



CHILDREN NOW



November 1, 2013

Dr. Michael W. Kirst
President, State Board of Education
1430 N Street, Room 5111
Sacramento, CA 95814

RE: State Board of Education Agenda Item 13 – Local Control Funding Formula Draft Regulations

Dear President Kirst,

The extraordinary potential of the Local Control Funding Formula to foster innovation, reduce disparities and support authentic local community engagement to the benefit of improving student outcomes has made us adamant supporters for this historic reform. The State Board of Education (SBE) is tasked with a significant challenge to bring structure and clarity to the implementation of the law so that all stakeholders can engage in the important local work ahead. Meeting this challenge is fundamental to achieving the vision of LCFF and the stakes are high. We understand that these are difficult but important decisions and hope that we can continue to be a resource to you in this effort.

One of the great promises of LCFF is addressing inequities while shifting toward a performance-based decision-making system that has accountability for results. Flexibility and clarity on the front end can allow for innovative and localized approaches to meeting the needs of students, provided it is balanced by state level accountability measures on the back end to track progress in student outcomes, particularly in closing the achievement gap. Implementation of this seismic shift in our funding, governance and accountability system will need to be an iterative process. Regulations, templates and other state guidance need to evolve over time, replicating the continuous improvement model that we seek at school sites and within districts and incorporating the experience and feedback from educators and community members.

With this in mind, we have concerns with the current draft regulations, including the apparent diminishment of the state level role to ensure dollars generated by high needs students are spent on services and supports for them, accountability for student outcome, as well as the lack of clarity around key definitions in the fiscal regulations. We believe these fundamental issues could jeopardize the long-term success of LCFF and will be detrimental to the confidence stakeholders, such as parents, community groups and business leaders, have in the system as a whole.

Specifically, with regards to the option for meeting the “increase or improve services” requirement in law, we see the value and core message in the “achieve more” option. It is absolutely what our public education system should have as a primary focus. However, we have some very significant concerns with this as an option for this purpose, especially at this point in time. Under the current draft of the regulations, outcome metrics, goals and progress toward goals would be completely defined locally. This doesn’t provide an objective tool for the state to ensure that districts have achieved their end of the bargain related to flexibility in exchange increasing services and supports for high needs students and meeting student outcomes.

Further, one of the key areas of accountability is student achievement, as measured through state assessment scores. However, AB 484 (Bonilla, 2013) removed the statewide assessment tool for 2013-14, which impacts the ability to measure growth until 2015-16. This context contributes significantly to upsetting the balance of flexibility on the front end with demonstrated outcomes on the back end. In addition, many of the other indicators necessary to measure growth on the other statewide priorities are not fully developed and will take time to build.

With the view that there will be an opportunity to continuously improve the LCFF regulatory framework, we believe **the “achieve more” option should not be available until, at the very least, the statewide assessment system is able to demonstrate student growth, the State Board has approved the evaluation rubric with outcome goals for the various state priority areas and the California Collaborative on Educational Excellence is able to deliver technical assistance and intervene in low performing local education agencies.**

Another area of significant concern is related to the lack of clarity in the regulations regarding the use of Supplemental and Concentration funds for “schoolwide” and “districtwide” purpose. Both research and practice demonstrate that systemwide approaches are often the most effective for improving student outcomes, so the use of funds for “schoolwide” and “districtwide” is critical. That said there need to be some parameters around the use of these funds for these purposes that are not overly restrictive, but provide assurances that the dollars are used to support high needs students. **There are multiple ways this could be approached including setting a minimum student threshold before funding can be used, maximum amounts of funding that could be used for this purpose and/or clarifying these funds should augment the core program and are linked to demonstrated increase in prevention and intervention services for students.**

Addressing these concerns is consistent with the vision and intent of LCFF and will help it live up to its promise. Thank you in advance for consideration of the issues raised.

Sincerely,

Linda Galliher, J.D.

Vice President Public Policy
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James P. Mayer

President / CEO
California Forward

Ted Lempert

President
Children Now

Pete Manzo

President & CEO
United Ways of California

Cc: Tom Torlakson, Superintendent of Public Instruction
Members, State Board of Education
Karen Stapf-Walters, State Board of Education
Judy Cias, State Board of Education
Janelle Kubinec, WestEd
Jamie Callahan, Governor’s Office
Cathy McBride, Governor’s Office
Nick Schweitzer, Department of Finance