

Title 5. EDUCATION
Division 1. California Department of Education
Chapter 14.5. Local Control Funding Formula
Subchapter 1. Local Control Funding Formula Spending Regulations for
Supplemental and Concentration Grants and Local Control and
Accountability Plan Template
Article 1. Local Control and Accountability Plan and Spending
Requirements for Supplemental and Concentration Grants

§ 15494. Scope.

(a) This chapter applies to all local educational agencies (LEAs) as defined in section 15495(a).

(b) Funding restrictions specified in Education Code section 42238.07 apply to local control funding formula (LCFF) funds apportioned on the basis of unduplicated pupils pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03.

(c) The local control and accountability plan (LCAP) shall demonstrate how services are provided according to this chapter to meet the needs of unduplicated pupils and improve the performance of all pupils in the state priority areas.

NOTE: Authority cited: Sections 42238.07 and 52064, Education Code.

Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.

§ 15495. Definitions.

In addition to those found in Education Code sections 2574, 42238.01, and 42238.02, the following definitions are provided:

(a) "Local control and accountability plan (LCAP)" means the plan created by an LEA pursuant to Education Code sections 47606.5, 52060, or 52066, and

completed in conformance with the LCAP and annual update template found in section 15497.

(b) “Local educational agency (LEA)” means a school district, county office of education, or charter school.

(c) “Prior year” means one fiscal year immediately preceding the fiscal year for which an LCAP is approved.

(d) “Services” as used in Education Code section 42238.07 may include, but are not limited to, services associated with the delivery of instruction, administration, facilities, pupil support services, technology, and other general infrastructure necessary to operate and deliver educational instruction and related services.

(e) “State priority areas” means the priorities identified in Education Code sections 52060 and 52066. For charter schools, “state priority areas” means the priorities identified in Education Code section 52060 that apply for the grade levels served or the nature of the program operated by the charter school.

(f) “to improve services” means to grow services in quality.

(g) “to increase services” means to grow services in quantity.

(h) “unduplicated pupil” means any of those pupils to whom one or more of the definitions included in Education Code section 42238.01 apply, including low income, foster youth, and English learner.

NOTE: Authority cited: Sections 42238.07 and 52064, Education Code.

Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.

§ 15496. Requirements for LEAs to Demonstrate Increased or Improved Services for Unduplicated Pupils in Proportion to the Increase in Funds Apportioned for Supplemental and Concentration Grants.

(a) An LEA shall provide evidence in its LCAP to demonstrate how funding apportioned on the basis of the number and concentration of unduplicated pupils, pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03 is

used to support such pupils. This funding shall be used to increase or improve services for unduplicated pupils as compared to the services provided to all pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils as required by Education Code section 42238.07(a)(1). An LEA shall include in its LCAP an explanation of how expenditures of such funding meet the LEA's goals for its unduplicated pupils in the state priority areas. An LEA shall determine the percentage by which services for unduplicated pupils must be increased or improved above services provided to all pupils in the fiscal year as follows:

(1) Estimate the amount of the LCFF target attributed to the supplemental and concentration grants for the LEA calculated pursuant to Education Code sections 42238.02 and 2574 in the fiscal year for which the LCAP is adopted.

(2) Estimate the amount of LCFF funds expended by the LEA on services for unduplicated pupils in the prior year that is in addition to what was expended on services provided for all pupils. The estimated amount of funds expended in 2013-14 shall be no less than the amount of Economic Impact Aid funds the LEA expended in the 2012-13 fiscal year.

(3) Subtract subdivision (a)(2) from subdivision (a)(1).

(4) Multiply the amount in subdivision (a)(3), by the most recent percentage calculated by the Department of Finance that represents how much of the statewide funding gap between current funding and full implementation of LCFF is eliminated in the fiscal year for which the LCAP is adopted.

(5) Add subdivision (a)(4) to subdivision (a)(2).

(6) Subtract subdivision (a)(5) from the LEA's total amount of LCFF funding pursuant to Education Code sections 42238.02 and 2574, as implemented by Education Code sections 42238.03 and 2575 respectively, excluding add-ons for the Targeted Instructional Improvement Grant program and the Home to School Transportation program, in the fiscal year for which the LCAP is adopted.

(7) Divide the amount in subdivision (a)(5) by the amount in subdivision (a)(6).

(8) If the calculation in subdivision (a)(3) yields a number less than or equal to zero or when LCFF is fully implemented statewide, then an LEA shall determine

its percentage for purposes of this section by dividing the amount of the LCFF target attributed to the supplemental and concentration grant for the LEA calculated pursuant to Education Code sections 42238.02 and 2574 in the fiscal year for which the LCAP is adopted by the remainder of the LEA's LCFF funding, excluding add-ons for the Targeted Instructional Improvement Grant program and the Home to School Transportation program.

(b) This subdivision identifies the conditions under which an LEA may use funds apportioned on the basis of the number and concentration of unduplicated pupils for districtwide, schoolwide, countywide, or charterwide purposes: Pursuant to Education Code section 42238.07(a)(2), an LEA may demonstrate it has increased or improved services for unduplicated pupils under subdivision (a) of this section by using funds to upgrade the entire educational program of a school site, a school district, a charter school, or a county office of education as follows:

(1) A school district that has an enrollment of unduplicated pupils in excess of 55 percent of the district's total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a districtwide basis. A school district expending funds on a districtwide basis shall do all of the following:

(A) Identify in the LCAP those services that are being provided on a districtwide basis.

(B) Describe in the LCAP how such services are directed towards meeting the district's goals for its unduplicated pupils in the state priority areas.

(2) A school district that has an enrollment of unduplicated pupils that is less than 55 percent of the district's total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental grant funds on a districtwide basis. A school district expending funds on a districtwide basis shall do all of the following:

(A) Identify in the LCAP those services that are being provided on a districtwide basis.

(B) Describe in the LCAP how such services are directed towards meeting the district's goals for its unduplicated pupils in the state priority areas.

(C) Describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated pupils in the state priority areas.

(3) A school district that has an enrollment of unduplicated pupils at a school that is in excess of 40 percent of the school's total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a schoolwide basis. A school district expending funds on a schoolwide basis shall do all of the following:

(A) Identify in the LCAP those services that are being provided on a schoolwide basis.

(B) Describe in the LCAP how such services are directed towards meeting the district's goals for its unduplicated pupils in the state priority areas.

(4) A school district that has an enrollment of unduplicated pupils that is less than 40 percent of the school site's total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a schoolwide basis. A school district expending funds on a schoolwide basis shall do all of the following:

(A) Identify in the LCAP those services that are being provided on a schoolwide basis.

(B) Describe in the LCAP how such services are directed towards meeting the district's goals for its unduplicated pupils in the state priority areas.

(C) Describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated pupils in the state priority areas.

(5) A county office of education expending supplemental and concentration grant funds on a countywide basis or a charter school expending supplemental and concentration grant funds on a charterwide basis shall do all of the following:

(A) Identify in the LCAP those services that are being provided on a countywide or charterwide basis.

(B) Describe in the LCAP how such services are directed towards meeting the county office of education's or charter school's goals for its unduplicated pupils in the state priority areas.

(c) County superintendent of schools oversight of demonstration of proportionality: In making the determinations required under Education Code section 52070(d)(3), the county superintendent of schools shall review any descriptions provided under subdivisions (b)(2)(B) and (b)(2)(C) or subdivisions (b)(4)(B) and (b)(4)(C) when determining whether the LEA has fully demonstrated that it will increase or improve services for unduplicated pupils under subdivision (a). If a county superintendent of schools does not approve an LCAP because the LEA has failed to meet its proportionality requirement as specified in this section, it shall provide technical assistance to the LEA in meeting that requirement pursuant to Education Code section 52071.

NOTE: Authority cited: Sections 42238.07 and 52064, Education Code.

Reference: Sections 2574, 2575, 42238.01, 42238.02, 42238.03, 42238.07, 47605, 47605.5, 47606.5, 48926, 52052, 52060-52077, and 64001, Education Code; 20 U.S.C. Section 6312.