

Date of Hearing: April 9, 2025

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 860 (Sharp-Collins) – As Amended March 24, 2025

SUBJECT: Local control and accountability plans: technical assistance: county superintendent of schools' recommendations

SUMMARY: Requires, if a school district has been identified for Differentiated Assistance (DA), the governing board of the school district to include the recommended amendments submitted by the county superintendent of schools, as specified, in its Local Control and Accountability Plan (LCAP) submitted to the county superintendent of schools. Specifically, **this bill:**

- 1) Requires, if a school district has not been identified for DA, the governing board of a school district to consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.
- 2) Requires, if a school district has been identified for DA, the governing board of the school district to include the recommended amendments submitted by the county superintendent of schools, as specified, in its LCAP submitted to the county superintendent of schools.
- 3) Requires, for school districts that have been identified for DA, the county superintendent of schools to approve an LCAP or annual update to an LCAP on or before October 8, if the county superintendent of schools determines the LCAP or annual update includes the recommended amendments submitted by the county superintendent of schools.
- 4) Requires, for school districts that meet the criteria for DA or Intensive (Direct Technical Assistance), or both, the LCAP includes the recommended amendments submitted by the county superintendent of schools.

EXISTING LAW:

- 1) Requires local educational agencies (LEAs) to adopt and annually revise LCAPs, establishing annual goals and identifying specific actions, in the following eight state priority areas:
 - a) The degree to which the teachers of the school district are appropriately assigned in accordance, and fully credentialed in the subject areas, and, for the pupils they are teaching, every student in the school district has sufficient access to the standards-aligned instructional materials, and school facilities are maintained in good repair;
 - b) Implementation of the academic content and performance standards adopted by the State Board of Education (SBE);
 - c) Parental involvement and family engagement;
 - d) Pupil achievement;

- e) Pupil engagement;
 - f) School climate;
 - g) Student access to and enrollment in a broad course of study; and
 - h) Pupil outcomes. (Education Code (EC) 52060)
- 2) Requires governing boards of school districts and county boards of education when adopting an LCAP and an annual update to:
- a) Establish a parent advisory committee to provide advice to the governing board of the school district and the superintendent of the school district regarding the LCAP;
 - b) Establish an English learner (EL) parent advisory committee if the school district includes at least 15% ELs in the school district and the school district enrolls at least 50 pupils who are ELs;
 - c) Hold at least one public hearing to solicit recommendations and comments from members of the public;
 - d) Adopt the LCAP or annual update at a public meeting;
 - e) Submit the approved LCAP with the county superintendent of schools within five days of local adoption;
 - f) Further requires the district superintendent to:
 - i) Present the LCAP to the parent advisory committee and the English Learner Parent Advisory Committee (ELPAC) for review and comment;
 - ii) Notify members of the public of the opportunity to submit written comments related to the LCAP;
 - iii) Review school plans to ensure consistency with the strategies included in the School Plan for Student Achievement;
 - iv) Consult with the special education local plan administrator(s) (SELPA); and
 - v) Post approved LCAPs prominently on the homepage of the website of the school district; and
 - g) Requires charter schools to annually adopt an LCAP to update the goals and annual actions to achieve the goals identified in the charter petition.
 - h) Requires SBE to adopt LCAP templates to be used by school districts, county superintendents of schools, and charter schools. (EC 52060, 47604.33, 47606.5, 52064)
- 3) Requires, on or before July 1, 2015, and each year thereafter, a school district to update the LCAP. Requires the annual update to be developed using a template adopted by the state board. (EC 52061)

- 4) Requires, before the governing board of a school district considers the adoption of an LCAP or annual update to the LCAP, all of the following to occur: the superintendent of the school district to present the LCAP to the parent advisory committee, the ELPAC, notify members of the public of the opportunity to submit written comments, consult with SELPA administrator(s), and the governing board hold at least one public hearing to solicit recommendations and comments of members of the public prior to the adoption of the LCAP. (EC 52062)
- 5) Requires, not later than five days after adoption of an LCAP or annual update to an LCAP, the governing board of a school district to file the LCAP or annual update to the LCAP with the county superintendent of schools. (EC 52070)
- 6) Authorizes, on or before August 15 of each year, the county superintendent of schools to seek clarification, in writing, from the governing board of a school district about the contents of the LCAP or annual update to the LCAP. Requires, within 15 days the governing board of a school district to respond, in writing, to requests for clarification. (EC 52070)
- 7) Authorizes, within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools to submit recommendations, in writing, for amendments to the LCAP or annual updates to the LCAP. Requires the governing board of a school district to consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations. (EC 52070)
- 8) Requires the county superintendent of schools to approve an LCAP or annual update to LCAP on or before October 8, if the county superintendent of schools determines all of the following:
 - a) The LCAP or annual update to the LCAP adheres to the template adopted by the SBE and follows any instructions or directions for completing the template that are adopted by the SBE;
 - b) If applicable to the school district, the LCAP includes one or more focused goals consistent with the instructions developed by the SBE;
 - c) Each specific action identified as contributing to the demonstration that the school district will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils;
 - d) If applicable to the school district, the LCAP includes a description of the specific action or actions that improve services for unduplicated pupils, and demonstrates how the degree of improvement in services is sufficient to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils;
 - e) For school districts that meet the DA or Direct Technical Assistance, or both, the LCAP includes actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to identification;

- f) The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the LCAP adopted by the governing board of the school district, based on the projections of the costs included in the LCAP;
 - g) The LCAP or annual update to the LCAP adheres to the expenditure requirements, as specified, for funds apportioned on the basis of the number and concentration of unduplicated pupils; and
 - h) The LCAP includes the total difference between the total budgeted expenditures on planned actions and the total estimated actual expenditures for those actions, and includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement. (EC 52070)
- 9) Requires, for any school district for which one or more pupil subgroups meets specified criteria, the county superintendent of schools to provide technical assistance for a minimum of two years following the identification that shall be focused on building the school district's capacity to develop and implement actions and services responsive to pupil and community needs. (EC 52071(c))

FISCAL EFFECT: This bill has been keyed as a possible state-mandated local program by the Office of Legislative Counsel.

COMMENTS:

Need for the bill. According to the author, “As we work toward ensuring that every student in California has the opportunity to succeed, it is crucial that we address the persistent achievement gaps that exist between student groups. These gaps, which disproportionately affect historically underserved students such as English learners, foster youth, students with disabilities, and students from low-income backgrounds, have been a long-standing challenge within our education system. While California has made significant strides in recognizing these disparities through tools like the California School Dashboard, the current system of Differentiated Assistance lacks the necessary enforcement mechanisms to drive sustained improvement.

This bill is essential because it will empower County Offices of Education (COEs) to take a more proactive role in supporting districts that have consistently struggled to meet the needs of these underserved student groups. By granting COEs the authority to intervene directly in the Local Control and Accountability Plans (LCAPs) of districts that reach Differentiated Assistance Level 2, we are ensuring that the plans are not only revised to address identified performance gaps but also effectively implemented with the resources and support needed for real, measurable improvement.

The need for this bill is clear. Too many of our students, particularly those who are most vulnerable, are not receiving the level of attention or support they deserve. This bill ensures that targeted interventions are put in place to address the specific needs of underperforming student groups, helping to close opportunity gaps, improve educational outcomes, and provide all students with the tools they need to thrive in our state's schools.”

LCAPs. The LCFF was established in the 2013-14 fiscal year to address the achievement gap by providing more equitable funding among LEAs, that is, to provide a higher level of funding to LEAs that enroll larger numbers of English learners, foster youth, and students eligible for free- or reduced-price meals (unduplicated pupils) so they could provide those students with additional services and support. The reforms to the funding system were accompanied by changes to the state accountability system, including LCAPs. The LCAP is a three-year plan that describes the goals, actions, services, and expenditures to support positive student outcomes that address state and local priorities. The LCAP provides an opportunity for LEAs (school districts, COEs, and charter schools) to share their stories of how, what, and why programs and services are selected to meet their local needs.

Current law requires before the governing board of a school district considers the adoption of an LCAP numerous and specific steps to ensure public input in the development of the LCAP, including consulting with parents and soliciting input from the public. Five days after the adoption of the LCAP by the governing board of a school district, the school district is required to file the LCAP with the county superintendent of schools for their review and approval. County superintendents may approve a school district LCAP if they determine all of the following:

- The LCAP or annual update to the LCAP adheres to the template adopted by the SBE and follows any instructions or directions for completing the template that are adopted by the SBE;
- If applicable to the school district, the LCAP includes one or more focused goals consistent with the instructions developed by the SBE;
- Each specific action identified as contributing to the demonstration that the school district will increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils;
- If applicable to the school district, the LCAP includes a description of the specific action or actions that improve services for unduplicated pupils, and demonstrates how the degree of improvement in services is sufficient to increase or improve services for unduplicated pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils;
- For school districts that meet the DA or Direct Technical Assistance, or both, the LCAP includes actions and services that implement the work related to technical assistance for improving the outcomes of the pupil group or groups that lead to identification;
- The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the LCAP adopted by the governing board of the school district, based on the projections of the costs included in the LCAP;
- The LCAP or annual update to the LCAP adheres to the expenditure requirements, as specified, for funds apportioned on the basis of the number and concentration of unduplicated pupils; and

- The LCAP includes the total difference between the total budgeted expenditures on planned actions and the total estimated actual expenditures for those actions, and includes a description of the planned uses of the specified funds and a description of how the planned uses of those funds satisfy the requirements for specific actions to be considered as contributing toward meeting the increased or improved services requirement.

County superintendents of schools may seek clarification, in writing, from the governing board of a school district about the contents of the LCAP or annual update to the LCAP prior to their approval of the plan. School district governing boards have 15 days to respond, in writing, to requests for clarification. Then, within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools may submit recommendations, in writing, for amendments to the LCAP or annual update to the LCAP. Governing boards of school districts are required to consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.

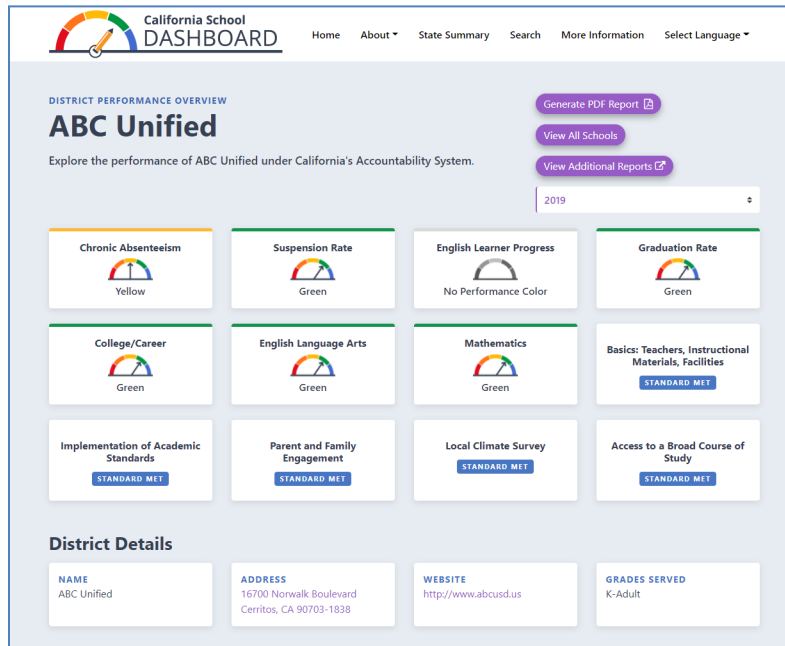
This bill would require, if a school district has been identified for DA, the governing board of the school district to include the recommended amendments submitted by the county superintendent of schools, as specified, in its LCAP submitted to the county superintendent of schools.

According to the author's office:

The primary goal of DA is to build local capacity for sustained improvement. COEs work with districts to identify performance issues and develop strategies to enhance student achievement. This process focuses on providing support rather than imposing mandates, as COEs currently serve in an advisory role rather than an enforcement capacity. Although County superintendents provide guidance and recommendations, school districts are not required to implement the suggested changes, limiting the COE's ability to address underlying performance issues. This lack of enforceability undermines efforts to close opportunity gaps, particularly for student groups that are consistently underserved.

The bill proposes to grant COEs the authority to intervene directly in a district's LCAP when DA is triggered. ***The Committee may wish to consider*** that this would be a significant change to the COE's current authority. This intervention would authorize COEs to require school districts to revise their LCAPs, with the goal of ensuring that the performance issues affecting specific student groups, particularly those who have triggered the need for DA, are addressed. ***The Committee may wish to consider*** that the bill requires school districts to include COE suggestions in the district LCAP, but those suggestions are not necessarily limited to the student groups that triggered DA. By providing COEs with this authority, the information provided by the author's office states that the goal of the bill is to close persistent achievement gaps and address the underperformance of historically underserved student groups, such as students with disabilities, English learners, and socioeconomically disadvantaged students. By shifting COEs from a purely advisory role to one that includes the authority to intervene and revise LCAPs, the bill aims to directly address the limitation of current interventions. ***The Committee may wish to consider*** that this change in authority would have the effect of limiting the local control of governing boards of school districts.

California School Dashboard (Dashboard). The Dashboard is an online tool that reports school and LEA performance and progress on both state and local measures. State measures apply to



LEAs, charter schools and student groups, and are based on data that is collected consistently across the state. Local measures apply at the LEA and charter school level and are based on data collected at the local level. Charter schools are displayed as their own LEA on the Dashboard independent of their authorizer.

The state and local measures are drawn from the eight priority areas of the Local Control Funding Formula (LCFF) (see section on DA). The Dashboard is updated annually. LEAs receive one of five color-coded performance levels on the state

indicators. From highest to lowest, the five performance levels are: Blue, Green, Yellow, Orange, and Red. For the 2022 Dashboard only, performance is based on one of five Status levels ranging from Very High, High, Medium, Low, and Very Low and is calculated using 2021–22 school year data. The data displayed on the Dashboard is used to determine which LEAs and charter schools receive DA by COEs and the Statewide System of Support. Eligibility for DA is based on the LEA and school performance on the state (colors) and local indicators on the Dashboard.

California's System of Support. California's System of Support is focused on improving the outcomes of California's students. Current law establishes that the purpose of the System of Support is to build the capacity of LEAs in each of the following areas:

- Based on the results of the Dashboard: support the continuous improvement of student performance in each of the eight state priority areas;
- Address the gaps in achievement between student groups; and
- Improve outreach and collaboration with stakeholders to ensure that goals, actions, and services described in school district and COE LCAPs reflect the needs of students and the community, especially for historically underrepresented or low-achieving groups.

The System of Support provides three levels of support to LEAs and schools. The first level, Universal or Support for All, is made up of resources and assistance that are available to all LEAs and schools. The second level of support, Targeted/Supplemental Support or Differentiated Assistance, is individually designed support available to LEAs that meet the eligibility requirements set by the State Board of Education (SBE). The third level of support, Intensive Direct Technical Assistance, may be provided to LEAs by the California Collaborative for Educational Excellence (CCEE) that are identified as having persistent performance issues and a lack of improvement over three out of four consecutive years.

Outside of the three levels of support, a referral to the Superintendent of Public Instruction (SPI) Office may occur with approval from the SBE if there is a lack of implementation or significant improvement after working through eligible levels of support. A description of the supports available to LEAs at each level are described below:

- Level 1 – Universal Support for All: Supports available to LEAs include various state and local agencies provide an array of support resources, tools, and technical assistance that all LEAs may use to improve student performance at the LEA and school level and to narrow disparities among student groups across the LCFF priorities, including recognition for success and the ability to share promising practices.
- Level 2 – Targeted/Supplemental Differentiated Assistance: Supports available to LEAs include COEs, the California Department of Education, and the Geographic Lead Agencies provide DA for eligible LEAs, in the form of individually designed assistance, to address identified performance issues, including significant disparities in performance among student groups.
- Level 3 – Intensive (Direct Technical Assistance): The CCEE provides more intensive and customized support for eligible LEAs. Determination for acceptance of the referral is determined by CCEE after consultation with the eligible LEA and any provider of technical assistance/differentiated assistance.
- State Level Intervention: The SPI may, with the approval of the SBE, intervene where the CCEE determines that the LEA meets either of the following criteria: 1) the LEA has failed or is unable to implement the recommendations of the CCEE; or that 2) inadequate performance of the LEA is either so persistent or acute as to require intervention by the SSPI.

Differentiated Assistance. For districts and COEs to be eligible for DA, the same student group must meet the criteria in two different State Priority Areas. For 2024 DA determinations, districts and COEs became eligible based on:

- Student group performance in two or more LCFF state priority areas; or
- Performance on local indicators in two or more priority areas; or
- A combination of student group performance in one state priority area and local indicator performance in one different priority area; or
- Failing to submit California Longitudinal Pupil Achievement Data System (CALPADS) data on time (only applicable to districts and COEs).

The eligibility criteria for charter schools are the same as for districts and COEs except charter schools must meet them for two years. Results from the 2023 and 2024 Dashboards are used in DA determinations for charter schools.

In 2024, 436 districts and COEs are eligible for DA. This is a decrease from 2023, in which approximately 466 or 47% of all COEs and school districts were eligible for DA. In 2024, 153 or 15.4% of the COEs and school districts eligible for DA in 2023 made significant

improvements and are no longer eligible for DA. An additional 123 new districts and COEs are eligible for assistance in 2024. The top three student groups meeting the eight state priority area criteria in the highest frequency are: long-term English learners, students with disabilities, and homeless youth.

In 2024, 173 or 13.6% of charter schools are eligible to receive DA in 2024. This is a decrease from 2023, in which approximately 203 or 16% of all charter schools were eligible for DA. In 2024, 94 or 7.4% of the charter schools eligible for DA in 2023 made significant improvements and are no longer eligible for DA. An additional 67 new charter schools are eligible for assistance in 2024. Across the 2023 and 2024 Dashboards, the top three student groups meeting the eight state priority area criteria in the highest frequency for charter schools are: students with disabilities, socioeconomically disadvantaged, and Hispanic.

Arguments in opposition. The Small School Districts Association (SSDA) writes, “While we recognize the importance of supporting school districts through targeted intervention and assistance, we have concerns regarding any changes to the LCAP process before existing issues are adequately addressed and reconciled.

The LCAP is a critical tool for school districts, designed to provide transparency, accountability, and flexibility in meeting student needs. AB 860 would grant COEs the ability to require changes when Differentiated Assistance Level 2 is triggered. However, before considering any additions or increased authority for COEs, it is imperative to first assess and resolve ongoing challenges within the current LCAP framework. Without first ensuring that the LCAP process itself is functioning effectively, such modifications risk creating additional burdens without producing meaningful improvements for students.

Small school districts often lack the extensive administrative capacity of larger districts and already face significant compliance challenges with the existing LCAP requirements. Adding another layer of mandated revisions without first addressing systemic inefficiencies could hinder districts’ ability to implement effective, locally tailored strategies for student success. SSDA believes that any modifications to the LCAP process should only be considered after a thorough review and reconciliation of existing challenges.”

Recommended Committee Amendments. *Staff recommends that the bill be amended as follows:*

- Require, within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools to submit recommendations, in writing, for amendments to the LCAP or annual update to the LCAP for school districts that have identified for DA.
- Authorize, within 15 days of receiving the response from the governing board of the school district, the county superintendent of schools to submit recommendations, in writing, for amendments to the LCAP or annual update to the LCAP for school districts that have not been identified for DA.
- Require the governing board of the school district to consider the recommendations submitted by the county superintendent of schools in a public meeting within 15 days of receiving the recommendations.

Related legislation. SB 609 (Caballero), Chapter 494, Statutes of 2023, requires school districts, COEs, and charter schools to post the current school year's approved LCAPs on the performance overview portion of the Dashboard.

SB 3 (Caballero) of the 2021-22 Session would have required the CDE, on or before July 1, 2023, to develop a LCAP portal that contains a database connected to a data entry tool that allows comprehensive analysis of LCAPs adopted by an LEA. This bill was held in the Assembly Education Committee.

AB 967 (Smith) of the 2019-20 Session would have required school districts and charter schools to increase efforts to obtain stakeholder engagement while developing the LCAP, would have required school districts and charter schools to establish a LCAP foster youth advisory committee, and would have added requirements to the charter school LCAP development and review processes. This bill was vetoed by the Governor, with the following message:

This year's education budget trailer bill included several provisions that increase transparency around charter school LCAPs. These reforms will be in effect for the first time as charter schools develop their LCAPs this spring.

This bill imposes additional requirements on charter schools beyond what was reflected in the final 2019-2020 budget and other measures signed into law this year. I believe the recently enacted changes should be given a chance to work before these additional requirements should be considered.

AB 1965 (Kim) of the 2015-16 Session would have required LCAPs and updates and revisions to the LCAPs to be posted on a school district's and county office of education's website in languages other than English if specified conditions are met. The bill would have further required charter schools to post on their website their annual update of goals and actions and requires each update to also translate these documents, as specified. This bill would have required the Superintendent of Public Instruction (SPI) to post on the CDE website links to the approved LCAP of each school district and county office of education in each language posted on the website of the district or county office of education. This bill was held in the Assembly Appropriations Committee.

AB 97 (Committee on Budget), Chapter 47, Statutes of 2013, requires the superintendent of a school district to post on the website of the school district any LCAP approved by the governing board of the school district, and any updates or revisions to an LCAP approved by the governing board of the school district.

REGISTERED SUPPORT / OPPOSITION:

Support

None on file

Opposition

Small School Districts Association

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