

**The State School Attendance Review Board's Written Comments for Amending
California Code of Regulations, Title 5, Regarding the Local Control and
Accountability Plan Template
February 18, 2014**

Background and Statutory Framework for State School Attendance Review Board's Written Comments

California *Education Code (EC)* Section 48325 established the State School Attendance Review Board (SARB) to make annual recommendations to the State Superintendent of Public Instruction (SSPI), and state agencies regarding the needs and services provided to high-risk youth. The State SARB has developed three sets of recommendations on key attendance and behavior definitions and procedures for the Local Control and Accountability Plan (LCAP) template consistent with providing support to many high-risk youth.

This year, the passage of the Local Control Funding Formula (LCFF) legislation (Assembly Bill 97 and Senate Bill 97) provides an exciting opportunity to identify and meet the academic, social, and emotional needs of students in California's school system, with a special focus on the special needs of disadvantaged students.

The intent of the LCFF legislation is to provide intensive support to meet the needs of high-risk students, including youth who are frequently referred to school attendance review boards (SARBs) for supplementary services due to persistent attendance or behavioral problems. However, in the State SARB's opinion, the effective implementation of the LCFF legislation requires key definitions and guidance adopted through regulations by the State Board of Education so that students who are at risk due to poor school attendance or poor behavior receive the support they need. The LCFF has prioritized indicators of poor attendance and poor behavior to be addressed for the benefit of the whole child, as well as for better academic achievement of all students, but the failure to define those indicators and ensure that they are addressed could limit the effectiveness of the law.

Paying greater attention to student attendance and student behavior in a defined, focused manner is more important than ever. A growing body of research demonstrates that increased pupil engagement and better school climates are critical to reducing the number of dropouts in California. A key element of the LCAP is the creation of a statewide template that recognizes that attendance and behavior indicators must be effectively addressed apart from instructional improvement.

If each local educational agency (LEA) defines the LCAP accountability terms for attendance and behavior according to its own designs, California will not achieve the accountability for these indicators that the Legislature intended. The SSPI and the offices of county superintendents would have no basis to evaluate whether each LCAP met a standard for progress intended by the legislation. A careful review of LCAPs

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would simply not be possible. We would have achieved program flexibility at the cost of losing standardized goals that could be measured clearly and consistently.

For example, LEAs, often through SARBs, have great flexibility in assisting students with persistent attendance or behavior problems, but they need to measure their progress with uniform chronic absenteeism rates, dropout rates, suspension rates, and expulsion rates for the different student subgroups they serve. By focusing on these students with poor school attendance or poor school behavior indicators, LEAs address equity and barriers to success at the most basic level. We need uniform definitions to be able to look at the progress of a district or county office in the context of similar LEAs.

Appropriate regulations as recommended below will enable county superintendents to carefully review local district budgets and LCAPs to ensure that adequate resources are provided to assist subgroups of students with persistent school attendance or school behavior problems.

Recommendations

1. Provide Specific Uniform Definitions for Attendance Rates and Chronic Absenteeism

EC Section 52060(d)(5) lists five different rates that will be used to measure pupil engagement in an LCAP. *EC* Section 52060(d)(5) lists attendance rate and chronic absenteeism rates as two of the five different rates, but does not define “attendance rate” or “chronic absenteeism.” To improve school attendance and reduce the number of dropouts, the intent of the LCFF legislation should be reflected in the LCAP regulations.

“Attendance” has been defined variously in different usages. Most people only think of the average daily attendance (ADA) for apportionment purposes, as the number of students in attendance in a school or district. However, this is not a rate. For instance, seven out of seven students attending yields the same ADA as seven out of 700 students. An appropriate measure of attendance should reflect the percentage of students coming to school who are enrolled in the school, which is the most logical understanding of an attendance rate.

The State SARB recommends that “attendance rate” be calculated as the ADA divided by the average daily enrollment for a given period of school days.

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Chronic absenteeism undermines efforts to narrow the achievement gap; improvements in classroom instruction have little impact if students are not in class. All students are affected—even those who show up regularly—when teachers must spend time repeating instruction for the benefit of those who missed class. Chronic absenteeism is a sign that something is wrong in a child’s life—a red flag that should alert schools, public agencies, and community partners that there is a need to investigate and intervene before it is too late. Chronic absentee rates may be higher in low-income communities, where education offers students the opportunity for brighter futures. As a key indicator, chronic absenteeism must be measured in a uniform, research-based manner.

The State SARB recommends that the chronic absenteeism rate for the LCAP for EC Section 52060(d)(5)(B) use the definition in EC Section 60901(c)(1), rather than allow for local definitions, which tend to vary. This research-based definition already adopted for California would provide clarity in the LCAP.

EC Section 60901(c)(1) provides that “chronic absentee” means a pupil who is absent 10 percent or more of the schooldays in the school year when the total number of days a pupil is absent is divided by the total number of days the pupil is enrolled and school was actually taught.

It is critical that the most adversely affected subgroups be identified so that appropriate intervention can be provided for students most at risk of dropping out. We note that the elements of EC Section 52060(d)(5) have not been directly expressed in disaggregated subgroups, although that is the clear intent of the LCFF. **Therefore, the State SARB recommends that “attendance rates” and “chronic absentee rates” be calculated for pupil subgroups as provided by EC sections 52052(a)(2) and (3). Also, the LCAP Template must include space for goals in reducing the chronic absenteeism rates for different subgroups as well as space for specifying interventions and expenditures at both the district and school levels.**

2. Provide Specific Definitions for Local Control Accountability Plan Measures of School Climate

The LCAP includes undefined measures of school climate, including the use of suspension and expulsion rates (EC sections 52060[d][6][A] and [B]). Information about these behavioral interventions has been identified as crucial, especially in contrast with other means that do not exclude students from school. Research has clearly demonstrated that there are significant differences between in-school and

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out-of-school suspensions. These rates need careful definition. **The State SARB recommends that in-school suspension rates (in which students stay in school outside of the regular classroom) and out-of-school suspension rates should be calculated separately and should be reported by the subpopulations identified in the LCFF/LCAP legislation.**

3. Match Local Control Accountability Plan Priorities to Local Educational Agencies Budget Reviews

EC sections 52060, 52061, and 52066 outline the intent of the California State Legislature to ensure that LCAP regulations require LEAs to measure progress toward priorities identified in statute.

The State SARB recognizes that measurable progress in the priority areas require LEA budgets to be aligned with the priorities on the statewide template. **The State SARB recommends that regulations should be drafted that enable county superintendents and the SSPI to review prevention/intervention efforts (including staffing) to determine if adequate resources are being provided and funded to achieve progress, especially in the area of pupil engagement and school climate.** Accountability measures are not intended merely to highlight the failure to engage students, but rather to identify that the efforts are actually increasing engagement.

Also, additional funding, as outlined in the legislation, is directed specifically for at-risk students. **The State SARB recommends that the LCAP template should include provisions for LCAPs to clearly state how additional funding will be used to meet the special needs of these subpopulations, especially in the priority areas for pupil engagement and school climate.** While supplemental student support services are needed for the entire student population, the legislatively identified groups must have their more intensive risk factors addressed. The State SARB realizes that budget items to support and provide programs and resources must be clear and transparent in how these subpopulations are supported, rather than that supplemental services merely be included in allocations for the entire school population with an assumption that students in the named subpopulations would receive the same high level of support as if they were targeted specifically.