



June 21, 2022

The Honorable Patrick O'Donnell
1021 O Street, Suite 4510
Sacramento, CA 95814

Position: **OPPOSE** (as amended – June 20, 2022)
Assembly Committee on Education

Re: SB 3 (Caballero) — Education finance: local control and accountability plan portal.

Dear Chair O'Donnell,

On behalf of the local educational agencies (LEAs) and statewide education organizations signed below, we write to express our opposition to Senate Bill (SB) 3. While we share the author's goals for the success of the Local Control Funding Formula (LCFF), we do not believe that the proposed legislation is needed to achieve the fundamental goal of this bill: to increase fiscal transparency and accountability.

As a coalition, we find SB 3 to be duplicative of multiple new efforts already underway to improve fiscal transparency, accountability, and in-depth analysis within the Local Control and Accountability Plan (LCAP) and contradictory of the purpose of the LCAP, which is rooted in California's accountability system that is based on capacity building and local control.

1. New efforts are already underway to provide a greater level of fiscal transparency and accountability in the LCAP; SB 3 undermines those efforts.

As the educational leaders who are closest to the work of the LCAP, we believe that the fundamental goal of SB 3 is already being addressed in the current LCAP development process and LCAP template. Specifically, Local Educational Agencies (LEAs) must document how they are implementing, and not just planning to meet, the full proportionality obligation to increase or improve services for unduplicated pupils over and above the level of services provided to all students.

A key statewide initiative that is already underway is the ongoing development of the LCAP eTemplate and LCAP ePortal.

The Budget Act of 2020 (SB 98, Ch. 24, Stats. 2020) allocated/authorized funding for the San Joaquin County Office of Education (SJCOE) to begin development of the LCAP ePortal. The purpose of these funds was to support the further alignment of the Dashboard, School Accountability Report Card (SARC), and the existing LCAP eTemplate. As a result of these funds, SJCOE is already developing a database and data entry tool for the LCAP eTemplate that will allow policymakers to analyze actions and expenditures and progress on metrics included within LCAPs. Additionally, this funding was intended to ensure that users of the California School Dashboard can readily access the information contained in locally adopted SARCs. SJCOE is set to complete this work by July 2023.

To ensure that the LCAP ePortal is developed in a manner that provides alignment and meets the unique needs of local communities throughout the state, SB 98, Section 116 allocated funds to SJCOE to hire a contractor to conduct robust stakeholder engagement sessions. You can view the request for proposals for this contractor at: <https://sjcoe.org/rfp/>. Feedback from the stakeholder input sessions has informed the design and functionality of the LCAP eTemplate system and the database connected to that system. This includes a potential query tool that would provide opportunities to display or create reports based on information contained in the database. The complete stakeholder engagement report can be found [here](#).

We are concerned that the requirements proposed in SB 3 would create an additional burden of data input and submission of LCAPs. SB 3 intends to “allow comprehensive analysis by policymakers of actions, expenditures, and progress on metrics included within local control and accountability plans adopted by local educational agencies.” According to the proposed amendments as stated in *Education Code* Section 42238.08(c), commencing September 1, 2024, each LEA would be required to annually,

“[T]ransfer quantitative and nonquantitative data from their local control and accountability plans and annual updates, once their local control and accountability plans have been approved, to the department using methods determined by the department in accordance with subdivision (b).”

This part of the statute is concerning because LEAs are already required to make their LCAPs and annual updates publicly available. *Education Code* Section 52065 requires each LEA to submit LCAPs to their county office of education or the California Department of Education and “prominently post on the homepage of [their] internet website any LCAP approved by their local [or] county governing board and with any updates or revisions to the LCAP approved by their local [or] county governing board.” Therefore, the “quantitative and nonquantitative data” from each LEA’s LCAP is already required to be prominently and publicly posted online. There is nothing that prohibits members of the public from viewing LCAPs and comparing their “quantitative and nonquantitative data.” In fact, LEAs and communities already do this analysis as a part of their annual LCAP development process.

To require all LEAs to input their LCAPs in one system, regardless of their local LCAP reporting process¹, with statewide oversight contradicts the premise of local control and would

¹ Any required statewide LCAP portal should accommodate local processes already in place for submitting LCAPs. For example, some LEAs use the state eTemplate system, others use an online platform created by their county office, many use a third-party vendor, and some complete the template in Microsoft Word.

impose an additional, unnecessary workload on LEAs. This is especially the case for the more than 500 small and rural school districts who are already experiencing capacity challenges primarily due to staffing shortages.

Also, SB 3 suggests that the proposed portal would identify best practices and effective actions to inform LEAs' continuous improvement efforts. We strongly agree with the practice of learning from others' success; however, we do not see how the mechanics of SB 3 would result in this outcome. To achieve this goal, the portal would need to include artificial intelligence that would filter and sort best practices. Additionally, the evaluation of what is a "best" practice varies from one community to the next. The LCAP development process is not a "one-size-fits-all" approach and therefore, a statewide comparison of actions requires individual study with the local context of a specific community in mind.

At a time when our focus should be on communication with and service to our students, families, staff and communities, SB 3 would force LEAs to make data collection and submission our top priority.

New requirements in the 2022-23 LCAP will increase fiscal transparency and accountability.

The Budget Act of 2021 (AB 130, Ch. 44, Stats. 2021) established new requirements for LEAs to calculate carryover of their supplemental and concentration (S&C) grant funds annually in their LCAPs and added to California Education Code (EC) Sections 42238.07 and 52064. These new requirements to calculate carryover were established in direct response to and support of the underlying goals of AB 1835 (Weber, 2020). All LEAs must document the actions and services that were implemented and compare them to their proportionality obligation to show how they are implementing, and not just planning to meet, their full proportionality obligation to increase or improve services for unduplicated pupils over and above the level of services provided to all students. EC Section 42238.07 also establishes that any shortfall between the implemented level of actions and services and the proportionality obligation be carried over into the future year to serve their unduplicated student groups. These changes to the LCAP template were adopted by the State Board of Education in November 2021 and are reflected in the current 2022–23 LCAP Template in the Increased or Improved Services section, Contributing Actions Annual Update Table, and the new LCFF Carryover Table, which can be found at: <https://www.cde.ca.gov/re/lc/>. The requirement to calculate carryover and the changes made to the LCAP template contributed to the California State Auditor's decision to remove K-12 Local Control Funding from High-Risk Status.

The 2022-23 LCAP will be the first time that LEAs apply these new requirements to increase fiscal transparency regarding the types of services an LEA is investing in to meet its minimum proportionality percentage. SB 3 prematurely assumes that issues will continue to arise from the LCAP template when LEAs have yet to fully utilize the new template.

2. SB 3 contradicts the purpose of the LCAP, which is rooted in California's accountability system that is based on capacity building and local control.

SB 3 conflicts with the purpose of the LCAP, which is to serve as a central local planning and strategy document for individual LEAs and is intended to be read as a document that outlines the

LEA's plan to improve student outcomes. Goals and actions included in the LCAP are determined through a robust process that includes engagement with local educational partners. The beauty of the LCAP is that it allows for more local control by allowing for the local communities to address, measure and evaluate the effectiveness of their continuous improvement efforts to improve outcomes for their targeted student groups. This process is required to be described in the LCAP, and it is critical to ensuring that investments and priorities are tailored to the identified needs of students in that LEA, the educators that serve them, and the local communities that support them. We cannot emphasize enough the importance of recognizing the local context in which LCAPs are developed and adopted. Furthermore, SB 3 intends for "state level oversight" of the LCAP process. This is in direct contradiction to the essence of local control where educational partners and families are considering the nuances of their communities and assessing the effectiveness of the decisions they make for their students and children.

In the new LCAP template, which takes effect for the 2022-23 fiscal year, LEAs report how they are meeting their Minimum Proportionality Percentage. The requirement to calculate carryover of S&C funds described in the previous section ensures that services are provided to the targeted students as required by statute. The current requirements in the LCAP provide LEAs with opportunities to describe actions and services, which align with locally identified areas of improvement while still accounting for their actions to improve outcomes for all their students, in particular students who are low-income, Foster Youth, and/or English learners. These requirements ensure that LEAs are focused on the outputs—student outcomes—rather than on the fiscal inputs. We are deeply concerned that SB 3 would push California's accountability system back into the compliance-driven practices that we all dealt with through No Child Left Behind (NCLB), which were not effective for students.

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As California's schools emerge from the pandemic, it is clear that the challenges confronting our students are even greater than before. Schools must work with their students, families, and communities on the best strategies for closing achievement gaps exacerbated by school closures and other public health requirements, and the need to provide a positive learning environment and school climate for all students. It is entirely appropriate to question whether the LCFF can be improved in a manner that benefits California students with the greatest needs, as none of us would suggest that the LCFF as it stands today represents a perfect approach to school funding and accountability.

We commit to working with you and others on means to achieve those improvements. However, we do not believe that SB 3 is the solution, for the reasons outlined above. We believe the latest updates to the LCAP template and existing requirements for the LCAP process fulfill the stated goals of this bill. Time must be given to gauge the effectiveness of the recent improvements to the LCAP template, rather than seeking additional changes at this time.

For the reasons above, this coalition of educational leaders are opposed to SB 3 and urge your committee to not hear this bill.

Should you have any questions about our letter, please feel free to contact Lindsay Tornatore, representing the California County Superintendents Educational Services Association

(ltornatore@ccsesa.org), and Diana Vu, representing the Association of California School Administrators (dvu@acsa.org).

Sincerely,



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