

LCFF Regulations and LCAP Template Update

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The proposed changes to the draft LCFF expenditure regulations and LCAP Template adopted by the SBE at its July 2014 meeting 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.

For the September State Board of Education meeting, CDE staff is recommending that the SBE adopt the proposed changes to the permanent regulations and direct the CDE to circulate the changes for a second 15-day public comment period. Changes to the proposed permanent regulations were 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.

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.

The SBE will also be approving the readopt of the emergency regulations for a second-90 extension (Agenda Item 15 – SBE September 2014).

Key changes proposed for the LCFF expenditure regulations are:

- 1) 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

The “Consult with pupils” language now read as follows:

(a) “Consult with pupils,” as used in Education Code sections 52060, 52066, and 47606.5, 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. This process may include surveys of pupils, forums with pupils, pupil advisory committees, or meetings with pupil government bodies or other groups representing pupils.

- 2) Inclusion in Title 5, *California Code of Regulations (5 CCR)*, Section 15495, subdivision (e), of a definition of “parents.”

The definition of “parents” reads as follows:

(e) “Parents” means the natural or adoptive parents, legal guardians, or other persons holding the right to make educational 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.

The revised “parent advisory committee” definition reads as follows:

(f)(e) “Parent advisory committee,” as used in Education Code sections 52063 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 ~~ef~~ 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.

- 3) Under section 15496 of the code of regulations, the regulations will retain the reference to “principally”. The regulations as proposed would require LEAs to describe in the LCAP how such districtwide and schoolwide services are “principally” directed towards, and ‘are effective in,” meeting the district’s goals for it unduplicated pupils in state priority areas.

Key changes to the proposed LCAP 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 LCAP template are redesigns in response to public comment and in response to questions from the field as practitioners developed the 2014–15 LCAP.

It is believed that 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.

Below for your reference is the proposed LCFF regulations and LCAP template that will be addressed at the September SBE meeting.