



May 22, 2014

Dear County and District Superintendents:

As organizations committed to strengthening our public school system to provide all children a meaningful opportunity to learn, we are working to ensure that the foundational principles of the Local Control Funding Formula (LCFF) are reflected in the Local Control Accountability Plans (LCAPs) that local educational agencies (LEAs) are developing. We write to advise you of resources that we and our partners have developed to assist parents, students, community members, and LEA staff and boards in developing their initial LCAPs and to highlight several critical legal requirements that all LEAs should be conscious of when finalizing their LCAPs.

Resources to Assist LEAs in Developing and Finalizing Their Initial LCAPs. We and our partners have created a number of resources identifying best practices and summarizing the legal requirements for LCAPs that we wanted to highlight:

- A broad coalition of parent, student, community organizing, and advocacy organizations recently released a document highlighting best practices for engaging parents in the development of LCAPs that can be accessed [here](#).
- Additional resources addressing best practices for school climate and the minimum legal requirements for stakeholder engagement and expenditure of supplemental and concentration funding can be accessed [here](#) or [here](#).

Legal Requirements that LEAs Should Review as They Finalize Their Proposed LCAPs. We understand that this is the first time that LEAs are developing their LCAPs and that many aspects of LEA-level implementation have evolved in real-time as the State Board of Education finalized the emergency regulations and the LCAP template earlier this year. We also appreciate that some draft documents that have been released are early drafts and that LEAs are continuing to develop, refine, and flesh out their proposed LCAPs.

Nonetheless, to ensure that initial LCAPs comply with basic legal requirements, we want to highlight a few issues based on our review of draft LCAPs that have been released to date.

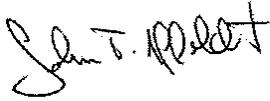
- **LCAPs must address each statutorily identified element of each state priority.** LCAPs must include goals and specific actions for *each* statutorily required element of *each* state priority area. *See* 5 CCR 15497 (“LEAs must, at minimum, use the specific metrics that [the] statute explicitly references as required elements for measuring progress within a particular state priority area.”). As one example, Priority 1 (Basics) includes three distinct statutory elements derived from the *Williams* standards: (1) qualified teachers (vacancies and misassignments); (2) sufficient instructional materials; and (3) school facilities in good repair. The LCAP must include goals and specific actions that address *each* statutory element, for this and every state priority area. Additional information about this requirement is available through resources created by [CSBA](#), [CCSESA](#) (see pages 23-24 & 30), and [CDE](#).

- **Legal requirements for stakeholder engagement.** There also appears to be confusion over the minimum legal requirements for stakeholder engagement in developing the LCAP, particularly the requirements for involving parents and students in developing the LCAP. [CSBA](#) and [CCSESA](#) (see pages 19-21) have created resources addressing this issue, and a coalition of organizations created a document detailing the minimum requirements for involving parents, students, and other stakeholders in the process that can be accessed [here](#) or [here](#). We encourage LEAs to evaluate their stakeholder engagement efforts now to determine whether they will be able to demonstrate in Section 1 of their LCAPs that they have addressed each of these legal requirements and explain the role that stakeholders played in shaping the final LCAP.
- **LEAs must identify and justify *each* schoolwide and LEA-wide use of supplemental and concentration funding in the LCAP.** The LCAP template specifies that districts must describe in Section 3.C “the use of any funds in a districtwide, schoolwide, countywide, or charterwide manner” and justify each such use “as specified in 5 CCR 15496.” LEAs must therefore list *each* schoolwide or LEA-wide use of supplemental and concentration funding and explain how each is “directed towards meeting the district’s goals for its unduplicated pupils in the state priority areas,” 5 CCR 15496(b)(1)(B). For districts below 55% unduplicated pupil enrollment or schools below 40%, the justification must also explain why the proposed use is the “most effective use of funds” to meet unduplicated pupil goals.
- **LCAP must reflect specific uses of supplemental and concentration funding set aside for schools to spend.** A number of LEAs have proposed “pushing down” a portion of supplemental and concentration funding to schools. Letting school sites decide how to spend supplemental and concentration funding is consistent with LCFF’s principles. LEAs must, however, ensure that they follow the regulations and LCAP template if they push funding down to school sites:
 - LEAs must have a mechanism in place to ensure that the discretionary school-level expenditures “are directed towards meeting the [LEA’s] goals for unduplicated pupils.” 5 CCR 15496(b).
 - As noted above, the LEA must separately list and justify *each* schoolwide use of supplemental and concentration funding in Section 3.C, so the LEA must have a process in place to capture any schoolwide use of such funds in its LCAP, whether in the body of Section 3.C or as an appendix.¹
- **The final LCAP must be approved at the same meeting where the board adopts the LEA budget.** As both [CSBA](#) and [CCSESA](#) (see page 21) have advised, the statute requires that the board to adopt the LCAP at “the same meeting as that during which the governing board . . . adopts a budget.” EC 52062(b)(2). LEAs should assure that their timeline for adopting the LCAP aligns with the timeline for adopting the budget.

As LCAPs are developed and presented to local boards for adoption in the coming weeks, we hope that the resources identified above are helpful, and we encourage you to be particularly conscious of the issues that we have outlined. We will be monitoring both the process for developing LCAPs and the ultimate content of LCAPs and look forward to working with LEAs to ensure that implementation of LCFF results in improved educational outcomes for all of our children. If you have any questions, please do not hesitate to contact us.

¹ Indeed, during annual updates, the LCAP template requires that districts assess “progress made . . . based on an identified metric” to determine whether “any changes to actions” are warranted. If school-specific actions are not reflected in the LCAP, the LEA will be unable to review progress and adjust the actions, if necessary.

Respectfully,



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