
SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

Bill No: AB 716 **Hearing Date:** June 20, 2018
Author: O'Donnell
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Urgency: No **Fiscal:** Yes
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Subject: Public elementary and secondary schools: consolidated applications for funding: school plans for student achievement: schoolsite councils.

SUMMARY

This bill revises and recasts provisions relating to the consolidated application, the Single Plan for Student Achievement, and schoolsite councils, and repeals the School-Based Program Coordination Act, to account for implementation of the local control funding formula and the federal Every Student Succeeds Act.

BACKGROUND

Existing law:

- 1) Authorizes the School-Based Program Coordination Act, which prior to the implementation of the Local Control Funding Formula (LCFF) in 2013, gave school districts flexibility over the use of specified school-based coordinated categorical program funds in exchange for meeting specified requirements. As part of these requirements, participating school districts were required to establish a schoolsite council. The schoolsite councils were required, among other things, to develop a plan made up of specific criteria including, curricula, instructional strategies, and materials that address the individual needs and learning styles of each pupil, instructional and auxiliary services to meet the special needs of certain pupil populations, a staff development program for teachers, other school personnel, paraprofessionals, and volunteers, and the proposed expenditures of funds available to the school, as specified. While the School-Based Program Coordination Act is effectively no longer operative due to the implementation of the LCFF, school districts are still authorized, but not required, to establish and/or operate schoolsite councils. (Education Code § 52850, et seq.)
- 2) Requires each school district that elects to apply for specified categorical state and federal funds to submit to the California Department of Education, for approval by the State Board of Education a single consolidated application for approval or continuance of those state and federal categorical programs. (EC § 64000)
- 3) Notwithstanding any other provision of law, as a condition of receiving state funding for a categorical program pursuant to the consolidated application, requires school districts to ensure that each school in a district consolidates any plans that are required by those programs into a single plan, authorizes schools

to consolidate any plans that are required by federal programs subject to the consolidate application into this plan, unless otherwise prohibited by federal law, and specifies that the plan shall be known as the Single Plan for Pupil Achievement or may be referred to as the Single Plan for Student Achievement. (EC § 64001)

ANALYSIS

This bill revises and recasts provisions relating to the consolidated application, the Single Plan for Student Achievement, and schoolsite councils to account for implementation of the local control funding formula and the federal Every Student Succeeds Act. Specifically, this bill:

- 1) Makes the following revisions to the consolidated application:
 - a) Deletes the list of state categorical programs funded by the consolidated application.
 - b) Defines local educational agency, for purposes of the consolidated application, to mean a county office of education, school district, or charter school.
 - c) Specifies that the consolidated application shall apply for funds for the following programs:
 - i) Federal funds provided to the state through the federal Elementary and Secondary Education Act of 1965 (ESEA), as amended by the federal Every Student Succeeds Act (ESSA). These funds exclude those congressional acts funded other than ESEA or ESSA that are provided through federal acts or grants separate from ESEA or ESSA and those ESSA funds that are allocated separately from the consolidated application process.
 - ii) State categorical programs that are not funded through the local control funding formula. Carryover funds from state categorical programs that have a sunset under their own provisions, including economic impact aid.
 - d) Requires the consolidated application to include annual certifications by the school district English learner parent advisory committee that the application was developed with the review and advice of that committee.
- 2) Makes the following revisions to the Single Plan for Student Achievement:
 - a) Renames the plan the School Plan for Student Achievement (SPSA).
 - b) Requires a local educational agency to ensure, in the consolidated application, that SPSA were developed with the review, certification, and advice of the school English learner advisory committee, if required.

- c) Requires the Superintendent of Public Instruction to monitor onsite school and district compliance review of the categorical programs and develop monitoring instruments for that purpose.
- d) Authorizes a complaint that a local educational agency has not complied with the requires of the consolidated application, the Single Plan for Student Achievement (SPSA), or schoolsite council requirements to be filed with the local educational agency pursuant to the Uniform Complaint Procedures.
- e) Notwithstanding any other law, requires the schoolsite council to develop the content of the SPSA, which shall be consistent with the local control and accountability plan goals and federal planning requirements for improving student achievement.
- f) Requires the development of the SPSA to include both of the following actions:
 - i) Administration of a comprehensive needs assessment pursuant to the federal Every Student Succeeds Act that forms the basis of the school's goals contained in the SPSA. The comprehensive needs assessment shall include an analysis of verifiable state data, consistent with all eight state priorities, and informed by all federal accountability indicators, including student performance against state-determined long-term goals. To the extent that the plan is required by the local governing board or body only, the local governing board or body may determine the extent to which the needs assessment is applicable.
 - ii) Identification of the process for evaluating and monitoring the implementation of the SPSA and progress towards accomplishing the goals set forth in the SPSA.
- g) Requires the SPSA shall include all of the following:
 - i) Goals set to improve pupil outcomes, including addressing the needs of pupil groups as identified through the needs assessment, which shall be consistent with the local control and accountability plan (LCAP) of the local educational agency and annual updates to the LCAP.
 - ii) Evidence-based strategies, actions, or services.
 - iii) Proposed expenditures to address the findings of the needs assessment consistent with the state priorities, including identifying resource inequities, which may include a review of the local educational agency's budgeting and school-level budgeting, if applicable.

- h) Authorizes Single Plan for Student Achievement (SPSAs) to serve as school improvement plans required under federal law for schools identified for targeted support or comprehensive support pursuant to the federal Every Student Succeeds Act (ESSA), as long as the SPSAs also meet requirements of the ESSA. A local educational agency may utilize the schoolsite council to meet the stakeholder requirements established by the ESSA.
 - i) If a SPSA is not approved by the governing board or body of the local educational agency, specific reasons for that action shall be communicated to the schoolsite council. Modifications to any Single Plan for Student Achievement (SPSA) shall be developed, recommended, and approved or disapproved in the same manner.
 - j) Authorizes single school districts and charter schools to utilize their local control and accountability plan to serve as their SPSA, provided that the local control and accountability plan (LCAP) meets federal school planning requirements and state stakeholder requirements.
- 3) Makes the following revisions to provisions relating to schoolsite council, relative to the provisions for schoolsite councils under the School-Based Program Coordination Act:
- a) States the intent of the Legislature that, to the extent possible, the members of the schoolsite council represent the composition of the school's pupil population.
 - b) States the intent of the Legislature that, notwithstanding the size of the school, the composition of the schoolsite council ensure parity between the specified groups that comprise a schoolsite council, but only require parity at the secondary school level.
 - c) Deletes the authority for an existing schoolwide advisory group or school support group to be utilized as the schoolsite council.
 - d) Deletes the requirement for the Superintendent of Public Instruction to provide examples of selection and replacement procedures that may be considered by the schoolsite councils.
 - e) Authorizes schools with a common site administration to operate a shared schoolsite council if the schools have a combined pupil population of less than 300.
 - f) Authorizes up to three schools with a combined pupil population of less than 1,000 may operate a shared schoolsite council if the schools have at least one of the following characteristics:
 - i) A shared campus.
 - ii) Geographic proximity to one another with similar pupil populations.

- g) Revises the State Board of Education waiver provisions relating to schoolsite councils.
- h) Authorizes the state board to adopt rules and regulations as necessary to implement the provisions relating to schoolsite councils.
- i) Deletes all other provisions relating to schoolsite councils not otherwise added by the provisions of this bill, and all other provisions of the School-Based Program Coordination Act.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Federal law, the Evert Student Succeeds Act (ESSA) requires schools that receive federal funding under Title I to develop a school plan. However, the federal school planning requirements are not aligned to the state priorities identified in the local control and accountability plan (LCAP). Under current law, Title I schools identified for comprehensive support or technical assistance are required to submit a Single Plan for Student Achievement (SPSA) as well as a federal school improvement plan, which creates an undue burden on local educational agencies. In addition, the requirements related to the current SPSA are anchored in the School-Based Program Coordination Act, which is no longer relevant, because the provisions it references are largely obsolete, including most state categorical programs.

Finally, current law does not address the multilayered requirements for the SPSA and its correlations with the Consolidated Application (the funding mechanism for federal programs) and schoolsite councils in a uniform and concise manner. Further, small rural schools or schools with alternative programs often are unable to meet the requirements for schoolsite councils, due in part to population size, resulting in cumbersome waiver requests to the State Board of Education.

- 2) ***Local control funding formula (LCFF).*** The 2013-14 Budget Act restructured the existing K-12 finance system and eliminated over 40 existing programs while implementing a new formula known as the LCFF. The LCFF consolidates the vast majority of state categorical programs and revenue limit apportionments into a single source of funding. Certain categorical programs, including Special Education, Child Nutrition, Preschool, and After School programs, are excluded. In addition, the statutory and programmatic requirements for almost all categorical programs were eliminated—the programs would be deemed “discretionary” and programs in any of these areas would be dependent on local district discretion. The School-Based Program Coordination Act and the requirement for school districts to establish schoolsite councils are no longer in effect due to the implementation of the LCFF. School districts are certainly authorized to establish them, but they are not required to do so.
- 3) ***The Consolidated application.*** This bill would revise and recast provisions relating to the consolidated application by deleting outdated references to repealed categorical programs and accounting for the new local control funding formula. According to the California Department of Education (CDE), under existing law, the consolidated application is used by CDE “to distribute

categorical funds from various state and federal programs to county offices, school districts, and direct-funded charter schools throughout California. Annually, in May, each local educational agency (LEA) submits the spring release of the application to document participation in these programs and provide assurances that the district will comply with the legal requirements of each program. Program entitlements are determined by formulas contained in the laws that created the programs. The winter release of the application is submitted in January of each year and contains the district entitlements for each funded program. Out of each state and federal program entitlement, districts allocate funds for indirect costs of administration, for programs operated by the district office, and for programs operated at schools.”

- 4) ***The Single Plan for Student Achievement (SPSA)***. Existing law requires schools and school districts that receive state and federal funds via the consolidated application process to prepare, via the schoolsite council, a SPSA for any recipient school. The SPSA is a blueprint to improve the academic performance of all students. According to the California Department of Education (CDE), the purpose of the SPSA is to coordinate all educational services at the school. The SPSA shall, at a minimum, address how funds provided to the school through the consolidated application will be used to improve the academic performance of all students. School goals must be based upon an analysis of verifiable state data and the SPSA must integrate the purposes and requirements of all state and federal categorical programs in which the school participates. According to the CDE, “The SPSA serves as the organizer for an individual school’s improvement process. The plan should be developed with a deep understanding of root causes of student academic challenges and identify and implement research-based instructional strategies to raise the achievement of students who are not yet proficient by state standards. A well-developed SPSA can ensure that students are better equipped to meet the Common Core State Standards in English and math. It is critical that each school’s SPSA:
- Builds on a premise that students are capable of learning with effective instruction.
 - Includes school goals aligned with activities and goals included in the LEA Plan to maximize school reform efforts.
 - Is based on verifiable data analysis.
 - Focuses on student achievement and academic interventions.
 - Implements high leverage school improvement actions.
 - Directs resources where they will most directly improve student academic achievement.
 - Ensures that all resources are aligned to serve identified students’ needs.
 - Uses research-based strategies.
 - Implements strategic coordination of resources.”

5) **Author's amendments.** The author would like to make the following clarifying amendments:

- On Page 7, line 19: delete the reference to economic impact aid.
- On Page 7, line 24: add "if required" to the end of the sentence.
- Amend subdivision (d) of Section 64001, as follows:

~~"(d) For any consolidated application that does not include the necessary certifications or assurances, the department shall initiate an investigation to determine whether The department shall monitor and review to ensure that the consolidated application and the SPSA were developed in accordance with law and with the involvement of applicable advisory committees and schoolsite councils."~~

- Amend subdivision (g)(1) of Section 64001, as follows:

~~"(g)(1) Notwithstanding any other law, the schoolsite council shall develop the content of SPSA, which shall be consistent with the local control and accountability plan goals and federal planning requirements for improving pupil achievement. SPSAs shall be reviewed in accordance with EC 52062(a)(4)."~~

- Amend subdivision (g)(3)(A) of Section 64001, as follows:

~~"(g)(3)(A) Goals set to improve pupil outcomes, including addressing the needs of pupil groups as identified through the needs assessment in subparagraph (A) of paragraph (2), shall be consistent with the local control and accountability plan (LCAP) of the local educational agency and annual updates to the LCAP.~~

- Amend subdivision (g)(3)(C) of Section 64001, as follows:

~~"(C) Proposed expenditures based on the projected resource allocation from the governing board or body of the local educational agency to address the findings of the needs assessment consistent with the state priorities, including identifying resource inequities, which may include a review of the local educational agency's local control and accountability plan (LCAP), budgeting and school-level budgeting, if applicable."~~

- On Page 12, line 8: add "*by the by the governing board or body of the local educational agency*" after disapproved.

- In Section 65000, add “or his or her designee” after each reference to principal of the school.
- In subdivision (c)(1)(B) of Section 65000: add “The number of persons selected pursuant to this subparagraph shall equal the number of persons selected pursuant to subparagraph (A).” after the last sentence.
- Amend Page 13, Line 33 to delete “combined” so that it reads: “operate a shared schoolsite council if the ~~schools have a combined~~ school has a”

Staff recommends that the bill amended to reflect the author’s intent.

SUPPORT

State Superintendent of Public Instruction Tom Torlakson
California School Boards Association

OPPOSITION

EdVoice

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