

DIISUP REGULATIONS (TITLE 5)

As of November 1, 2017

§ 15496. Requirements for LEAs to Demonstrate Increased or Improved Services for Unduplicated Pupils in Proportion to the Increase in Funds Apportioned for Supplemental and Concentration Grants.

- (a) An LEA shall provide evidence in its LCAP to demonstrate how funding apportioned on the basis of the number and concentration of unduplicated pupils, pursuant to Education Code sections 2574, 2575, 42238.02, and 42238.03 is used to support such pupils. This funding shall be used to increase or improve services for unduplicated pupils as compared to the services provided to all pupils in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated pupils as required by Education Code section 42238.07(a)(1). An LEA shall include in its LCAP an explanation of how expenditures of such funding meet the LEA's goals for its unduplicated pupils in the state priority areas. An LEA shall determine the percentage by which services for unduplicated pupils must be increased or improved above services provided to all pupils in the fiscal year as follows:
- (1) Estimate the amount of the LCFF target attributed to the supplemental and concentration grants for the LEA calculated pursuant to Education Code sections 42238.02 and 2574 in the fiscal year for which the LCAP is adopted.
 - (2) Estimate the amount of LCFF funds expended by the LEA on services for unduplicated pupils in the prior year that is in addition to what was expended on services provided for all pupils. The estimated amount of funds expended in 2013-14 shall be no less than the amount of Economic Impact Aid funds the LEA expended in the 2012-13 fiscal year.
 - (3) Subtract subdivision (a)(2) from subdivision (a)(1).
 - (4) Multiply the amount in subdivision (a)(3), by the most recent percentage calculated by the Department of Finance that represents how much of the statewide funding gap between current funding and full implementation of LCFF is eliminated in the fiscal year for which the LCAP is adopted.
 - (5) Add subdivision (a)(4) to subdivision (a)(2).
 - (6) Subtract subdivision (a)(5) from the LEA's total amount of LCFF funding pursuant to Education Code sections 42238.02 and 2574, as implemented by Education Code sections 42238.03 and 2575 respectively, excluding add-ons for the Targeted Instructional Improvement Grant program and the Home to School Transportation program, in the fiscal year for which the LCAP is adopted.
 - (7) Divide the amount in subdivision (a)(5) by the amount in subdivision (a)(6).
 - (8) If the calculation in subdivision (a)(3) yields a number less than or equal to zero or when LCFF is fully implemented statewide, then an LEA shall determine its percentage for purposes of this section by dividing the amount of the LCFF target attributed to the supplemental and concentration grant for the LEA calculated pursuant to Education Code sections 42238.02 and 2574 in the fiscal year for which the LCAP is adopted by the remainder of the LEA's LCFF funding, excluding add-ons for the Targeted Instructional Improvement Grant program and the Home to School Transportation program.
- (b) This subdivision identifies the conditions under which an LEA may use funds apportioned on the basis of the number and concentration of unduplicated pupils for districtwide, schoolwide, countywide, or charterwide purposes: Pursuant to Education Code section 42238.07(a)(2), an LEA may demonstrate it has increased or improved services for unduplicated pupils under subdivision (a) of this section by

DIISUP REGULATIONS (TITLE 5)

As of November 1, 2017

using funds to upgrade the entire educational program of a school site, a school district, a charter school, or a county office of education as follows:

- (1) A school district that has an enrollment of unduplicated pupils of 55 percent or more of the district's total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a districtwide basis. A school district expending funds on a districtwide basis shall do all of the following:
 - (A) Identify in the LCAP those services that are being funded and provided on a districtwide basis.
 - (B) Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district's goals for its unduplicated pupils in the state and any local priority areas.
- (2) A school district that has an enrollment of unduplicated pupils that is less than 55 percent of the district's total enrollment in the fiscal year for which an LCAP is adopted may expend supplemental and concentration grant funds on a districtwide basis. A school district expending funds on a districtwide basis shall do all of the following:
 - (A) Identify in the LCAP those services that are being funded and provided on a districtwide basis.
 - (B) Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district's goals for its unduplicated pupils in the state and any local priority areas.
 - (C) Describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated pupils in the state and any local priority areas. 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.
- (3) A school district that has an enrollment of unduplicated pupils at a school that is 40 percent or more of the school's total enrollment in the fiscal year for which an LCAP is adopted or in the prior year may expend supplemental and concentration grant funds on a schoolwide basis. A school district expending funds on a schoolwide basis shall do all of the following:
 - (A) Identify in the LCAP those services that are being funded and provided on a schoolwide basis.
 - (B) Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district's goals for its unduplicated pupils in the state and any local priority areas.
- (4) A school district that has an enrollment of unduplicated pupils that is less than 40 percent of the school site's total enrollment in the fiscal year for which an LCAP is adopted may expend supplemental and concentration grant funds on a schoolwide basis. A school district expending funds on a schoolwide basis shall do all of the following:
 - (A) Identify in the LCAP those services that are being funded and provided on a schoolwide basis.
 - (B) Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the district's goals for its unduplicated pupils in the state and any local priority areas.
 - (C) Describe how these services are the most effective use of the funds to meet the district's goals for its unduplicated pupils in the state and any local priority areas. 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.

DIISUP REGULATIONS (TITLE 5)

As of November 1, 2017

- (5) A county office of education expending supplemental and concentration grant funds on a countywide basis or a charter school expending supplemental and concentration grant funds on a charterwide basis shall do all of the following:
- (A) Identify in the LCAP those services that are being funded and provided on a countywide or charterwide basis.
 - (B) Describe in the LCAP how such services are principally directed towards, and are effective in, meeting the county office of education's or charter school's goals for its unduplicated pupils in the state and any local priority areas, as applicable.

§ 15497. County Superintendent of Schools Oversight of Demonstration of Proportionality.

In making the determinations required under Education Code section 52070(d)(3), the county superintendent of schools shall include review of any descriptions of districtwide or schoolwide services provided pursuant to sections 15496(b)(1) through (b)(4) when determining whether the school district has fully demonstrated that it will increase or improve services for unduplicated pupils pursuant to section 15496(a). If a county superintendent of schools does not approve an LCAP because the school district has failed to meet its requirement to increase or improve services for unduplicated pupils as specified in this section, it shall provide technical assistance to the school district in meeting that requirement pursuant to Education Code section 52071.