal table from the Association for California School Administrators and the Coalition of statewide organizations and administrators. The proposed table 2 includes the following changes:</p> <p>Amending the 2<sup>nd</sup> heading to read “Expected Annual <b>Measurable</b> Outcomes”</p> <p>Adding the term “numerically significant” to references to subgroups pursuant to Education Code section 52052.</p>	<p>referencing English learners, low-income pupils, and foster youth.</p> <p>Partially accept: The proposed LCAP template, Section 2, goal table is revised as described in response to comments #49 and #53. The revised goal table and “Budgeted Expenditures” instructions make clear that the reporting of expenditures is linked to the described action/service and not separately to each of the subgroups.</p> <p>Accept: The revised LCAP template, Section 2, goal table and annual update table include the term “measurable” as suggested.</p> <p>Reject: The term “numerically significant” is unnecessary as Education Code section 52052 and the definition of “subgroup” in proposed section 15495(j) already describes subgroups as numerically significant.</p>

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		Remove the separate right hand column that details actions and expenditures for unduplicated pupils and instead allow an LEA to check a box indicating which pupil group an action or expenditure applies to.	Partially accept: The instructions, tables, and guiding questions in the proposed LCAP template, Section 2, are revised to provide greater clarity and transparency as specified in the responses to comments #49 and #53.
56	Valerie Chrisman, Associate Superintendent of Educational Services, Ventura County Office of Education	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The detailing of budgeted vs. actual expenditures in the update section is of tremendous concern to districts and reviewers. How are County Offices of Education going to monitor without having to review two budgets now? Change “actual expenditures” to “expenditures”.</p> <p>Guiding questions under number 5 are currently in the wrong order. First, one needs to look at what changes/progress is made and how they compare to what was predicted. Then they would detail the changes which will be made after that review.</p> <p>On guiding question 5: make the following amendments:</p> <p>“5) What changes in actions, services, and expenditures <b>will be have been</b> made as a result of reviewing past progress and/or changes to goals? What changes/progress have been realized and how do these compare to changes/progress predicted? What modifications are being made to the LCAP as a result of this comparison?”</p>	<p>Partially reject: See revisions to the proposed LCAP template, Section 2, annual update table, described in response to comment #64 below.</p> <p>Partially accept: The LCAP template, Section 2, Annual Update Guiding questions are revised as follows: Question #5 is revised, and guiding question #6 is added:</p> <p><u>5. What progress has been achieved toward the goal and expected measurable outcome(s)? How effective were the actions and services in making progress toward the goal? What changes to goals, actions, services, and expenditures are being made in the LCAP as a result of the review of progress and assessment of the effectiveness of the actions and services? What changes in actions, services, and expenditures</u></p>

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			<p><del>will be made as a result of reviewing past progress and/or changes to goals? What changes/progress have been realized and how do these compare to changes/progress predicted? What modifications are being made to the LCAP as a result of this comparison?</del></p> <p><u>6. What differences are there between budgeted expenditures and estimated actual annual expenditures? What were the reasons for any differences?</u></p>
57	Colin Miller, California Charter Schools Association	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Add clarity to the annual update table instructions for charter schools on page 27 as follows:</p> <p>“Annual Update Instructions: For each goal in the prior year LCAP, review the progress toward the expected annual outcome(s) based on, at a minimum, the required metrics pursuant to Education Code sections 52060 and 52066 <b><u>and 47606.5 as applicable.</u></b>”</p>	<p>Reject: The education code references apply to the required metrics, not the annual update requirement, and the required metrics are not directly referenced in section 47606.5, but are applicable to charter schools by reference to section 52060 in sections 47605 and 47605.6.</p>
58	Oscar Cruz, President and CEO, Families in Schools	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>See attached suggested Goal Table and Annual Update template from Families in Schools. The proposed template includes:</p> <p>Amending table 2 and the annual update table to show three</p>	<p>Partially accept: The instructions, tables, and guiding questions in the proposed LCAP template, Section 2, are revised to provide greater clarity and transparency as specified in the responses to comments #49 and #53.</p> <p>Partially reject: The proposed LCAP template,</p>

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		years of expenditures horizontally rather than the proposed vertical alignment. Also add a prior year column to table 2 that shows the expenditures made in the prior year.	Section 2, is revised to provide greater clarity and transparency. Vertical alignment of Goals, Actions and Services, and expenditures would diminish transparency, and readability of the plan.
59	Annie Fox, PICO California Civil Rights Coalition	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template] No specific language requested.</b>  Support annual update table	Letter of support; no response necessary.
60	Cheryl Ingham, Humboldt County LCAP Lead	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b>  See attached suggested Annual Update template from the Humboldt County Office of Education.  The HCOE draft would be duplicated for each goal. Sections (3a, 3B) relating to increases and improvements in services for the required groups (unduplicated count students) would be added after the goals, per suggestions below.  This model is for Annual update but could also be adapted to show three year LCAP scope.  The proposed template includes:  A column and coding structure for an LEA to select and identify codes for each element that a goal applies to. It also includes the identification of object codes for expenditures, notes and coding on whether a goal is maintained, revised, or new, and coded metrics.	Partially Accept: The instructions, tables, and guiding questions in the LCAP template, Section 2, are revised to provide greater clarity and transparency as described in response to comments #49 and #53. The additional structure and coding proposed in this template would take away from this purpose and be more difficult for a reader, such as a parent, to understand.

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61	Leslie DeRose, Board Member, Pajaro Valley Unified School District Niccole Childs, Board President, Hesperia Unified School District Sherri Reusche, Board Member, Calaveras Unified School District California School Board Association	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The subheading on the right side of the annual update table asks for "Actual Action/Services and Related Expenditures." At the time of year in which LEAs will begin their LCAP update review and analysis, they will not have the year-end actuals.</p> <p>Recommend the following change to the subheading to avoid confusion: "<b><u>Projected Year-End</u></b> Action/Services and Related <b><u>Budgeted</u></b> Expenditures".</p>	Partially Accept: The proposed LCAP template, Section 2, annual update table and instructions were revised to provide for reporting of " <b><u>Estimated Actual Annual Expenditures.</u></b> "
62	California School Board Association	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Add the word budgeted to the chart subheading:</p> <p>"Actions/services and Related <b><u>Budgeted</u></b> Expenditures"</p>	Partially accept: See response to comment #64.
63	Wendy Benkert Ed.D. Associate Superintendent of Business Services, Orange County Department of Education.	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Modify the annual update section to focus exclusively on actions and outcomes. LEAs will not have "actual expenditures" at this time, the table represents a shift from outcomes to expenditures, and many metrics will not be available until after this table is completed.</p>	Partially Accept: See response to comment #61.
64	California School Finance Reform Coalition	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>If the recommendation to return to the LCAP template adopted through emergency regulations is not adopted, then recommend the following changes to the annual update section:</p>	Partially accept: See response to comment #61.

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		<p>Amend language in LCAP instructions to note that the report of annual expenditures must be based on the estimates prepared at the time the proportionality calculation is completed as required by section 15496(a)(2).</p> <p>The subheading for the right-hand column of the LCAP annual update template be changed to read: "Projected Year-End Action/Services and Related Estimated Expenditures," and that the column heading that now reads, "Actual Expenditures" be changed to read, "Estimated Year-end Expenditures."</p>	
65	Colin Miller California Charter Schools Association	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The subheading on the right side of the annual update table asks for "Actual Action/Services and Related Expenditures." At the time of year in which LEAs will begin their LCAP update review and analysis, they will not have the year-end actuals. Amend subheadings as follows:</p> <p>Change "actual expenditures" to estimated actual expenditures".</p>	<p>Partially Accept:</p> <p>See response to comment #61.</p>
66	Kimberly Rodriguez, Association of California School Administrators Coalition of Statewide Organizations and LEAs	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Make the following changes to the guiding questions:</p> <p>"5) What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals? What changes/progress have been realized and how do these compare to changes/progress predicted? <del>What</del></p>	<p>Partially accept: The LCAP template, Section 2, guiding questions are revised as follows: Question #5 is revised, and question #6 is added as set forth above in response to comment #56.</p>

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		<p><del>modifications are being made to the LCAP as a result of this comparison?</del> “</p> <p>See attached suggested annual update table from the Association of California School Administrators and Coalition of Statewide organizations and LEAs. The proposed table includes:</p> <p>Changing the headings for the annual update table to read “<i>Budgeted Expenditures for Action/Services.</i>”</p> <p>Add the term “measurable” to headings for outcomes.</p> <p>Remove the separate boxes that details actions and expenditures for unduplicated pupils and instead allow an LEA to check a box indicating which pupil group an action or expenditure applies to.</p>	<p>Partially accept: See changes to the term “actual” in response to comment #61</p> <p>Accept: Amend headings to read “<b><u>Expected Annual Measurable Outcomes</u></b>”, and “<b><u>Actual Annual Measurable Outcomes</u></b>”</p> <p>Partially Accept: The instructions, tables, and guiding questions in the LCAP template, Section 2, are revised to provide greater clarity and transparency as described in response to comments #49 and #53.</p>
67	Cindy Marten, Superintendent, San Diego Unified California School Boards Association	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template] no specific language requested:</b></p> <p>Provide more clarity on the following part of guiding question 5, since it is redundant to the annual update table or remove if unnecessary:</p> <p>“5) What changes in actions, services, and expenditures will be made as a result of reviewing past progress and/or changes to goals? <i>What changes/progress have been realized and how do these compare to changes/progress predicted?</i> What</p>	<p>Partially accept: See response to comment #56.</p>

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		modifications are being made to the LCAP as a result of this comparison? “	
68	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template] no specific language requested:</b>  Annual Update Guiding Question 5: This question needs to be clear that districts are to describe the changes in actions, services, and expenditures <b>at the district and school site level, with attention given to unduplicated pupils</b> that will be made in the LCAP and budget. The phrase “district and school site level and unduplicated pupils” needs to be inserted in order to prompt the reporting of this specified information.	Partially Accept: See response to comment #56.
69	Joshua Schultz, Deputy Superintendent, Napa County Office of Education Peter Birdsall, California County Superintendents Educational Services Association Cindy Marten, Superintendent, San Diego Unified	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b>  Remove “Actual Expenditures” column from the annual update table to shift the focus to outcomes achieved for students and avoid the creation of a financial tracking system similar to categoricals.	Reject: The “Actual Expenditures” column was added to the template to ensure that LEAs are transparent about whether they provided the planned service and expended the funds identified. See also changes made to the term “actual” in response to comment #61.
70	California School Boards Association	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b>  Recommend putting the annual update table before the goals table to align the order in the template with the order in practice.	Reject: The primary focus of the LCAP is goal development and planning; thus the goal table is first.

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71	Brian Lee, State Director Fight Crime, Invest in Kids California	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The LCAP template should explicitly require an explanation of how all LCFF funds, not just Supplemental and Concentration funds, are used, and should also reflect how other district expenditures are used.</p>	Reject: See response to comment #46.
72	Cheryl Ingham, Humboldt County LCAP Lead	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Amend instructions to require statement of dollar amount of Supplemental/Concentration funds only. Delete description of expenditures. Information is available in Action/Budget section (Section 2) and is repetitive in this part.</p>	Reject: This suggested amendment would reduce transparency on the use of supplemental and concentration funds.
73	Brian Lee, State Director Fight Crime, Invest in Kids California	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>The LCAP template should require reporting of how the level of Supplemental and Concentration funding is calculated to ensure that calculation is correct and transparent.</p> <p>The LCAP template should require districts to account for all Supplemental and Concentration funds by reporting which expenditures will be funded using Supplemental and Concentration funds, and which expenditures are districtwide or schoolwide.</p>	<p>Reject: The COE review process must ensure that the LEA has completed the LCAP according to the template and will assess whether this amount is accurately reported. Including the calculation which is based on LEA input would not ensure accuracy or transparency for stakeholders.</p> <p>The instructions for the LCAP template, Section 3A, include directions for the LEA to list and describe the use of supplemental and concentration grant funding and include the required justification for using funds for districtwide or schoolwide services.</p>

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	<b>Name/Agency (Commenter)</b>	<b>Title 5 Regulation Section and Public Comment</b>	<b>Agency Response</b>
74	Vincent Matthews San Jose Superintendent of Schools	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Require a standard table in the LCAP that provides information on calculating the base, supplemental, and concentration grant amounts.</p>	Reject: See response to comment #73.
75	Jackie Thu-Huong Wong, Director Foster Ed, National Center for Youth Law Annie Fox, PICO California	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Require the LEA to include each step of the calculation required by 5 CCR § 15496(a), including specifically identifying all expenditures that are included in the estimate specified in § 15496(a)(2), which of those expenditures will be continued into the current year, and at what level.</p> <p>No specific language requested:</p> <p>Modify the format of Section 3a to make it easier for LEAs to follow the instructions to further promote accessibility of information for stakeholders and transparency around use of supplemental and concentration funding.</p>	<p>Reject: See response to comment #73.</p> <p>Partially Accept: Instructions for Sections 3A and 3B were reorganized to clarify each of the required elements for each section. A separate box in table 3A was added for an LEA to enter the total supplemental and concentration grant funds calculated. A separate box in table 3B was added for an LEA to enter the minimum proportionality percentage.</p>
76	Debra Brown, Associate Director, Children Now Civil Rights Coalition Cynthia Rice, CRLA Shelly Spiegel Coleman,	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Further modify Section 3.A of the LCAP template to assist LEAs and promote accessibility and transparency by providing discrete</p>	Partially Accept: See response to #75

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	<p>Californians Together Jan Gustafson Corea, California Association for Bilingual Education</p>	<p>prompts in which LEAs would report all of the information required in the instructions: (a) the total supplemental and concentration amount; (b) a description of how supplemental and concentration funding will used, (c) space to specifically identify each use of funds for districtwide and schoolwide purposes with space for the appropriate justification (with each required component of the justification).</p> <p>See attached suggested sections 3a and 3b from Children Now and the Civil Rights Coalition:</p> <p>Proposed 3a sections includes:</p> <p>A calculation table for the supplemental and concentration grants and minimum proportionality percentage that includes boxes to be completed for each of the steps in Section 15496(a).</p> <p>An additional table that requires the top 10 actions/expenditures for the prior year.</p> <p>Amending Section 3A instructions as follows:</p> <p>A. Identify the amount of funds in the LCAP year calculated on the basis of the number and concentration of low income, foster youth, and English learner pupils, <b><u>and the year-to-year increase in these funds,</u></b> as determined pursuant to 5 CCR 15496(a)(5). <b><u>Complete Attachment 1 to reflect the basis for this calculation.</u></b> Describe how the LEA is expending these funds in the LCAP year, <b>focusing on new or expanded uses of these funds.</b> <del>Include a description of, and justification for, the</del> <b><u>For any</u></b></p>	<p>Partially Accept: See <b>comment 75</b></p>

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		<p>use of any <u>these</u> funds in a districtwide, schoolwide, countywide, or charterwide manner, <u>include a description of each such use, and justification for how such use is principally directed towards and effective in meeting the LEA's goals for unduplicated pupils</u>, as specified in 5 CCR 15496. <u>Add additional rows to the table as necessary.</u> For school districts with below 55 percent of enrollment of unduplicated pupils in the district or below 40 percent of enrollment of unduplicated pupils at a school site in the LCAP year, when using supplemental and concentration funds in a districtwide or schoolwide manner, the school district must additionally describe how the services provided are the most effective use of funds to meet the district's goals for unduplicated pupils in the state priority areas. (See 5 CCR 15496(b) for guidance.)</p> <p>Including tables with specific boxes that require separate detail of new services as compared to the prior year, and justification of schoolwide/districtwide expenditures.</p> <p>Amend Section 3B instructions to require the completion of the calculation table.</p>	
77	Debra Brown, Associate Director, Children Now Civil Rights Coalition Valerie Cuevas Interim Executive Director The Education Trust–West	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b></p> <p>Specifically, the LCAP template should be further modified to ensure that LEAs: (1) set forth their 7-step calculation of the LEA's supplemental and concentration funding and proportionality</p>	Reject: See response to #73.

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	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	percentage pursuant to 5 CCR § 15496(a) in an appendix (delineating in Step 2 the basis for its prior year unduplicated expenditures, including a listing of included programs and their dollar amounts); and (2) identify which continued prior year actions or services and which newly added actions or services are specifically funded by supplemental and concentration funds, and at what level (with actual dollar amounts).  See attached proposed appendix from Children Now and the Civil Rights coalition. The appendix includes boxes for each of the steps of the calculation required in regulations.	
78	Cheryl Ingham, Humboldt County LCAP Lead	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template]:</b>  Change prompt. Ask for minimum proportionality percentage (MPP) only for numerical “increases.” For “improvements,” request LEA provide a description of programs and services it will be strategically implementing to improve outcomes for each identified group; SED, EL, FY, RFEP. This section could be the go-to section to review district plans for “unduplicated count students” by also adding, reasons for choosing the approaches LEA selects and information on how impact will be tracked. This would keep the focus on evidence LEA is providing support to students who generated Supplemental/Concentration funds, not a contrived percent.	Reject: LCFF statute specifically requires that an LEA: “increase or improve services in proportion to the increase in funds”. The minimum proportionality percentage must be applied to both quantitative and qualitative descriptions of the provision of services.
79	Cheryl Ingham, Humboldt County LCAP Lead	<b>15497.5 [Local Control and Accountability Plan and Annual Update Template]/ No specific language requested:</b>  Need examples from CDE/SBE on what is an acceptable qualitative description of meeting the proportionality description.	Reject: Providing these examples is outside of the scope of regulations.

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80	Debra Brown, Associate Director, Children Now	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]/ No specific language requested:</b></p> <p>Amend the definition to ensure clarity as follows:</p> <p>(a) “Chronic absenteeism rate” shall be calculated as follows:</p> <p>(1) The number of pupils with a primary, secondary, or short-term enrollment during the academic year (July 1 – June 30) who are chronically absent where “chronic absentee” means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught in the total number of days the pupil is enrolled and school was actually taught in the regular day schools of the district, exclusive of Saturdays and Sundays.</p> <p>(2) The unduplicated count of <b>all</b> pupils (in the group or subgroup being measured) with a primary, secondary, or short-term enrollment <b>“in the group or subgroup being measured”</b> during the academic year (July 1 – June 30).</p> <p>(3) Divide (1) by (2).</p>	<p>Reject: Proposed change in language is unnecessary. The current definition does not prohibit an LEA from calculating a chronic absenteeism rate for any subgroup.</p>
81	Eric Premack, Charter Schools Development Center	<p><b>15497.5 [Local Control and Accountability Plan and Annual Update Template]/ No specific language requested:</b></p> <p>The new definitions for chronic absenteeism and especially dropout rates are unnecessarily restrictive and may yield misleading results. The definition of absenteeism calls for basing the calculation on the number of days school is taught in the district, which could be problematic for county and/or charter schools. It also calls for excluding Saturdays and Sundays which may also be misleading for schools that teach on these days. The</p>	<p>Reject: LEAs may include additional locally-identified metrics to further explain and detail their LCAP narrative. An LEA may include narrative that provides a basis for the results of the metrics, and this may be especially helpful for those LEAs with unique programs or student populations.</p>

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		high school dropout rate methodology is unnecessarily narrow by excluding students who pursue nontraditional options (e.g., GED and is successor), who require more than four years to graduate due to child-rearing or other responsibilities, etc.	
82	Maria Raouf Annie Fox, PICO California	<b>New Regulation/ No specific language requested:</b>  Ensure meaningful engagement of the SSCs and ELACS in the development and alignment of LCAPS and site level plans and budgets.	Reject: Statute does not specify that ELACs are the designated English learner parent advisory committee, although they may be used as such. The LCAP instructions already require that “To facilitate alignment between the LCAP and school plans, the LCAP shall identify and incorporate school-specific goals related to the state and local priorities from the school plans submitted pursuant to Education Code section 64001. Furthermore, the LCAP should be shared with, and input requested from, school site-level advisory groups, as applicable (e.g., school site councils, English Learner Advisory Councils, pupil advisory groups, etc.) to facilitate alignment between school-site and district-level goals and actions.”
83	Ron Rapp, California Federation of Teachers	<b>New Regulation/ No specific language requested:</b>  School personnel and local bargaining units must be involved throughout the planning, development and annual review of these plans.	Reject: This commenter does not provide specific language recommendations. However, the instructions for completing an LCAP in statute and reflected in the proposed LCAP template require consultation of school personnel and local bargaining units.
84	John Lorona	<b>New Regulation/ No specific language requested:</b>  Continue to improve the LCFF regulations in order to ensure that	This commenter makes no specific language recommendations. However, in response to

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		all stakeholders and the public can understand how all supplemental and concentration funds are being used, and provide greater transparency around how districts are calculating funds intended to improve or increase services for high-need students.	the general comment, the proposed LCAP template is revised to provide greater transparency.
85	Vincent Matthews San Jose Superintendent of Schools	<b>New Regulation/ No specific language requested:</b>  Provide translated versions of the LCAP template in the top 10 most prevalent languages in California.	Reject: Translation of the regulations is not in the scope of regulations. The 2014-15 LCAP template is provided translated into Spanish on the WestEd website
86	Vincent Matthews San Jose Superintendent of Schools	<b>New Regulation/ No specific language requested:</b>  Include a summary at the beginning of the LCAP to share LEA information, data, and context for the LCAP.	Reject: LEAs have the option to provide summaries of their adopted LCAP as they determine are appropriate to their local circumstances and needs.
87	Vincent Matthews San Jose Superintendent of Schools	<b>New Regulation/ No specific language requested:</b>  Use an excel document template for LCAP tables to allow for ease of inputting information.	Reject: CDE continues to work on the development of an electronic template that will provide additional flexibility in format of the LCAP and greater ease of use.
88	Vincent Matthews San Jose Superintendent of Schools	<b>New Regulation No specific language requested:</b>  Provide examples of well-constructed LCAPs and sections of LCAPs.	Reject: The proposed LCAP template was revised as set forth in response to comments #49 and #53. Providing these examples is outside the scope of regulations.
89	Cindy Marten, Superintendent, San Diego Unified	<b>New Regulation No specific language requested:</b>  See attached user friendly LCAP from San Diego Unified to inform amendments to the LCAP.	Reject: Proposed LCAP template is revised as described in response to comments #49 and #53.
90	Kent Kern, Superintendent San Juan Unified	<b>New Regulation/ No specific language requested:</b>	

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		General support for the new template format. General concern over addition of any language that reduces local control or restricts use of funds. Emphasis in LCAP template should be changed to be more on achievement of student outcomes and less on dollars spent.	General letter of support. See response to comments #49 and #53.
91	Cindy Marten, Superintendent, San Diego Unified	<b>New Regulation/ No specific language requested:</b>  Accelerate the development of the evaluation rubric to during the 2014-15 year.	Reject: Beyond the scope of this rulemaking.
92	Cynthia Rice, CRLA Shelly Spiegel Coleman, Californians Together Jan Gustafson Corea, California Association for Bilingual Education	<b>New Regulation/ No specific language requested:</b>  In the “guidance” that will be sent to school districts and COEs on the regulations by CDE/SBE, a statement should be included that school districts and COEs are encouraged to maintain their school site EL parent advisory committees.	Reject: Beyond the scope of statute
93	Senator Wyland	<b>New Regulation/ No specific language requested:</b>  In the absence of reliable Smarter Balance test results, standardized testing should be defined more specifically to include other well-known diagnostic standardized tests.	No specific language requested. LEAs may determine usage of standardized tests, including diagnostic assessments, as appropriate to locally determined pupil needs and outcomes.

**LATE COMMENTS RECEIVED**

94	Taryn Ishida, <ul style="list-style-type: none"> <li>• Letters from Student Voice Coalition</li> <li>• Student Voice Support</li> <li>• Steven Bradford, Assemblymember</li> <li>• Holly Mitchell, Senator</li> </ul>	Additional steps need to be taken to ensure districts seek meaningful student input.	No response required. Received after the closed comment period.
95	Molly Dunn, Alliance for	Ensure Foster Youth representation on Parent Advisory	No response required. Received after the

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	Children's Rights	Committee.	closed comment period.
96	Bruce Braciszewski, Classroom of the Future Foundation	Please give very serious consideration to including Science content as a focus within LCAP.	No response required. Received after the closed comment period.
97	Jackie Wong, National Center for Youth Law	Retain "Principally"; Ensure Foster Youth representation on Parent Advisory Committee.; Ensure Transparency for Calculation of Prior Year Expenditures and Current Year Supplemental/Concentration Funding.	No response required. Received after the closed comment period.
98	Carol Fry Bohlin	Include Science content as a focus within LCAP.	No response required. Received after the closed comment period.