California Department of Education

Executive Office

SBE-002 (REV. 11/2017)

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# MEMORANDUM

**DATE:** August 20, 2021

**TO:** MEMBERS, California Practitioners Advisory Group

**FROM:** STAFF, California Department of Education

**SUBJECT:** Information Item Related to revisions to the Local Control and Accountability Plan required by Assembly Bill 130 and California Education Code sections 52064(e)(5) and (6).

## Summary of Key Issues

Senate Bill 98 and Assembly Bill 130 amended California *Education Code* (*EC*) Section 52064 to require specific revisions of the Local Control and Accountability Plan and Annual Update (LCAP) template and instructions. The revised LCAP template and instructions will be in effect for the 2022–23 LCAP year. Additionally, Section 124 of AB 130 requires the State Board of Education (SBE) to adopt a one-time supplement template to the Annual Update to the 2021–22 LCAP (Supplement) on or before November 30, 2021. Subsection (e)(1) of Section 124 of AB 130 requires local educational agencies (LEAs) to use the Supplement to present an update on the Annual Update to the 2021–22 LCAP and Budget Overview for Parents on or before February 28, 2022, at a regularly scheduled meeting of the governing board or body of the LEA. This item provides updates on the proposed prototypes for both the revised LCAP template and instructions and the Supplement.

The statutory deadline for adoption of the revised LCAP template and instructions is January 2022. However, the desire is to receive feedback on the draft LCAP template and instructions from the SBE at its September 2021 meeting and then request adoption of the new LCAP template by the SBE at its November 2021 meeting. This timeline corresponds with the required adoption date of the Supplement, will afford LEAs more time to become familiar with the new requirements and ensure the California Department of Education (CDE) can provide comprehensive guidance and support related to these requirements.

Consistent with the statutory requirements, the prototypes themselves do not include technical terminology or detailed prompts. The instructions for both the LCAP and the Supplement include more technical directions and guidance for completing the LCAP and the Supplement. Staff will revise the templates and instructions based on SBE feedback and the revised draft templates and instructions will then be provided for additional stakeholder feedback. Stakeholder feedback will be incorporated into staff’s recommendation that the SBE approve the final LCAP template and instructions at the November 2021 SBE meeting.

## **Summary of Requirements**

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

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

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

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

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

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

In addition to the requirements of SB 98 and AB 130, the CDE has received feedback from some Native American communities that they find the use of the term “stakeholder” offensive, as it connotates the practice of “staking a claim” to land. As such, use of the term “stakeholder” in the LCAP template and instructions has created a barrier to engagement for some Native American communities. To remove this barrier, the CDE is recommending that, throughout the LCAP template and instructions, the term “stakeholder” be replaced with a like term that encompasses the stakeholder groups that LEAs are required to engage with in developing the LCAP, pursuant to *EC* sections 52060(g), 52066(g), and 47606.5.

Aside from the recommendation to replace the term “stakeholder” to remove barriers to engagement, the CDE is not recommending, nor considering, any revisions to the LCAP template and instructions outside of those required by SB 98 and AB 130.

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

## Attachment(s)

* Attachment 1: Summary of Required Revisions to the Local Control and Accountability Plan and Annual Update Template and Instructions and Requirements for the Supplement to the Annual Update to the 2021–22 Local Control and Accountability Plan (5 pages)
* Attachment 2: Current Local Control and Accountability Plan and Annual Update Template and Instructions (26 pages)
* Attachment 3: Proposed Revisions to the Local Control and Accountability Plan and Annual Update Template and Instructions (29 pages)
* Attachment 4: Proposed Prototype of the Template and Instructions for the Supplement to the Annual Update to the 2021-22 LCAP (5 pages)