

Date of Hearing: June 29, 2022

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 997 (Pan) – As Amended March 14, 2022

**SENATE VOTE:** 32-0

**SUBJECT:** Local control and accountability plans: parent advisory committee: student advisory committee

**SUMMARY:** Requires school districts serving middle or high school students to either include two students on an existing parent advisory committee or establish a student advisory committee for purposes of developing and adopting the Local Control and Accountability Plan (LCAP). Specifically, **this bill:**

- 1) Requires a parent advisory committee of a school district serving middle school or high school pupils to include at least two pupils as full members for a renewable term of one full school year.
- 2) Requires the governing board of a school district serving middle school or high school pupils to establish a student advisory committee to provide advice to the governing board of the school district and the superintendent of the school district.
- 3) Requires a school district to take into consideration that the pupil members of a parent advisory committee or student advisory committee represent the diversity of the school district's pupils, including geographical, socioeconomic, cultural, physical, and educational diversity.

**EXISTING LAW:**

- 1) Requires governing boards of school districts and county boards of education to adopt an LCAP and an annual update which establish annual goals and identify specific actions, in eight state priority areas (Education Code (EC) 52060)
  - a) Further requires the governing board of a school district to:
    - i) 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;
    - ii) 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;
    - iii) Hold at least one public hearing to solicit recommendations and comments of members of the public;
    - iv) Adopt the LCAP or annual update at a public meeting; and,

- v) Submit the approved LCAP to the county superintendent of schools within five days of local adoption.
- b) Further requires the district superintendent to:
- i) Present the LCAP to the parent advisory committee and the EL parent advisory committee 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 area (SELPA) administrator(s); and
  - v) Post approved LCAPs prominently on the homepage of the website of the school district.
- 2) Requires charter schools to annually adopt an LCAP to update the goals and annual actions to achieve the goals identified in the charter petition with consultation from teachers, principals, administrators, parent, pupils, and other school personnel. (EC 47606.5)
- 3) Requires the State Board of Education (SBE) to adopt LCAP templates to be used by school districts, county superintendents of schools, and charter schools.
- 4) Provides, under the Local Control Funding Formula (LCFF), a supplemental grant equal to 20% of the adjusted base grant multiplied by average daily attendance (ADA) and the unduplicated percentage of targeted disadvantaged pupils. Targeted pupils are those classified as ELs, meet income requirements to receive a free or reduced-price meal (FRPM), foster youth, or any combination of these factors (unduplicated count). Further provides a concentration grant equal to 50% of the adjusted base grant multiplied by ADA and the percentage of targeted pupils exceeding 55% of a local educational agency's (LEA) enrollment.
- 5) Authorizes pupils in a school district that maintains one or more high schools to petition the governing board to appoint one or more pupil members to the governing board.
- 6) Requires the petition to be signed by at least 500 high school pupils enrolled in the district or 10% of the number of high school pupils enrolled in the district, whichever is less.
- 7) Requires each pupil member to have the right to attend each and all meetings of the governing board of the school district, except executive sessions.
- 8) Entitles each pupil member to the same mileage allowance to the same extent as regular members, but excludes pupil members from permissive monthly compensation. (EC 35012)

**FISCAL EFFECT:** According to the Senate Appropriations Committee, pursuant to Senate Rule 28.8, negligible state costs.

**COMMENTS:**

***Key provisions of the bill.*** This bill requires school districts serving middle school and high school to either include two pupils on an existing parent advisory board or establish a student advisory committee, in order to develop and adopt the school district's LCAP.

***Need for the bill.*** The author's office states, "In the wake of the COVID-19 pandemic, the most pressing educational challenges—learning loss, chronic absenteeism, mental health crises, and more—are becoming increasingly difficult to address. LEAs must involve students directly in LCAP conversations in order to adapt their priorities and ensure that services reflect the immediate needs of students. While parental involvement is required under the auspices of a parental advisory committee, student involvement is included by means of general consultation. Current methods of getting student input include surveys of pupils, forums with pupils, pupil advisory committees, or meetings with pupil government bodies or other groups representing pupils. While these methods are helpful, they are not as effective as giving students a seat at the table. Students provide valuable insights on educational experiences, and their input cannot be substituted with input from adult stakeholders."

***What is the LCAP?*** The LCAP is a tool for LEAs and charter schools to set goals, plan actions, and leverage resources to meet those goals to improve student outcomes. The LCAP is a three-year plan, updated annually, that describes the goals, actions, services, and expenditures to support positive student outcomes that address state and local priorities. This provides LEAs an opportunity to share their stories of how, what, and why programs and services are selected to meet their local needs. The SBE approves an LCAP template which all LEAs are required to use. For the 2022-23 LCAP year, the components of the LCAP template include:

- Local Control Funding Formula (LCFF) Budget Overview for Parents;
- Supplement to the Annual Update to the 2021-22 LCAP;
- Plan Summary;
- Engaging Education Partners;
- Goals and Actions;
- Increased of Improved Services for Foster Youth, English Learners, and Low-income students;
- Action Tables; and
- Instructions.

Accountability for the LCAP is with local stakeholders, elected board of education trustees or charter school governing body members, and district or charter school administrators. The county superintendent of schools, as the intermediate agent between the state and the LEAs, provides external accountability by overseeing the LCAP process in their county.

***Stakeholder engagement.*** Local stakeholder involvement is a requirement in LCAP implementation for LEAs. LEAs must consult with teachers, principal, administrators, other school personnel, local bargaining units of the school district, parents, and pupils. The LCAP must describe the steps implements to engage parents, pupils, and the community. The stakeholder section of the LCAP describes the consultation process the LEA had with various stakeholder groups, which could include the Parent Advisory Committee, the EL Parent Advisory Committee, teachers, principals and administrators, other school personnel, SELPA Administrator(s), local bargaining units, parents, students, and any other stakeholder groups identified by the LEA. Meaningful engagement of all stakeholders is critical to the development of the LCAP and the budget process. However, the LEA is not required to establish a new advisory committee if the LEA has already established an advisory committee that meets the LCFF statutory and regulatory requirements.

Parent advisory committees and EL parent advisory committees are subject to the open meeting requirements of the Greene Act. The LCAP instructions provided by the CDE state that the LCAP should be shared with, and LEAs should request input from, school-site level advisory groups as applicable (i.e. school site councils, EL Advisory Councils, student advisory groups, etc.) to facilitate alignment between school-site and district level goals and actions.

Under the LCFF, charter school are also required to complete an LCAP with consultation from teachers, principals, administrators, parent, pupils, and other school personnel. Charter schools are not required to consult with local bargaining units and are not required to have parent advisory groups.

Since the LCFF and related accountability provisions were enacted, several other resources to improve community engagement at the local level have been established:

- The LCFF Budget Overview for Parents requires COEs, school districts and charter schools to develop a simple budget overview for parents as a part of the LEA's LCAP, and contains the following information: the total projected LCFF revenue for the coming LCAP year; the projected general fund expenditures for the coming LCAP year; the budgeted expenditures for Planned Actions/Services for the coming LCAP year; and a brief description of the activities or programs supported by general fund expenditures that are not included in the LCAP.
- The California Collaborative for Educational Excellence (CCEE) is required to co-administer a Community Engagement Initiative with a lead agency, the San Bernardino County Superintendent of Schools, as established by AB 1808 (Committee on Budget), Chapter 32, Statutes of 2018 for the purpose of:
  - Building capacity in communities and school districts to facilitate difficult conversations that focus on improving outcomes for students;
  - Identifying effective models of community engagement and metrics to evaluate those models;
  - Developing effective peer-to-peer partnerships between school districts and county offices of education to deepen community engagement;

- Expanding successful community engagement practices statewide; and
- Serving as a facilitator, resource connector, capacity builder, and relationship builder concerning school districts' efforts to develop community engagement.

***Student board members in California.*** Current law requires the governing board of an LEA to include a student board member if a petition signed by a specified number of high school students is brought before the governing board or body. The California School Boards Association estimates that approximately half of all school district governing boards include a student board member.

***Student involvement in the LCAP.*** Under current law, direct student involvement in LCAP is authorized. This may be in the form of student surveys, forums and meetings with student government members or other students groups like student advisory committees. Several school districts and COEs have student advisory councils including Sacramento City Unified School District, Los Angeles Office of Education, San Francisco Unified School District, San Juan Unified School District, and Oakland Unified School District.

***Statewide community engagement.*** Since the establishment of the LCFF in 2013, LEAs have been implementing the LCAP development process. The research related to the parent and community components of LCAP development has been limited; the majority of research comes from a small set of case studies and is not a representative sample.

The 2018 report, *Getting Down to Facts II: Taking stock of stakeholder engagement in California's LCFF: What can we learn from the past four years to guide next steps?* reports the following related to stakeholder engagement:

- Despite reported learning and improvement over time, most districts are complying with the letter of the LCFF policy but not the full spirit of democratic engagement. We find variation in the breadth and depth of engagement in case study districts within and across years: the majority of districts demonstrated shallow forms of engagement, while a set of “outlier” districts achieved deeper and broader engagement. Statewide survey and case study data indicate widespread struggles to attract participation, particularly among traditionally underserved stakeholders and groups targeted by LCFF.
- State guidelines for completing the LCAP (the “template”) state the importance of “meaningful engagement” from parents, students, and other stakeholders individuals connected to subgroups targeted for extra funding (e.g., foster youth and English learners). Neither the statute nor template provides guidance on the number or proportion of individuals or groups to involve and or how to engage them (or what “meaningful” engagement entails). While the statute established the California Collaborative for Educational Excellence (CCEE) to support districts in achieving the goals outlined in their adopted LCAPs, the state has not provided technical assistance or information on how to implement stakeholder engagement requirements.
- While superintendents statewide perceive a lack of interest on the part of stakeholders, polling data indicate that the majority of voters are in fact interested in contributing to school and district decisions around goals and resources and would like to be more involved. Instead, our data suggest that a host of other conditions may be contributing to

the low participation in LCFF-related activities and the shallow nature of these interactions with the district, including conditions related to individual stakeholders (lack of awareness, fatigue, limited capacity), relationships of trust (between districts and community, unions and districts), organizations (lack of capacity) and broader institutional pressures. Conversely, districts demonstrating deeper and/or broader forms of engagement appeared to benefit from not only greater capacity and levels of trust, but also a history of community engagement, strategic plans, and assistance from external organizations and partners.

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

- 1) Have an implementation date of July 1, 2024.

***Arguments in support.*** Public Advocates, Inc. states, “This bill will give students another channel to express their views on the operations of their local district or county board of education. While parental involvement in the LCAP is required under the auspices of a parental advisory committee, student involvement is included by means of general consultation. Suggested methods of consultation include surveys of pupils, forums with students, or meetings with student government bodies or other groups representing the student body. While these methods are helpful, they are not as effective as giving students a seat at the table.”

***Related legislation.*** SB 908 (Pan) of the 2021-22 Session bill would establish the Student Board Member Advisory Commission as a stand-alone state-level body to provide assistance and advice to the student member of the SBE, the SBE, the Superintendent of Public Instruction, the Legislature, and the Governor in education policy.

AB 824 (Bennett), Chapter 669, Statutes of 2021, establishes processes whereby a county board of education or a governing body of a charter school is to include a high school student member, upon petition.

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 Local Control Accountability Plan (LCAP), required school districts and charter schools to establish a LCAP foster youth advisory committee, and added requirements to the charter school LCAP development and review processes. This bill was vetoed 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 1240 (Weber), Chapter 783, Statutes of 2019, revises the definition of the pupil achievement state priority for purposes of school district, county office of education, and charter school LCAPs to include the percentage of pupils who have successfully completed courses that satisfy

the requirements for: 1) entrance to the University of California (UC) and the California State University (CSU), 2) career technical education (CTE) sequences; and, 3) both 1) and 2).

AB 709 (Bonta) Chapter 437, Statutes of 2019 requires pupil members of a governing board of a school district be appointed to subcommittees in the same manner as other board members, among other requirements.

AB 1808 (Committee on Budget), Chapter 32, Statutes of 2018, appropriated \$13 million to establish the Community Engagement Initiative with the CCEE which requires teams consisting of stakeholders, including pupils, representing a different region of the state.

AB 2878 (Chávez) Chapter 826, Statutes of 2018, added family engagement to the state priorities that must be addressed by school district, charter school, and county office of education LCAPs.

SB 468 (Leyva) Chapter 283, Statutes of 2017 modifies the existing requirement that school district governing boards provide the student board member with materials presented to the board members to specify that the student members are to receive all open meeting materials at the same time the materials are presented to the board members, and requires governing boards to invite the student member to staff briefings provided to board members or provide a separate briefing within the same timeframe as the briefing of board members.

SB 532 (Leyva) Chapter 317, Statutes of 2015 requires a majority vote of all voting board members on a motion to eliminate the nonvoting or preferential voting pupil member position from the governing board of a school district, and requires the motion to be listed as a public agenda item for a meeting of the governing board of the school district prior to the motion being voted upon.

AB 1007 (Carter) of the 2009-10 Session would have required appointment of one or more non-voting pupils to the board upon receipt of a pupil petition requesting this, within 30 days of receipt of that petition or at its next regularly scheduled meeting if no meeting was held within those 30 days. This bill was vetoed by the Governor, with the following message:

I am unaware of any school board intentionally withholding action on a student representation petition. Therefore, I believe this bill is unnecessary.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

Children Now  
Create CA  
Improve Your Tomorrow, INC.  
Public Advocates INC.

### **Opposition**

None on file

**Analysis Prepared by:** Javier Garcia / ED. / (916) 319-2087, Marguerite Ries / ED. / (916) 319-2087