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New Accountability in California through Local Control Funding Reforms: The Promise and the Gaps

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Abstract: California is in the midst of the nation's most significant current overhaul of a state school funding and accountability system. This paper examines the state's recent reforms enacted through the Local Control Funding Formula (LCFF) against the new accountability framework articulated by Linda Darling-Hammond, Gene Wilhoit, and Linda Pittenger in their August 2014 paper in this publication. There the authors addressed the need for states to align their accountability systems with new college and career-ready learning standards through "a focus on [1] meaningful learning, enabled by [2] professionally skilled and committed educators, and supported by [3] adequate and appropriate resources" (Darling-Hammond, Wilhoit, & Pittenger, 2014). Many key aspects of LCFF align California with the vision of a new accountability that promises to prepare the state's students with 21st century college and career ready skills; other key building blocks must yet be put in place if California and its students are to realize the promise of the new paradigm.

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Keywords: accountability; college and career ready; Common Core State Standards, continuous improvement; educational equity; English language learner; LCFF; local control; low-income, multiple measures; school funding

Responsabilidad Educativa en California a Través de las Reformas de Control Local del Financiamiento: Promesas y Vacíos

Resumen: California se encuentra en medio de la revisión más importante de la nación del modelo de financiamiento público de las escuelas y de su sistema de responsabilidad educativa. Este artículo examina las reformas recientes promulgadas a través la fórmula de financiamiento con control local (LCFF) en relación al nuevo marco de responsabilidad educativa articulado por Linda Darling-Hammond, Gene Wilhoit, y Linda Pittenger en su artículo en EPAA. Allí los autores abordaron la necesidad de que los Estados alineen sus sistemas de responsabilidad educativa con estándares de aprendizaje que preparen para los estudios universitarios y de carreras profesionales a través de “un enfoque en [1] aprendizaje significativos, facilitados por [2] educadores profesionalmente cualificados y comprometidos, y con el apoyo de [3] recursos adecuados y apropiados” (Darling-Hammond, Wilhoit, y Pittenger, 2014). Varios aspectos clave de LCFF se alinean con la visión de un nuevo modelo de responsabilidad educativa que prepare estudiantes para la universidad del siglo 21 y con habilidades apropiadas para carreras profesionales; sin embargo aún falta que otros elementos fundamentales se alineen para hacer realidad la promesa del nuevo paradigma.

Palabras clave: responsabilidad educativa; universidad; carreras profesionales; estándares estatales comunes, mejora continua; equidad educativa; aprendizaje del idioma Inglés; control local; financiación educativa

Responsabilização Educacional na Califórnia, Através de Reformas de Controle Local do Financiamento: Promessas e Ausências

Resumo: California está no meio da revisão mais significativa da nação no modelo de financiamento de escolas públicas e seu sistema de responsabilidade educativa. Este artigo analisa as recentes reformas originadas na implementação de control local do financiamento (LCFF) em relação ao novo modelo de responsabilização educacional articulado por Linda Darling-Hammond, Gene Wilhoit, e Linda Pittenger em seu artigo na EPAA. Lá, os autores abordaram a necessidade dos Estados de alinhar seus sistemas de responsabilidade educacional com estándares de aprendizagem que preparen para os estudos universitários e carreira profissionais através da “abordagem baseados em [1] aprendizagem significativas, facilitada por [2] educadores qualificados profissionalmente e comprometidos, e com o apoio da [3], recursos adequados e apropriados” (Darling-Hammond, Wilhoit, e Pittenger, 2014). Vários aspectos-chave da LCFF estão alinhados com a visão de um novo modelo de responsabilidade educacional para preparar os alunos com as habilidades apropriadas para estudos universitários e carreiras profissionais; do século 21 No entanto, outros elementos fundamentais ainda têm que se alinhar para realizar a promessa do novo paradigma.

Palavras-chave: responsabilidade educativa; universidade; carreiras; normas estaduais comuns, melhoria contínua; equidade educacional; aprendizagem de línguas Inglês; controle local; financiamento da educação

Outline of the Paper

California educates one in every eight public school students in the U.S.; those one in eight are, on average, among the nation’s most challenging. Over half of the state’s 6 million students

qualify for free or reduced-priced meals and a quarter of all students are English language learners (ELLs) (California Department of Education/ELL, 2014). With its size and diversity, the ability of California's public school system to produce college and career ready graduates in an increasingly information and services-oriented economy will impact not only the strength of its own economy – currently the eighth largest in the world – but that of the nation as a whole.

While reauthorization of the Elementary and Secondary Education Act has stalled since 2006 amid partisan gridlock, California has moved ahead with some of the most exciting systemwide education reforms in the country. State policymakers, educators, and the public have largely embraced the new Common Core State Standards with little of the rancor seen elsewhere. In fact, despite initial threats to withhold federal funding, the state halted statewide testing of its students on out-dated academic content standards in 2013-14 and initiated pilot testing of the new Common Core-aligned Smarter Balanced assessments with nearly all students. More fundamentally, in June 2013, the state passed a new law that radically reforms how California funds its schools for the first time in forty years, substantially devolves educational decision-making to local districts and communities, and revises how to improve outcomes in low-performing districts (Assem. B. 97, 2013-2014).

In the first section, I review the major components of the new Local Control Funding Formula law and its implementing regulations and analyze its very significant overlap with the new accountability framework articulated by Darling-Hammond, Wilhoit, and Pittenger (2014). This section also identifies key implementation opportunities in the coming year to further that alignment. The second section analyzes the author's own experience implementing the new reforms this year as a civil rights advocate and as president of a local school board. The section concludes by identifying additional critical steps needed to enable California's new funding and accountability system to achieve its goal of enabling all students to graduate college and career ready.

Local Control Funding and New Accountability

Funding Reforms

Under LCFF the largest state in the country has now adopted a weighted funding system based on the notion that students with greater need require more resources to have the same opportunities to achieve meaningful outcomes. Though failing to address adequacy, California's new school funding formula seeks to organize the state's K-12 resources around an equity principle as called for by the new accountability. When fully implemented, each district and charter school will receive the same standard per pupil amount as part of its "base" funding and similar weights for high need students, known in the statute as "unduplicated students" and defined as those qualifying for Free and Reduced-Price Meals, ELLs and foster youth (Cal. Educ. Code §§ 42238.02). This standardization rationalizes the prior system, which had grown increasingly complex, irrational and inequitable over the last four decades to the point where districts of similar size and demographics received significantly disparate amounts of funding (Kirst, Goertz, & Odden, 2007; Loeb, Bryk, & Hanushek, 2008).

At full implementation, currently projected for the 2020-21 school year, LCFF's weighted funding provides districts and charters "supplemental grant" funding equal to 20% of the base amount for each high need student and an additional "concentration grant" equal to 50% of the base for each high need student over a threshold population of 55% high need students (Cal. Educ.

Code §§ 42238.02(e)-(f)). Thus, at full implementation, a district that has 100% high need students will receive 1.425 times the funding of a similar-sized district that has no high need students.²

An additional upward adjustment of 10.4% is provided to the district for each student in grades K-3 to offset the demands of LCFF's 24 to 1 class size ratio requirement; grade 9-12 students garner districts an additional 2.6% to fund the additional demands of high school education including career tech courses (Taylor, 2013).³

Districts have wide latitude but not unfettered discretion in determining how to spend their weighted funds. In loosening the reins from traditional categorical program funding – where dollars are closely tied to targeted students according to strict accounting tracking – but resisting calls for total local flexibility, the LCFF statute and regulations establish and implement a new concept of “proportionality.” The statute required local educational agencies (LEAs; i.e., districts and charters) to “increase or improve services for [high need] pupils in proportion to the increase in funds” generated by these students (Cal. Educ. Code § 42238.07(a)). It delegated to the State Board of Education the task of implementing the proportionality principle by regulation. The statute further required that the regulations permit supplemental and concentration funds to be spent on a schoolwide or districtwide basis and that the regulations be no more restrictive than similar federal Title I requirements (Cal. Educ. Code § 42238.07(b)).

After a great deal of initial rancor and a year of proposals, counter-proposal, thousands of comments and an unprecedented turnout of hundreds of parents, students, community leaders, school board members and superintendents over numerous hearings, the State Board produced a set of final regulations in November that largely has won the consensus support of the Administration, the teachers unions, the school boards and administrators and the equity community. The regulations, adopted in November 2014, require each LEA to determine and report the precise amount of supplemental and concentration funding it is expending each year according to an established formula and to identify how it is using those funds to increase or improve services for high need students. Where the LEA is spending its weighted funding on a schoolwide or districtwide basis (and thereby serving non-high need students as well), it must also justify the expenditure as being “principally directed” toward serving high need pupil goals and – at the outset and over time – as “effective” (Cal. Code Regs. tit. 5, § 15496 et seq.). Where the school is 40% or less high need pupils for schoolwide uses or the district is 55% or less high need pupils for districtwide uses, the LEA must additionally demonstrate that the entity-wide use of these weighted funds is “the most effective” (Cal. Code Regs. tit. 5, § 15496 et seq.) option available to the LEA.

It is still too early to determine how well or poorly California's new experiment with “proportionality” will unfold. In concept, however, it promises districts and charters new flexibility to innovate with how they will provide new or better supplemental services for high need pupils while holding them accountable for keeping these students as a forethought and not an afterthought in the use of the weighted funds.

Local Control and Community Engagement Reforms

Contrary to the belief of many outside observers, LCFF is not solely or, arguably, even primarily a school finance reform. It also substantially reorganizes and decentralizes the delivery of public education in California and does so in ways that is driving the state toward a new accountability framework. Over the last fifty years, categorical programs proliferated in California.

² That is, 20% additional funding as part of the supplemental grant covering all the high need students in the district and another 22.5% of base funding from the concentration grant (50% of the per pupil base amount for the 45% of students over the 55% threshold).

³ For a general discussion of LCFF's provisions, see the Legislative Analyst Office summary (Taylor, 2013).

With them came myriad rules and requirements from the state for each separate pot of funding and corresponding administrative burdens for tracking and reporting. Prior to LCFF, categorical state funding accounted for over 30% of a typical district's funding (Kirst et al., 2007). LCFF eliminated the great majority of the state's dozens of categorical programs and devolved to districts and charters the responsibility to spend those funds according to local determinations (Taylor, 2013).

LCFF does not, however, authorize unfettered local use of state dollars in exchange only for being "held accountable" if poor outcomes emerge down the line. Districts are given wide discretion in *what* goals they will set and *how* they will expend dollars to achieve those locally-derived goals; yet, their discretion must be a focused one as the statute spells out 8 broad priority areas that the state requires districts to address and identifies 24 metrics within those priority areas on which the state expects each district to make progress each year (Cal. Educ. Code § 52060). In theory, districts are free to spend only a small portion of their funds on these priority areas. In fact, the 8 areas represent the comprehensive components of a well-rounded educational program that districts want to be undertaking and held accountable for and reflect the precise kind of multi-dimensional shift beyond the narrow, standardized test-based focus of No Child Left Behind called for by the new accountability.

LCFF's Eight State Priority Areas & Required Progress Metrics

Basic Services

- Fully credentialed teachers
- Teachers properly assigned to teach the subject and any special student population.
- Student access to standards-aligned instructional materials.
- Facilities in good repair.

Implementation of State-adopted Standards

- Implementation for all students of academic standards adopted by State Board, including but not limited to Common Core State Standards, and, for ELLs, English Language Development standards.

Course Access

- Student access and enrollment in all required areas of study.

Parental Involvement

- Efforts to seek parent input in decision-making.
- Promotion of parental participation in high need and special ed. programs.

Student Engagement

- School attendance rates.
- Chronic absenteeism rates.
- Middle school dropout rates.
- High school dropout rates.
- High school graduation rates.

School Climate

- Student suspension rates.
- Student expulsion rates.
- Other local measures, including parent, student and teacher surveys.

Student Achievement

- Performance on standardized tests.
- Score on Academic Performance Index.
- Share of students that are college and career ready.

- Share of ELLs that become English proficient.
- ELL reclassification rate.
- Share of students that pass Advanced Placement exams with 3 or higher.
- Share of students determined prepared for college by the Early Assessment Program.

Other Student Outcomes

- Other indicators of student performance in required areas of study. May include performance on other exams.

In exchange for the release from the categorical restrictions – many of which were designed to ensure targeted funds were spent on high need students as intended and/or not otherwise primarily the subject of local salary bargaining – equity advocates demanded *heightened requirements for districts to engage local community stakeholders* in decision-making and *heightened requirements for transparency with respect to LEA educational plans and spending*. The vehicle that transparently displays the district’s educational and spending plan for addressing the 8 state priorities and provides both a platform for community engagement and a documentation of it is known as the Local Control Accountability Plan or LCAP. Each district and charter must develop this 3-year strategic planning document which sets forth for districts their local goals within the framework of the 8 state priorities and any local priorities, the actions that will be undertaken to achieve those goals in the three-year period, and the expenditures needed to deliver those actions (Cal. Educ. Code § 52060).⁴

Adopted LCAPs are revisited in years two and three through an “annual update” in which the prior year’s proposed goals, actions, and expenditures are reviewed against actual progress and mid-course corrections can be made (Cal. Educ. Code § 52061). After three years, a new 3-year LCAP is adopted and the implementation of the strategic plan is begun anew.

The heightened community engagement has many districts and community groups realizing that LCFF portends a culture shift in how schools and districts interact with their local communities. The new engagement is called for in two respects, both of which are reviewed for compliance by county offices of education as part of the LCAP and budget approval process. *First*, districts must “consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing” the LCAP (Cal. Educ. Code § 52060(g)). Districts are encouraged to engage these stakeholders in any number of ways, including surveys, town halls, and meetings with school site councils to name a few. At a minimum, districts must form Parent Advisory Committees and English Learner Parent Advisory Committees (where the district has at least 15% ELLs) made up of a majority of parents and employ student surveys, forums, advisory committees or some other mechanism for gathering student input (Cal. Code Regs. tit. 5, §§ 15495(a), (b), (f); Cal. Educ. Code §§ 52063(a), (b)). The district must present its near final LCAP to the Parent Advisory Committee and, where present, the ELL Parent Advisory Committee, for review, and the Superintendent must respond in writing to any comments received. The district must also present its LCAP to the public at two board meetings and receive written and oral comments at those times as well for consideration prior to adoption (Cal. Educ. Code § 52062).

Second, in addition to involving stakeholders in the development of the LCAP, districts must independently address “Parent Involvement” as one of the 8 state priorities in the LCAP. For most districts, this means they will need to work with their communities to set specific goals, actions, and expenditures which address improving parental involvement in decision-making in the district and in participating in the education of high need and special ed students. In elevating parent involvement

⁴ Charters have more freedom than school districts. Charter LCAPs are to be organized around the priorities set forth in their charter and need only address state priorities to the extent they are aligned to the grade levels served and the nature of the program established in the charter (Cal. Educ. Code § 47606.5).

to the status of one of the state's required 8 priority areas and mandating local engagement in LCAP development, California is helping to model the importance of community engagement in local programs and decision-making as a key component of the new accountability.

* * *

Thus far, LCFF's alignment with a new accountability framework is substantial. Districts that take the spirit of LCFF to heart should be designing robust, community-owned LCAPs that lay out how educator and school capacity will be supported and enhanced by strategic and equitable allocation of resources to deliver deep and meaningful learning. Moving beyond the narrow, scripted curriculum and drill and kill testing that so many low-income schools experienced under NCLB's heyday, LCFF and LCAPs should drive districts to focus on the multi-dimensional aspects of meaningful learning. Districts must plan for how they are going to deliver the basic building blocks of fully prepared and properly assigned teachers, standards-aligned instructional materials and decent facilities. Needed improvements in school climate and student and parent engagement so as to create the proper supports for students to take advantage of learning opportunities must be identified and addressed. And districts must articulate and seek community buy-in for how they plan to implement state standards, including the Common Core, and to prepare students to graduate college and career ready. Numerous metrics of how well or poorly the district is progressing toward meaningful learning will be established and reviewed with the community, including student attendance and absenteeism, suspension, expulsion, and graduation rates, and, of course, performance on state and local assessments of achievement.

The next critical question, to be addressed in the next section, is what will happen in California under LCFF when districts underperform? Who intervenes and when and how?

Accountability Reforms & Pending Questions

Once again, in spirit, much in the LCFF's accountability framework fits with the vision of the new accountability. LCFF turns away from a test-and-punish response for districts who are underperforming on what has typically been a narrow set of lower-level skills in a few academic content areas to one of assess-and-support toward continuous improvement on a more comprehensive, multi-dimensional set of performance indicators.

Under LCFF, the State Board of Education is responsible for establishing "standards for school district and individual schoolsite performance and expectation for improvement" in each of the 8 priority areas (Cal. Educ. Code § 52064.5(c)). These standards will form a central part of new "evaluation rubrics" established by the State Board by October 2015. The rubrics will be used by LEAs to assess their own performance, by county superintendents to determine which LEAs need technical assistance in meeting the state priorities, and by the State Superintendent of Public Instruction to determine which LEAs need more directive intervention (Cal. Educ. Code §§ 52064.5, 52071). The rubrics are to "reflect a holistic, multidimensional assessment of school district and individual schoolsite performance and shall include all of the state priorities" (Cal. Educ. Code § 52064.5(b)).

Three entities are responsible for assisting and intervening in districts that are having trouble achieving their LCAP goals and/or not meeting state standards. The first line of review and technical assistance is the county office of education (Cal. Educ. Code §§ 52070, 52071). County offices now are to assess: 1) whether districts have allocated sufficient expenditures to carry out the various actions set forth in their LCAPs (Cal. Educ. Code § 52070(d)(2)); 2) whether districts are satisfying "proportionality" under LCFF regulations (Cal. Educ. Code § 52070(d)(3)) 3) whether

districtwide or schoolwide programs are “effective” or even “the most effective” uses of supplemental and concentration funds (Cal. Code Regs. § 15496(b)); 4) whether and how districts can benefit from direct county office technical assistance in obtaining LCAP approval or in improving student achievement (Cal. Educ. Code §§ 52071(a)(1), (b)); and 5) whether districts are in need of technical assistance from county-appointed academic experts or by the new support entity known as the California Collaborative for Educational Excellence (CCEE) (Cal. Educ. Code §§ 52071(a)(2)–(3)).

If passed on from the county office, the second line of technical assistance will be provided, as noted, by the academic expert or team of experts (or a high-performing school district) appointed by the county or by the new CCEE entity. The California Collaborative is a potentially promising new entity as it represents the first time the state has established its own technical assistance arm to support LEAs. In the mode of similar entities elsewhere, like Massachusetts and Ontario, Canada (Massachusetts Department of Elementary & Secondary Education, 2014; Ontario Ministry of Education, 2008), it is charged, in particular, with helping districts achieve their LCAP goals in addressing the 8 state priorities, improving the quality of teaching, and/or improving the quality of district or school leadership (Cal. Educ. Code § 52074).

The third line of review is the State Superintendent. LCFF empowers the Superintendent to refer an LEA to the CCEE for technical assistance where the LEA itself or a county office requests it or the Superintendent independently deems it appropriate (Cal. Educ. Code § 52074(d)). If the CCEE has tried and failed to improve the district or if the CCEE deems the district a persistent or acute under-performer based on the evaluation rubrics, the Superintendent can, with State Board approval, intervene in a district. The Superintendent is empowered to order a change to the district’s LCAP or budget, to stay or rescind a district action, or to appoint a trustee to take over specified duties (Cal. Educ. Code § 52074).

* * *

The assess-and-support accountability system enacted with LCFF has many promising features and, as a work in progress, still many significant features to iron out. The “holistic, multi-dimensional” framework for the evaluation rubrics suggests the state and its LEAs will be focusing on a meaningfully broad set of educational indicators supportive of improving outcomes. A major question to be resolved this year is how rigorous and specific will the State Board’s standards for “performance and expectation for improvement” be? It is a given that the Board will not set standards for the evaluation rubrics that label the majority or even a substantial minority of schools as failures in need of intervention as occurred under No Child Left Behind. On the other hand, given that even under the old academic content standards, half or less of the students in California were deemed proficient and a majority of the state’s low-income students, students of color, and ELLs were not, the Board cannot sweep the need for significant improvement under the rug (California Department of Education/Standardized Testing and Reporting Program, 2013).

It is important to emphasize here that the statute gives the State Board two duties, both of which call for care and thoughtfulness. First, the Board needs to establish meaningful “performance” standards that define challenging but reachable performance benchmarks for LEAs in the 8 state priority areas. These benchmarks – which may understandably be more modest initially and increase over time as schools adjust to the new demands of the Common Core and Smarter, Balanced assessments – should articulate the college and career ready level of performance we want all our schools continuously improving toward. Second, the Board also needs to establish standards for “expectation for improvement” so that LEAs have specific continuous improvement targets in

mind each year. These improvement targets are an essential component in the accountability system for what will inevitably be the great majority of LEAs falling above “intervention-worthy” but below high performing. With these targets, it will be clear how much all the LEAs under the bell curve will need to improve in the 8 priority areas in any given year, whether they are working on their own through a self-assessment or are receiving technical assistance from the counties and the California Collaborative. In the future, it will be necessary as well for the State Board to establish “intervention standards” defining when more directive assistance and intervention is warranted by county offices, the CCEE, and, ultimately, the State Superintendent for those districts performing unacceptably.

The new role of county offices of education in LCFF’s continuous improvement architecture raises another challenge. County offices are accustomed to reviewing and approving school budgets and ensuring fiscal solvency among districts or visiting schools to ensure they have sufficient textbooks and have facilities in good repair (Allen, 2005; California Department of Education/County budget standards, 2014; California Department of Education/Fiscal Solvency, 2014). LCFF clearly expands the county office role into the new territory of qualitative program review, whether in considering an LEA’s LCAP for approval, providing technical assistance, or referring an LEA to the CCEE. This expansion will require adjustments in expectations concerning roles and responsibilities for both LEAs and the county offices themselves when it comes to reviewing the LEA’s instructional program, its staffing and learning supports. It will also require county offices to expand their own capacity and technical expertise to meet this new demand. This could come in the form of hiring new staff capable of providing and organizing technical assistance to LEAs, organizational redesign, or, as some have suggested, working on a regional basis with other county offices to share resources, responsibilities, and areas of expertise (Darling-Hammond, 2015).

The California Collaborative is a still emerging entity. At present it consists of but five appointed members, a \$10 million budget, and a statutory mandate. It remains unclear how exactly the CCEE will carry out its duties and whether it (and the county offices) have enough capacity to deliver all the technical assistance needed. A system that has been implemented in Massachusetts and Tennessee, and which has been adopted by the CORE districts in California is to pair under-performing districts and schools with high-performing ones (Darling-Hammond et al., 2014). Such networking has proved successful in other countries as well, including in Shanghai, Ontario and England, (Darling-Hammond, 2015). It may be that this model for sharing best practices on an institutional basis is the best option for building technical assistance capacity in California across the state. As well, the CCEE could serve as a developer and certifier of effective improvement teams or of high quality service providers for LEAs (Fullan, 2015). Whether and how county offices and the CCEE employ these strategies effectively remain open questions.

Finally, it remains unsettled how California’s new LCFF accountability system is to fit with its pre-existing systems. Preceding LCFF’s passage, the state had slowly been updating its Academic Performance Index (API) used to rank schools and to identify schools and districts for intervention (S.B. 1458, 2013-2014). Senate Bill 1458 required the state to add more achievement indicators to the API, such as graduation rates and college and career readiness, beyond standardized test scores, thereby already pushing the state toward a more robust notion of academic achievement consistent with new accountability. Also, not being a waiver state, California in theory must still adhere to the federal Adequate Yearly Progress system of interventions under NCLB and its penalties for districts in Program Improvement. As to the federal system, California is minimally enforcing it now and hoping an eventual ESEA re-authorization will allow it the flexibility to continue along its own path. This is the year, however, to merge a revised API with the evaluation rubrics to create a single coherent state system of support, assistance, and intervention.

As part of the the API revision work being carried out under the a committee of the California Department of Education and the evaluation rubrics work of the State Board, both entities are charged with establishing indicators of college and career readiness. This “uber” metric describes an ultimate, overarching goal of the K-12 enterprise and, as such, is a key component of the state’s accountability system. To date, however, the work of landing on the proper indicators has proceeded slowly with the Department and not at all with the State Board. Another critical challenge for the year ahead will be for the state to define college and career readiness in a way that ensures graduates are *both* – *i.e.*, able to pursue either four-year colleges or meaningful postsecondary career and technical training – and to establish the system indicators for determining which LEAs are consistently producing college and career ready graduates.

Reflections on the First Year Implementation of LCFF and Its Gaps with the New Accountability

Early Implementation Shortcomings

As a civil rights advocate working with local community groups around the state to implement LCFF and LCAPs and as President of the Emery Unified School District ultimately responsible for developing and adopting an LCAP, I experienced this first year of implementation from both the outside and the inside. My overarching impression is that districts around the state embraced the new demands of local engagement willingly. School boards, superintendents, and school staff understood the new importance of involving community in local decision-making and sought numerous ways to fulfill the requirement that they consult with stakeholders. We documented many of the innovative practices in an article for the state administrator’s association. (Gelsomini & Ishida, 2014). At the same time, by and large, community groups were disappointed with the lack of capacity in district offices to fulfill the new demands of meaningful engagement and the frequent failure to address basic requirements for parent and student engagement including: 1) setting meetings at times parents and students can make; 2) providing sufficient notice to target populations of the meetings and their purpose; 3) offering child care and food; 4) providing translation and interpretation; and 5) providing trainings on LCFF, LCAP and budgets so that parents and students could meaningfully participate (PICO California, 2014).

This first year, understandably, a good deal of the effort on both sides involved making the engagement happen. As a consequence though, most of the input districts took from community engagement resembled a laundry list of needs and wants as opposed to thoughtful and focused input into a coherent strategic plan. In particular, districts did not do a good job this year of involving community stakeholders in deciding what metrics of progress should be utilized (where not required by statute) or what the improvement targets on the chosen metrics should be. Those decisions typically happened behind closed doors in district offices. Hopefully, that will change as district staff and local communities grow in familiarity and sophistication in developing LCAPs.

While we discovered some good examples of LCAPs in terms of accessibility, community involvement and thoughtful goal-setting and action-planning (*e.g.*, Berkeley Unified School District, 2014), no LCAP of which we at Public Advocates are aware fully met the statutory and regulatory requirements for LCAPs. Most were not transparent about how they were calculating “proportionality” (which is a best practice and not technically required); even more concerning, many LCAPs failed to identify, as required, the supplemental and concentration funding amounts they need to spend this year to increase or improve services for high need students at all or, if they did, many failed to justify how their schoolwide or districtwide uses met regulatory standards. Most districts failed to fully address all 8 state priority areas and/or failed to address how they were going

to improve on the 24 statutorily-required metrics within those areas. Finally, no district we are aware of (including my own) identified how they were using *all* of their LCFF state funds to address the 8 priority areas.⁵ The LCAP cannot fulfill its role as a “comprehensive planning tool” (Cal. Code Regs. tit. 5, § 15497.5) if, as typically occurred, it is exposing only a fraction of the district’s programming and expenditures. The state and the county superintendents’ association could aid in addressing this latter concern by providing LEAs with sample LCAPs that model how to account for all LCFF funds as well as, optionally, other LEA funds such as federal, local, and private foundation dollars.

All of these issues are ones that can and should improve with time and experience and proper county office oversight. As to the later point, county offices struggled this year too as they acclimated to their new LCAP oversight and approval role. Across the state, they took a “light touch” with districts during this initial year. They have promised increasing rigor going forward. It will be important for counties to enforce the requirements for LCAPs set forth in the law in order for the public to maintain confidence in LCFF’s new system of local control.

Ongoing Funding and Teacher Quality Gaps Under LCFF

Beyond the travails of early implementation, at least two major gaps are apparent that need to be addressed in California’s implementation of new accountability and the desire to attain meaningful learning outcomes for the state’s students. These are 1) an overall K-12 funding inadequacy and 2) an emerging threat to systemic teacher quality.

LCFF redistributed the existing funding in California’s K-12 system; it did not increase it. In fact, the implementation target for 2020-21 when LCFF will be deemed “fully implemented” by the state will only get the system as a whole back to where it was in 2007-08, adjusted for inflation (Taylor, 2013). In 2007-08, California was 44th out of 50 states in per pupil funding according to *Education Week* (2011). Most recently, the state has fallen to 50th out of fifty and the ratio of adults to students in the system is similarly at an appalling 50th out of fifty states and the District of Columbia (Fensterwald, 2014). The base funding grant for every pupil in the state at full implementation is only set to be \$7,643 in 2013-14 dollars (California Department of Education/LCFF, 2015). This amount is inadequate to the task of providing a high quality core program that will enable the typical student in California to meet Common Core and college and career ready standards, much less the typical low-income student or ELL.

Beyond the general inadequacy of California’s base funding, LCFF’s supplemental weight of 20% is modest at best and may well prove insufficient to the task of providing high need students with the additional teacher capacity and other supports they will need to achieve meaningful learning outcomes. New Jersey’s weight, which has helped improve outcomes there for its low-income students, is approximately 47-50% of base funding (Sciarra & Hunter, 2014). As a result, a district in California whose student population is fifty percent low-income and/or ELL receives only 10% more than a district which has no high need students at all.⁶ By comparison, a New Jersey *Abbott* district receives 25% more funding than a similarly sized district with no high need students (Sciarra & Hunter, 2014).

It is important to recall here too that LCFF’s 20% supplemental and 50% concentration weights are not currently in effect. Those weights will only be fully in effect *upon full LCFF*

⁵ Many of these observations were echoed in a recent Legislative Analyst Office study of first-year LCAPs (Taylor, 2015).

⁶ This district would receive 20% additional funding for 50% of its students in supplemental grant funding (thus 10% more funding for the district overall as compared to the district with no high need students) but no concentration funding as it falls below the 55% high need concentration threshold.

implementation in 2020-21, a timeline that assumes current rosy economic projections hold, California's economy takes no dips and, significantly, a recent temporary tax increase is renewed. Accordingly, during the intervening long ramp-up to "full implementation," the true combined supplemental and concentration rates for districts are only a fraction of the ultimate targets.

Finally, Governor Brown and his Administration engineered a much-needed long-term shoring up of the State Teacher Retirement System (STRS) this past summer but did so by placing the weight of the "solution" on the backs of school districts and their pupils. Districts' share of STRS payments will double by 2020-21, removing billions of dollars from both core educational services and the promised increases and improvements in services for high need students (Affeldt, 2014). And, as such, when LCFF finally arrives at "full implementation" in 2020-21 or beyond, because of the substantial hike in the STRS obligation, districts will not actually re-attain their true 2007-08 level of spending on educational programs.

Against this backdrop of privation, early implementation of LCFF saw districts across the state using their increases in funding to restore cuts to basic programs made during the recent economic downturn and provide higher salaries for teachers who have gone years without any increases (Hahnel, 2014). In many instances, district maneuvers have violated LCFF's expenditure rules where districts have used supplemental and concentration funding to pay for general education services. One district we helped to revise its LCAP had initially allocated \$8 million in supplemental and concentration funds to pay for high need students' "share of deficit funding." LAUSD is attempting to credit its long-standing special education expenditures from the general fund as an annual \$450 million service targeted for high need students, thereby depriving those students of \$133 million in actual new or improved services in 2014-15 alone. These pressures to subvert LCFF's intent to provide high need students increased or improved services will only increase as the new STRS obligation kicks in and, even more so, if the economy stalls.

Thus, a fundamental gap in California's educational system remains its failure to provide adequate funding to deliver the standards-aligned program it has accepted as necessary for its students. No mechanism currently exists to hold the state accountable for adequate resource provision as the new accountability calls for. Instead, as has historically happened, education funding under LCFF is based on what the state has available rather than on what the system needs to deliver meaningful learning opportunities. Fortunately, two parallel adequacy cases are in play in California, both waiting for oral argument in the State Court of Appeal in San Francisco. I am lead counsel on one, the *Campaign for Quality Education v. California*, representing a coalition of grassroots community organizations and their constituents (see www.fairschoolsnow.org.) The school boards and administrators associations, the PTA and some districts and individual students have brought the other, *Robles-Wong v. California*. Unless we prevail, there is little reason to believe all students in California will soon have the resources they need to graduate college and career ready.

* * *

The other major gap in California's lurch toward new accountability is its weakening teacher capacity infrastructure. As detailed by Darling-Hammond et al. (2014), California has taken many positive steps to increase the capacity and effectiveness of its teachers. Yet, troubling signs abound and some have been exacerbated by LCFF. Most notably, the state is graduating many fewer teachers from its institutions of higher education. Credentials candidates enrolled in teacher preparation programs have plummeted from 77,700 in 2001-02 to 19,933 in 2012-13, the last year for which data is available (CTC, 2013; Freedberg, 2013). Credentials awarded to program completers have dropped from 17,797 in 2008-09 to 11,081 in 2012-13, a 38% decline in four years

(*ibid.*). There are many reasons for the decline in interest in the teaching profession, including the instability occasioned by a rash of layoffs during the Great Recession, the undesirability of teaching scripted curricula for increasingly high stakes tests, and a charged atmosphere where teachers are blamed for the bulk of our schools' ills. Whatever the precise cause, the state is making no concerted effort to increase teacher supply and prevent shortages, which are already beginning to emerge. In the past, loan forgiveness, grants, and other incentives have helped attract new teachers. The state needs, aggressively, to return to such programs to rebuild its teacher pipeline before shortages become acute.

California pioneered a marquee induction program in the 1990's known as the Beginning Teacher Support and Assessment (BTSA) program that helped retain new teachers in the classroom and improve their performance. The BTSA categorical was eliminated when LCFF was adopted, and districts are now allowed to decide individually if they will continue an induction program or not. This seems like a peculiarly inappropriate decision to leave to local discretion. The induction process is part of what teachers need in California to obtain a full professional clear credential. Given that teachers trained in one district often move to other districts, the state has an overriding interest in maintaining strong induction programs everywhere. LCFF's effective devolution of induction to LEAs shirks an overarching state responsibility in the name of local control. Governor Brown's recent budget recognizes the need to re-examine the induction question and has committed to beginning a conversation with stakeholders "in the coming weeks" (Brown, 2015).

Other than a block grant in 2013 for Common Core implementation, the state has similarly eliminated professional development categoricals with LCFF and left training largely at the discretion of local LEAs. This too seems inapposite in a time of Common Core and Smarter, Balanced implementation when teachers and districts across the state (and the country, no less) are searching for professional development on common core instructional strategies and on how to develop and utilize new common core materials.

The state also abandoned under Governor Brown its development of a statewide teacher data system. As such, the state cannot track in real time which teacher is teaching which course and whether they are qualified to do so. The laborious paper process in its stead currently means that corrections to misassignments often happen late or not at all during the actual period of the teaching assignment (Cal. Educ. Code § 44258.9; CTC, 2014). The lack of such an information system also severely undercuts the state's ability to assess the quality of its teaching force as a whole, spot trends that require state or local policy responses, and develop professional development programming.

Lastly, the state's teacher evaluation processes are in need of their own multiple measure, support and intervention overhaul. As the *Vergara* litigation highlighted, too often it is too difficult to remove under-performing teachers from the classroom. As that litigation failed to highlight, however, it is even more true that most districts do not have the resources or focus to ensure their acceptably-performing teachers are receiving the feedback and support they need to improve their practice to become high-performers. The state is making no efforts currently to improve its teacher evaluation and support system.

Taken together, these problems weaken the quality of California's teaching capacity and undermine LCFF's ability to deliver high quality meaningful learning opportunities to the state's neediest students. For LCFF and the new accountability to succeed, the state needs to recognize that not all critical system components will emerge merely by devolving decisions to local entities. The state still has a role in ensuring that the teacher pipeline is robust, induction and professional development supports are in place, work force quality is tracked and maintained, and effective evaluation and support for teacher professional development occur.

Conclusion

More than any other state, California has taken huge strides over the last 18 months to reform its school funding and accountability system in the direction of the new accountability framework. By adopting a funding system that is based on equity and student need, a multi-dimensional accountability system premised on supporting continuous improvement, and heightening requirements for community engagement in local educational decision-making, LCFF is pioneering many aspects of a new accountability that can serve as a model for other states and the ESEA reauthorization.

The glaring inadequacy of California's funding for its public school system, however, remains a critical challenge that must be addressed for the new accountability to take hold in the state. The state must act to organize its funding system around the standards-based educational program it has determined all students need to succeed. If unmet, the funding inadequacy will not only undermine LCFF's ability to produce meaningful learning outcomes for all its students, but it will risk a future perception that LCFF's new accountability components were a failure, rather than a recognition that the new system never had a chance to succeed with the necessary funding.

So too does must California address its weaknesses in developing, supporting and retaining fully prepared and effective teachers for all its students. Unless the state, *qua* state, acts to manage and improve its teaching force more affirmatively, rather than treating teacher quality as largely a matter for local control, the state's new accountability system will be unable to deliver the necessary high quality instruction systemwide.

Though a number of significant policy questions remain open, California is to be lauded for how quickly and how far it has moved toward the new accountability framework. And if districts continue to foster and improve local community engagement, there is hope the broader, systemic challenges will be addressed. A new era of local ownership of schools and the education that is taking place there could prove one of the most important near-term outcomes of LCFF. A public that understands its schools' needs and that trusts the direction in which they are headed, is a public that will demand and support new and better resources from state leaders. And they will know how to use them to promote meaningful student learning.

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