

# Berkeley USD

## Board Policy

### Local Control And Accountability Plan

BP 0460

#### **Philosophy, Goals, Objectives and Comprehensive Plans**

The Governing Board shall annually update its local control and accountability plan (LCAP) by July 1. The purpose of the LCAP is to support a cycle of continuous improvement in the District to improve outcomes for its students, especially its students who historically have been and are currently being underserved including, but not limited to, unduplicated students, students of color, and students with special needs.

The Superintendent or designee shall establish and maintain a webpage on the District's website dedicated to the LCAP. The Superintendent or designee shall provide the information identified in this policy on that webpage.

For purpose of this policy and any accompanying regulations, the terms "unduplicated student," "unduplicated pupil," "at-risk student," "focus student," and "targeted student" are equivalent and shall mean a student who is eligible for free or reduced-price meals, is an English learner, and/or is a foster youth. For purpose of this policy and any accompanying regulations, the terms "Local Control and Accountability Plan," "LCAP", "LCAP annual update," and "annual update" are equivalent.

1. Template

a. Required Template

The LCAP shall adhere to the template provided by the State Board of Education. The LCAP shall include goals, annual measureable outcomes, and specific actions or services aligned with the following priorities:

1. The degree to which teachers are appropriately assigned and fully credentialed, students have sufficient access to standards-based instructional materials, and facilities are maintained in good repair;
2. Implementation of and student access to state academic content and performance standards;
3. Parent/guardian involvement;
4. Student achievement;
5. Student engagement;

6. School climate;
7. Student access to and enrollment in a broad course of study, including programs and services provided to benefit low-income students, English learners, and/or foster youth (i.e., "unduplicated students" for purposes of the local control funding formula);
8. Student outcomes in the specified course of study; and
9. Any local priorities adopted by the Board.

In completing the required template, the District shall include all metrics required by law for each priority.

b. Additions to the Required Template

In addition to the required template, the District shall include a step-by-step calculation of the District's Minimum Proportionality Percentage (MPP), which is the percentage by which the District must increase or improve services (either qualitatively or quantitatively) for unduplicated students as compared with those services provided to all students, and shall include an executive summary of the LCAP written for the public, which shall also be translated into Spanish.

Appendices may also be included as directed by the Board or chosen by the Superintendent or designee.

District staff shall create local accounting codes to separately track expenditures for each action or service identified in the LCAP.

c. Improving or Increasing Services for Unduplicated Students

The Board shall approve an LCAP that increases or improves services, by at least the MPP, for unduplicated pupils as compared with those services provided to all pupils. The required minimal increase or improvement in services may be accomplished quantitatively (e.g., by increasing spending on new or existing services) or qualitatively (e.g., by improving the quality of services, even if no additional funds are spent).

For each action or service that increases or improves services for unduplicated pupils - whether districtwide, schoolwide, or neither - the District shall provide a separate explanation regarding how the action or service actually increases or improves a service for unduplicated students even if such an explanation is not required by the template, state law or regulations.

For any districtwide action or service that is listed in the LCAP as increasing or improving services for unduplicated pupils, the explanation shall describe how such services are principally directed towards, and are effective in, achieving the associated annual measureable outcome(s) and, as long as the District's unduplicated student enrollment is less than 55 percent, how these services are the most effective use of the funds to achieve the associated annual measureable

outcome(s). The description shall provide the basis for this determination, including, but not limited to, any alternatives considered and any supporting research, experience, or educational theory.

For any schoolwide action or service that is listed in the LCAP as increasing or improving services for unduplicated pupils, the explanation shall describe how the action or service is principally directed towards, and are effective in, achieving the associated annual measurable outcome(s) and, as long as the school's unduplicated student enrollment is less than 40 percent, how these services are the most effective use of the funds to achieve the associated annual measurable outcome(s). The description shall provide the basis for this determination including, but not limited to, any alternatives considered and any supporting research, experience, or educational theory.

The LCAP shall include the following two districtwide services and shall list each as increasing or improving services for unduplicated students:

- \* Evaluation of the specific actions and services listed in the LCAP as increasing or improving services for unduplicated students. The cost of this item shall be at least 3 percent of the total cost of all the specific actions and services listed in the LCAP as increasing or improving services for unduplicated students excluding the indirect cost.

- \* The indirect cost of providing all other specific actions and services listed in the LCAP as increasing or improving services for unduplicated students. The cost of this item shall vary with the annual indirect cost rate.

## 2. Reserve

To the extent that in any year there is unspent LCFF funding that was designated to fund specific actions or services that are listed as increasing or improving services for unduplicated students, the Board shall - although not required by law or regulation - place those funds in a reserve fund until the reserve fund is equal to the greater of \$1,000,000 or 25 percent of the projected amount of funding generated by unduplicated students, after which point any unspent LCFF funding that was designated to fund specific actions or services that are listed as increasing or improving services for unduplicated students shall be spent on one-time actions or services that are listed as increasing or improving services for unduplicated students in one or more future year LCAPs. These funds shall not be used to satisfy the requirement that the LCAP increase or improve services for unduplicated pupils by the MPP but may be used to increase or improve services for unduplicated pupils beyond the MPP.

The funds in the reserve fund may only be expended if there is a projected year-over-year decline in the amount of funding generated by unduplicated students by such factors as a decrease in the number of unduplicated students and/or a decrease in the funding amount generated by an unduplicated student as determined under state law and regulations. The funds in the reserve fund may be used to satisfy the requirement that the LCAP increase or improve services for unduplicated pupils by the MPP.

### 3. Advisory Committees

The Board finds that authentic community engagement is necessary for the success of the LCAP. To be effective, such engagement requires (i) a collaborative relationship between the Superintendent or designee and stakeholders, (ii) sufficient resources and time for the Superintendent or designee to properly educate stakeholders on the relevant issues related to the LCAP, and (iii) a dedicated focus on meeting the LCAP goals and ensuring the success of all students. With this in mind, the Board establishes, or allows for the establishment of, the advisory committees listed in this section. The purposes of such advisory committees are:

1. To consult with the Superintendent or designee in the development of the LCAP
2. To review a draft of the LCAP
3. To provide written comment on the draft of the LCAP
4. To monitor the implementation of the LCAP in order to properly perform the first three purposes
5. To understand the impact of specific actions and services in order to properly perform the first three purposes.

However, no advisory committee shall be asked to approve the LCAP or perform a formal evaluation of any specific action or service.

The Superintendent or designee and the advisory committees shall establish communication protocols to ensure that the advisory committees are provided timely information regarding the LCAP, its content, its implementation, and its related process (including, but not limited to, the community engagement process) and to enable the advisory committees to offer suggestions and feedback regarding the LCAP, its content, its implementation, and its related process (including, but not limited to, the community engagement process). To the extent that there are difficulties between an advisory committee and the Superintendent or designee in establishing or following communication protocols, the difficulties shall first be brought to the attention of the Board President and then, if necessary, to the entire Board.

#### a. Parent Advisory Committee

There shall be established a Parent Advisory Committee (PAC). In addition to the aforementioned purposes, it shall be the unique responsibility of the PAC to express its opinion on whether the draft LCAP satisfies the requirement that it increase or improve services for unduplicated pupils by at least the MPP. This opinion shall be provided at the same time as the PAC provides its written comments on the draft LCAP. If it is the PAC's opinion that the draft LCAP does not satisfy the requirement that the draft LCAP increase or improve services for unduplicated students by the MPP, then the PAC shall provide the bases for this opinion and the Superintendent or designee shall respond as part of the response by the Superintendent or designee to the PAC's written comments.

The PAC shall be composed of a majority of parents and guardians, including at least four parents or guardians of students who qualify for free or reduced lunch and four parents or guardians of English learners. It is the intent of the Board for the PAC to be composed entirely of parents and guardians and for the racial composition of the PAC to reflect the racial composition of the District's unduplicated students.

The PAC shall have no more than 25 members as follows: one representative from the Early Childhood Education program, one representative from each elementary school, two representatives from each middle school site, one representative from Berkeley Technology Academy, and three representatives from Berkeley High School (which shall include the Independent Study Program). The principal at each site shall recommend a representative from the site to the Superintendent. In making a recommendation, each principal is encouraged to consult with parent/guardian groups at his or her school, with the sitting PAC member(s) from his or her school, and with other members of the school community. In addition to the site representatives, the Superintendent may select up to three additional members for the PAC.

Each representative shall select an alternate to vote and serve in place of the representative if the representative cannot attend a PAC meeting. Each representative shall provide the name and contact information for his/her alternate to the Superintendent or designee.

Each representative shall serve for a term of two (2) years, with no representative serving for more than three consecutive terms. Terms shall be staggered such that elementary school and preschool representatives shall be appointed in October of even years and middle and high school representative as well as the Superintendent's representatives shall be appointed in October of odd years. If a vacancy occurs (for any reason), the Superintendent may replace a PAC member without requiring Board approval.

At the first Board meeting in October of each year, the Superintendent shall bring to the Board the proposed list of new representatives to fill the applicable slots. The Superintendent shall also provide the Board with a list of continuing PAC members, their sites, when their term expires, and how many terms they have served.

The PAC shall take all actions by majority vote.

The PAC shall hold an orientation meeting in October and then regular monthly working meetings between November and June, inclusive. The PAC may jointly hold meetings with any other District committee, such as the District English Language Advisory Committee. All PAC meetings shall be noticed and operated in accordance with the Brown Act.

The PAC is intended to function similarly to the BSEP Program & Oversight Committee, and except as established by this policy, the PAC shall be governed by the bylaws found in Exhibit 0460 - Parent Advisory Committee Bylaws. If a situation arises in which no bylaw applies, the Superintendent shall decide.

The Superintendent or designee and the PAC chair(s) shall jointly share responsibility of

ensuring that there is a quorum, as defined in Exhibit 0460 - PAC Bylaws, at each PAC meeting. In order for the PAC chair(s) to exercise their responsibility, the PAC chair(s) shall be given the contact information of all PAC members and their alternates.

At the Board meeting succeeding each PAC meeting, the Superintendent shall announce whether there was a quorum.

The PAC shall elect officers pursuant to the bylaws found in Exhibit 0460 - Parent Advisory Committee Bylaws at its June meeting. If this is not done for any reason, the Superintendent or designee shall appoint the officers who shall serve temporarily until the first meeting in the following school year in which a quorum exists to permanently elect officers for that school year.

b. English Learners Parent Advisory Committee

There shall not be established an English Learners Parent Advisory Committee (ELPAC), unless (i) the District English Language Advisory Committee requests that the Board establish an ELPAC or (ii) the percentage of English learners in the District is at least 15 percent.

c. Educators Advisory Committee

At the Superintendent's discretion, there shall be established an Educators Advisory Committee (EAC). If the Superintendent elects not to establish an EAC, the Superintendent shall inform the Board at a public meeting. The EAC shall include representatives from all appropriate collective bargaining units and shall be comprised of non-management certificated staff, management certificated staff, and classified staff who work directly with students on a regular basis. Unless otherwise specified herein, the Superintendent or designee shall determine all other membership and operational aspects of how the EAC operates.

d. Student Advisory Committee

At the Superintendent's discretion, there shall be established a Student Advisory Committee (SAC). If the Superintendent elects not to establish an SAC, the Superintendent shall inform the Board at a public meeting no later than December. The SAC shall at least include the student members of the School Board, the student body president from each middle school, and a representative of the student leadership at Berkeley High School and Berkeley Technology Academy.

The SAC shall meet in December which shall include a presentation by the Superintendent or designee reviewing the existing LCAP and the effectiveness of the actions and services listed therein and provide an opportunity for students to offer feedback on how to improve the LCAP for upcoming year. A second meeting shall be in April or May and shall include a presentation by the Superintendent or designee on the draft LCAP for the upcoming year and provide an opportunity for students to offer feedback on the draft LCAP.

6. Development, Review, and Input

a. Timeline

At a November Board meeting, the Superintendent or designee shall provide a timeline for development of, input on, review and comment by the advisory committees on, and adoption of the upcoming LCAP as well as the other dates and deadlines required by this subsection. Additional dates and deadlines may be included based on input from the advisory committees.

Preferably by January 31, but in no instance later than February 15, the Superintendent or designee shall hold a public forum in order to update the public on the current LCAP, to answer questions from the public regarding the current LCAP, and to describe the timeline for public review of the upcoming LCAP.

At a February Board meeting, the Superintendent or designee shall provide the Board with an update on the status of the development of the LCAP. This does not preclude the Superintendent or designee from providing the Board with additional updates on the status of the development of the LCAP at other Board meetings or at other times.

No later than at an April Board meeting, the Superintendent or designee shall provide the Board with draft recommendations for the LCAP. Prior to the Board meeting at which the Superintendent or designee provides the Board with the draft recommendations for the LCAP, the Superintendent or designee shall also provide the Listed Stakeholder Groups (defined below) with the draft recommendations for the LCAP. At the same time, the Superintendent or designee shall provide the public with the same draft recommendations by posting it online on the District's LCAP webpage. Starting with the draft recommendations for the 2016-17 LCAP, the Superintendent or designee shall recommend not continuing at least one action or service from the prior year's LCAP. The Board may disregard this recommendation.

No later than at the first May Board meeting, the Superintendent or designee shall provide the Board with a draft LCAP as well as draft executive summary. The draft executive summary shall be translated into Spanish. Prior to the Board meeting at which the Superintendent or designee provides the Board with the draft LCAP, the Superintendent or designee shall also provide the Listed Stakeholder Groups (defined below) with the draft LCAP. At the same time, the Superintendent or designee shall provide the public with the same draft LCAP by posting it online on the District's LCAP webpage.

b. Input from and Response to Listed Stakeholder Groups

The Superintendent or designee shall seek input and feedback on the development of the LCAP from the PAC and the EAC (hereinafter "Listed Stakeholder Groups").

After consulting with the Listed Stakeholder Groups, the Superintendent shall set a deadline by which written comments on the draft LCAP must be received from the Listed Stakeholder Groups. The deadline shall allow for a reasonable amount of time for review by the Listed Stakeholder Groups. Any written comment on behalf of the Listed Stakeholder Groups shall be approved by formal act of the committee.

Within three weeks after the deadline, the Superintendent shall provide, in writing, responses to any written comments received by the deadline from the Listed Stakeholder Groups. In

responding, the Superintendent may group similar questions and may answer them with a single response. The written comments from the Listed Stakeholder Groups as well as the Superintendent's written responses shall be posted online on the District's LCAP webpage.

c. Input from and Response to Other Stakeholders

The Superintendent or designee, at his or her discretion, may seek input and feedback on the development of the LCAP from individual or organizational stakeholders besides those required by this policy. In seeking such input and feedback, the Superintendent or designee shall make every effort to seek input and feedback from families of (or organizations of families of) students who have historically been and are currently being underserved by the District including, but not limited to, unduplicated students, students of color, and students with special needs.

To the extent that the District hosts meetings with such stakeholders to seek input and feedback on the development of the LCAP, the suggestions and feedback from such stakeholder meetings shall be posted on the District's LCAP webpage. District staff is not required to summarize the suggestions and feedback. The Superintendent or designee may, but need not, respond to any suggestions or feedback.

To the extent any concrete suggestions of specific actions or services are submitted to the District in writing by an organization that holds regular meetings primarily composed of Berkeley USD parents or guardians, Berkeley USD students, and/or Berkeley USD employee, they shall be posted on the District's LCAP webpage. District staff is not required to summarize the suggestions and feedback. The Superintendent or designee may, but need not, respond to any suggestions or feedback. District staff may request verification that an organization holds regular meetings primarily composed of Berkeley USD parents or guardians, Berkeley USD students, and/or Berkeley USD employee, although this verification process shall not be used to discourage submissions or reject submissions based on the content of the submissions.

The Superintendent or designee shall notify members of the public of the opportunity to submit written comments regarding the specific actions or services and expenditures proposed to be included in the LCAP. The Superintendent or designee shall set a deadline by which written comments from the public regarding the specific actions or services and expenditures proposed to be included in the LCAP must be received. The Superintendent or designee shall specify a physical location for the public to submit written comments and shall ensure that a unique email address is established to receive comments via email. The District's LCAP webpage shall announce the deadline for public comment as well as the physical location and email address at which comments may be submitted. The Superintendent or designee shall provide all written comments from the public to the Board. No summary is required. The Superintendent or designee may, but need not, respond to written comments from the public.

## 7. Public Hearing

At a regular meeting in May or June, the Board shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions or expenditures proposed to be included in the LCAP. The public hearing shall be held at the same

meeting as the public hearing required prior to the adoption of the district budget in accordance with Education Code 42127 and AR 3100 - Budget.

## 8. Adoption and Revisions

Prior to adopting the District budget, but at the same public meeting, the Board shall adopt the LCAP. This meeting shall be held after the meeting at which public hearing described above occurred and not on the same day as that meeting. The Superintendent or designee shall post the adopted LCAP on the District's LCAP webpage.

The Board may adopt revisions to the LCAP at any time during the period in which the plan is in effect, provided the Board follows the process to adopt the LCAP pursuant to Education Code 52062 and the revisions are adopted in a public meeting.

Prior to final approval of the LCAP but no sooner than an April Board meeting, the Superintendent may bring an action item to the Board for approval of a specific action or service if all the following conditions are met:

- \* The Listed Stakeholder Groups have expressed broad support for the specific action or service to be included in the LCAP

- \* A Board majority has expressed support for the specific action or service to be included in the LCAP

- \* The Superintendent states his or her belief that the specific action or service is likely to help the District meet one or more of the goals identified in the LCAP

- \* The Superintendent expects to include the specific action or service in the draft LCAP presented to the Board in May

- \* The specific action or service involves the hiring staff for a position that the Superintendent deems difficult to fill if recruitment were to begin after final approval of the LCAP

If the Superintendent does bring an action item to the Board for approval for a specific action or service prior to final approval of the LCAP and the Board approves the item, the Superintendent shall include the specific action or service in the draft LCAP presented to the Board in May.

## 9. Submission of LCAP to County Superintendent of Schools

Not later than five days after adoption of the LCAP, the Superintendent or designee shall, on behalf of the Board, file the LCAP with the County Superintendent of Schools.

If the County Superintendent sends, by August 15, a written request for clarification of the contents of the LCAP, the Board shall direct the Superintendent or designee to respond in writing within 15 days of the request.

If the County Superintendent then submits recommendations for amendments to the LCAP within 15 days of receiving the Board's response, the Board shall consider those recommendations in a public meeting within 15 days of receiving the recommendations and shall, if necessary, call a special meeting to do so.

#### 10. Implementation and Monitoring

The Superintendent or designee shall ensure proper implementation of the LCAP. The Superintendent or designee shall provide a written report to the Board in September, November, February or March, and May on the implementation of each action or service in the LCAP. The report may be in the form of a draft of the following year's LCAP and/or may be part of a presentation to the Board. When not part of a presentation to the Board, each report shall be made public within one week after submission to the Board. All reports shall be posted on the District's LCAP webpage and provided to the Listed Stakeholder Groups.

Each report shall include the most recent information available on the progress of implementing each action or service. Each report shall describe and explain any decision by the Superintendent to modify, alter, or forgo implementing a specific action or service.

#### 11. Technical Assistance/Intervention

When it is in the best interest of the district, the Board may submit a request for technical assistance in developing its annual plan. The request may include, but need to be limited to:

1. Assistance in the identification of District strengths and weaknesses in regard to state priorities and review of effective, evidence-based programs that apply to the district's goals
2. Assistance from an academic expert, team of academic experts, or another district in the county in identifying and implementing effective programs to improve the outcomes for student subgroups
3. Advice and assistance from the California Collaborative for Educational Excellence established pursuant to Education Code 52074

In the event that the County Superintendent requires the District to receive technical assistance pursuant to Education Code 52071, the Board shall review all recommendations received from the County Superintendent or other advisor and shall consider revisions to the LCAP as appropriate in accordance with the process specified in Education Code 52062.

If the Superintendent of Public Instruction (SPI) identifies the District as needing intervention pursuant to Education Code 52072, the District shall cooperate with any action taken by the SPI or any academic advisor appointed by the SPI, which may include one or more of the following:

1. Revision of the District's LCAP
2. Revision of the District's budget in accordance with changes in the LCAP

3. A determination to stay or rescind any action that would prevent the District from improving outcomes for all student subgroups, provided that action is not required by a collective bargaining agreement

## 12. Coordination with Other Plans

To minimize duplication of effort and provide clear direction for program implementation, district and school plans such as the Single Plan for Student Achievement (SPSA) shall be aligned with the draft LCAP presented to the Board in May. The goals for the SPSAs shall be the same as the LCAP goals. If a high school WASC plan precedes the development of LCAP goals, those goals may remain in place, with every effort made to align annual action plans with both the WASC and the LCAP goals.

The Superintendent or designee shall review the Single Plan for Student Achievement (SPSA) submitted by each school pursuant to Education Code 64001 to ensure that the specific actions or services included in the LCAP are consistent with strategies included in the SPSA.

## 13. Complaints

Any complaint that the District has not complied with legal requirements pertaining to the LCAP may be filed pursuant to AR 1312.3 - Uniform Complaint Procedures.

Policy BERKELEY UNIFIED SCHOOL DISTRICT  
adopted: June 24, 2015      Berkeley, California  
updated: June 29, 2016