



CALIFORNIA DEPARTMENT OF EDUCATION
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CALIFORNIA STATE BOARD OF EDUCATION
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916-319-0827

September 5, 2014

SECOND 15-DAY NOTICE OF MODIFICATIONS TO TEXT OF PROPOSED REGULATIONS REGARDING LOCAL CONTROL FUNDING FORMULA SPENDING REQUIREMENTS FOR SUPPLEMENTAL AND CONCENTRATION GRANTS AND LOCAL CONTROL AND ACCOUNTABILITY PLAN TEMPLATE

Pursuant to the requirements of Government Code section 11346.8(c), and California Code of Regulations, title 1, section 44, the State Board of Education (SBE) is providing notice of changes made to the above-referenced proposed regulation text which was the subject of a regulatory hearing on March 17, 2014.

Changes to the text:

General changes were made to the regulations to include grammatical edits, and renumbering and/or relettering to reflect deletions or additions.

Proposed section 15495(a) was amended to delete the words “for the presentation of the LCAP to,” and the words “but is not limited to,” and to add the words “including unduplicated pupils and other numerically significant pupil subgroups, to” and the words “on the development of the LCAP.” These changes are necessary to clarify that pupils, including unduplicated pupils and other numerically significant pupil subgroups, are involved in the development of the LCAP. In addition, Education Code section 47605.5 was deleted and Education Code section 47606.5 was added.

Proposed section 15495(b) was amended to delete the words “or legal guardians” and to add the words “as defined in subdivision (e).” This deletion and addition are to clarify that the term “parents” is defined by the newly added subdivision (e). The definition of “parents” set forth in subdivision (e) includes legal guardians, thus the inclusion of “legal guardians” is unnecessary. The section was also amended to delete the word “of” and replace it with the word “in” to improve the clarity of the regulation. The word “apply” was changed to “applies” for grammatical reasons.

Proposed section 15495(e) is amended. Former section 15495(e) is renumbered to 15495(f). A new section 15495(e) is added to the proposed regulations to provide a definition of “parents.” Addition of a definition is necessary in order to clarify who is a parent for purposes of the proposed regulations.

Proposed section 15495(f) is amended. As described above, as a result of the renumbering resulting from addition of a new proposed section 15495(e), former section

15495(e) is renumbered to 15495(f). Renumbered section 15495(f) is also amended to delete the words “or legal guardians” and to add the words “as defined in subdivision (e).” This deletion and addition are to clarify that the term “parents” is defined by the newly added subdivision (e). The definition of “parents” set forth in subdivision (e) includes legal guardians, thus the inclusion of “legal guardians” is unnecessary. The section was also amended to delete the word “of” and replace it with the word “in” to improve the clarity of the regulation.

Proposed section 15495(f) is renumbered to section 15495(g) as a result of the addition of a new subdivision (e), described above.

Proposed section 15495(g) is deleted and the definition for “required metric” is included in the revisions to instructions for completion of the LCAP template to clarify the instructions and requirements for completion of the LCAP and Annual Update.

Proposed section 15497 is revised to add “or schoolwide” and “15496(b)(1) through (b)(40)” and to delete “15496(b)(2) or descriptions of schoolwide services provided pursuant to section 15496(b)(4)” to improve the clarity of the section.

Proposed section 15497.5 (LCAP Template) is amended. A revised template is necessary in order to clarify the requirements applicable for the completion of the LEA LCAP and Annual Update. See response to comments #31, #38, #39, #46, #49, #43, #53, #54, #55, #56, #58, #60 - #68, #75 and #76.

COMMENTS

If you have any comments regarding the proposed changes that are the topic of this Second 15-Day Notice, the SBE will accept written comments between September 6, 2014, and September 22, 2014, inclusive. All written comments must be submitted to the Regulations Coordinator via facsimile at 916-319-0155; email at regcomments@cde.ca.gov or mailed and received at the following address by close of business at 5:00 p.m. on September 22, 2014 and addressed to:

Debra Thacker, Regulations Coordinator
Legal, Audits and Compliance Branch
Administrative Supports and Regulations Adoption Unit
California Department of Education
1430 N Street, Suite 5319
Sacramento, CA 95814

All written comments received by 5:00 p.m. on September 22, 2014, which pertain to the indicated changes will be reviewed and responded to by CDE staff as part of the compilation of the rulemaking file. Written comments received by the CDE staff during the public comment period are subject to viewing under the Public Records Act.

Please note: Any written comments are to be restricted to the recent modifications shown in the second 15-day regulations. The SBE is not required to respond to comments received in response to this notice on other aspects of the proposed regulation.