



May 18, 2024

Sent via email

RE: Guidance to Public School Districts About New Equity Requirements in the 24-25 LCAP

Dear Superintendent:

As organizations that helped to shape the Local Control Funding Formula (LCFF) more than a decade ago, we remain diligent in ensuring that its promise of equity is real for low-income students of color in California. As such, we write to remind you of several new equity requirements that are part of the [24-25 LCAP template](#) and to offer thoughts on their proper implementation:

- Required actions
- Equity Multiplier focus goals

District LCAPs cannot be approved unless they adhere to the template. See EC 52061, 52070(d). In addition, there can be legal consequences if districts fail to implement LCFF's equity requirements. See, e.g. [CDE Decision re: SBCOE \(6/18/21\)](#); [CDE Decision re: LAUSD \(7/30/20\)](#). Adherence to these new requirements is about far more than compliance; this is about addressing the persistent equity gaps that exist for Black students, Indigenous students, and other students of color, as well as foster youth, unhoused youth, and students with disabilities. As the bill adopting these new equity requirements made clear, closing opportunity and outcome gaps is no longer a "should," but a "shall." See AB 114, 2023, Sec. 62. As such, these provisions are designed to focus our attention and our resources on closing these gaps and providing every student the opportunity to find joy and connection at school.

REQUIRED ACTIONS TO CLOSE EQUITY GAPS

Legal Requirements: The 24-25 LCAP must include **specific actions** to address the following:

- Any **student subgroup** that has a red Dashboard indicator
- Any **school** that has a red Dashboard indicator; and
- Any **student subgroup** within a school that has a red Dashboard indicator.

These specific actions must be directed towards the identified student group and/or school and must address the red indicator. See [24-25 LCAP Template Instructions](#) at p. 17. Thus, the specific action should be under a goal that includes the Dashboard indicator as a metric. For example, it does not make sense to put a specific action to address a red in suspension under a goal that only has academic outcome metrics.

A specific action cannot bundle together activities that target a specific student group with activities that serve all students, nor can it combine actions offered only at some schools with actions that are offered at all schools. See CDE [Decision re: LAUSD](#) at 15. In addition, a specific action must provide enough detail so that the district and its educational partners have enough information to monitor the overall implementation and effectiveness of the actions. Thus, it is not enough to refer to desired results (e.g. "increase in promotion rates"), to make general references to complex sets of actions (e.g. "provide multiple pathways and assistance"), or to be extremely

vague (e.g. “provide appropriate programs”). See [CDE Decision re: LAUSD](#) at 19-20.

Example #1: Black students and foster youth are red on the suspension indicator districtwide.

Acceptable example of a specific action: Full-time restorative justice teachers at schools where Black students and/or foster youth subgroups are reflected on the Dashboard as red for suspensions.

Rationale: This action is directed toward Black students and is designed to address the high suspension rates by providing a non-punitive alternative.

Inadequate example of specific actions: Tutoring for Black students.

Rationale: This action is not related to the problem, which, in this example, is the over suspension of Black students (and foster youth).

Inadequate example of specific actions: Existing restorative justice action with no changes.

Rationale: The status quo is not working for Black students and foster youth, so the district needs to do something additional or different to provide better alternatives to suspension for Black students and foster youth specifically.

Example #2: District X is green on the English Learner Progress indicator, but schools A, B, and C are red on the English Learner Progress indicator.

Acceptable example of a specific action: Bilingual aides for schools A, B, and C.

Rationale: This action is directed to specific schools that are struggling to support English learner progress and the action is designed to support English learners progress.

Inadequate example of specific actions: Districtwide ELPAC training and testing.

Rationale: The district is green on English Learner progress overall, but there is a wide disparity in implementation, so a districtwide approach does not make sense.

Inadequate example of specific actions: Discretionary school site actions that include bilingual aides and other EL supports as one of many things schools can use the funds for.

Rationale: This is not a specific action because there is no expectation that the schools will choose to use the funds in this way. Discretionary school site funds are important, especially when distributed equitably, but cannot be bundled with site-specific support that **must** be provided where there are known needs and equity gaps. Thus, any required EL school site actions should be separated from general discretionary school site funding.

REQUIRED ACTIONS FOR LTEL STUDENTS

Legal Requirements: Districts with 15 or more long-term English Learner students (LTELs) must include a specific action for both ELs and LTELs that address: (1) language acquisition programs; and (2) professional development for teachers. See [24-25 LCAP Template Instructions](#) at p. 17.

Example #1:

- *Acceptable examples:* Targeted training, classes, programs, and interventions for LTELs.
- *Inadequate examples:* Not mentioning LTELs at all in your LCAP, bundling all EL actions.

EQUITY MULTIPLIER FOCUS GOALS

Legal Requirements: Districts that receive [equity multiplier funding](#) must include focus goals for each school generating funding that address the following:

- All **student groups at the school site** that have a red indicator on the Dashboard;
- Any underlying issues in the **credentialing, subject matter preparation and retention of the school's educators**.

The focus goals must:

- Be identified as an “Equity Multiplier Focus Goal” under “Type of Goal” in the LCAP;
- Identify the school(s) to which the goal applies;
- Identify specific metrics for each identified student group that has a red indicator and metrics used to measure progress in meeting the goal related to educator issues;
- Describe in the “Engaging Educational Partners” section and the explanation of the goal how students, families, and educators were consulted in the development of the goal;
- Not combine goals for multiple Equity Multiplier school sites unless those sites have the **same** student group(s) that are red on the **same** state indicator on the Dashboard, or experience similar educator issues.

See [24-25 LCAP Template Instructions](#) at pp. 5-6, 8-10, 12, 25.

A Note About Equity Multiplier Funds

- Funds must be reflected in the LCAP under “Other State Funds” and should be used for actions under the Equity Multiplier focus goal(s).
- Funds cannot be used to replace funding provided to school sites through LCFF, ELO-P, Literacy Coaches and Reading Specialists Grant Program, and/or the California Community Schools Partnership Program.
- Funds may only be used for provision of evidence-based services and supports for students (based on research and/or data about student performance).

Example: District X has 2 schools that receive equity multiplier funding:

Middle School A: Only 60.8% of educators fully credentialed and properly assigned; 8 vacancies. EL students are in the red for chronic absenteeism, and all students are in the red for ELA and Math progress indicators.

High School B: 75% of educators fully credentialed and properly assigned; 10 vacancies. All students, and Black students specifically are in the red for ELA, and Math progress indicators.

Acceptable example of focus goals:

Focus Goal #1 (for Middle School A): Reduce chronic absenteeism for English learners by 10% at Middle School A. (Actions include hiring an additional bilingual attendance counselor based on feedback from ELAC that all communications are in English).

Rationale: Only middle school A is red for chronic absenteeism, so this focus goal only applies to this school. The goal and action funded by Equity multiplier funding are designed to address the specific attendance challenges faced by English learners as shared by English learner families.

Focus Goal #2 (for both schools): Improve ELA and math progress by 5% overall for both schools and 10% for Black students at High School B. (Actions include additional literacy coaches and 1:1 literacy and math tutoring for all students at both schools; and Black student focused literacy and math after school enrichment programs open to all students at High School B.

Rationale: All students are in the red for ELA and Math at both schools, but because Black students are specifically in the red at High School B it makes sense to have the same focus goal for both schools and some differentiation in the actions based on the school site differences.

Focus Goal #3 (for both schools): All core classroom teachers at Middle School A and High School B are fully credentialed and properly assigned (CLEAR) and no vacancies at the beginning of the school year with 95% retention by the end of the school year. (Actions identified with educators include mentoring cohorts and stipends for additional credentials/ authorizations.

Rationale: Both schools have lower than average rates of fully credentialed and properly assigned teachers and also have high numbers of vacancies. The goal includes metrics designed to track progress on educator issues and the actions are informed by educators and designed to address the preparation and retention challenges.

Inadequate example of focus goals: Accelerated learning for students at Middle School A and High School B. (Metrics are SBAC scores and actions include tutoring and professional development with no mention of any consultation with students, families, or educators).

Rationale: Focus goals must address all equity gaps and underlying issues with credentialing, subject matter expertise, and retention. This goal only focuses on academics and does not address the red indicator for English learners on chronic absenteeism, nor does it address the educator issues. There is also no evidence that educational partners have been consulted.

CONCLUSION

As you prepare and revise LCAP drafts and present them to local boards for adoption over the next 6 weeks, we encourage you to be particularly conscious of the issues that we have outlined. We will be monitoring how these new requirements are implemented at the local level and are happy to serve as a resource. We all share the same goal of closing equity gaps for students that have been historically marginalized and ensuring that educators have the support they need to thrive and provide the best education and environment for all learners. If you have questions or concerns about the contents of this letter, please contact Nicole Gon Ochi at nochi@publicadvocates.org or Victor Leung at vleung@aclusocal.org.

Sincerely,

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Karissa Provenza, Law Fellow, Public Advocates
Victor Leung, Senior Staff Attorney, ACLU of Southern California
Linnea Nelson, ACLU of Northern California, Statewide Education Equity Team Co-Lead

Suggested Resources

1. [CDE Presentation on Goals and Actions](#) (12/7/23)
2. [CDE Presentation on Required Goals for Equity Multiplier Schools](#) (12/12/23)
3. [Public Advocates webinar on Required Goals and Equity Multiplier](#) (February 2024)
4. [Realizing the Promise of LCFF: Recommendations from the First Ten Years](#) (March 2023)