

# Keeping the Promise of LCFF in Charter Schools

## Local Control but Too Little Accountability

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### Executive Summary

In recent years, California's K-12 education system has adopted significant reforms, focusing on equity for high need students, local control of state funds, and a system of support to ensure all students have an equal opportunity to learn.

This report examines how charter schools are leveraging one critical facet of these reforms—the Local Control Accountability Plan (LCAP).

The LCAP requires charter schools (as well as school districts) to document their educational program in partnership with local stakeholders, report the progress their program is making for all students and student groups, and report the state dollars they spend to realize the plan.

This report focuses on charter schools' transparency with and engagement of high need communities, as well as charter school accountability regarding the expenditure of state funds to increase or improve services to high need students.

Charter schools serve approximately 10% (630,000) of California students, and receive approximately \$3.4 billion in funds through the five-year-old Local Control Funding Formula (LCFF),<sup>1</sup> including \$900 million in funds generated by high need students.<sup>2</sup>

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# Executive Summary

After evaluating 43 LCAPs for charter schools in Los Angeles, Oakland, Richmond, Sacramento, and San Jose, we find charter school engagement, transparency and accountability woefully lacking to such a degree that it is sometimes impossible to determine how charter schools are spending millions of dollars that must be reported as increasing or improving services to high need students.

## **Failures to meet legal requirements include:**

- Only nine schools planned to spend at least 75% of the funds generated by high need students on high need student goals, as required. Of the \$48.6 million these schools received specifically for high need students in 2017-2018, we only found documentation of \$15.8 million overall.
- Not a single charter school examined properly documented how it was increasing or improving services for high need students, as the law requires.

## **Lack of transparency and engagement required of school districts, and not of charter schools:**

- 38% of schools did not post the LCAP online and 33% were not provided after multiple inquiries.
- Only 21% clearly measured how they engaged parents in school decision-making, and only 37% described how stakeholder engagement impacted their planning process.
- Of the 12 Charter Management Organizations reviewed, that manage 123 charter schools in multiple cities, 100% approved all their schools' LCAPs at one meeting, sometimes on the consent agenda, and with minimal public comment.

Our methodology, the legal requirements for charter schools as compared to school districts, and our findings and recommendations are detailed below.

Our recommendations include legislation to reach parity in accessibility and engagement requirements between school districts and charter schools.

Above all, we recommend improved charter school support, through expert oversight of transparency and accountability plans, to ensure engagement of local communities to spend all LCFF dollars—especially funds generated by high need students—to improve outcomes for low-income students, English learners, and students of color.



**Charter schools should have the same transparency and accountability requirements as traditional public schools. Families want the right to be involved in all aspects of our children's education, including programming and budgeting.**

**Working together as a team will result in better academic and social-emotional outcomes for the children in our community.**

**- Mariela, charter school parent, Richmond**

## **Introduction: Why Charter School LCAPs?**

California's school funding and accountability law, the Local Control Funding Formula (LCFF), has governed traditional public schools and charter schools for the past five years. At the heart of this landmark funding reform is the Local Control Accountability Plan (LCAP), a tool for local governance and equitable spending aligned with multiple measures of school quality.

Districts and charter schools use the LCAP to engage diverse stakeholders in California's continuous improvement accountability system; track progress for all students against California's eight state priorities for school success; and ensure that funds generated by high need students improve their academic and social-emotional outcomes.

LCAPs are critical to the bargain of LCFF: the state granted school districts, charter schools, and county offices of education (collectively local educational agencies, or LEAs) increased flexibility with state funds in exchange for local accountability through transparent reporting, meaningful community engagement, and improved outcomes. While much has been written about LCFF implementation in California's traditional public schools, there has not been an in-depth examination of charter school LCAPs. Charter schools serve about ten percent of all California students, including large numbers of low-income students and English learners.<sup>3</sup>

These students are considered "high need students" under LCFF, and thus generate additional "supplemental and concentration" funds (S&C), which LEAs must use to "increase or improve" the services provided to these students.<sup>4</sup> While some LCFF provisions and requirements apply differently to charter schools, the funding formula, local reporting requirements, and equitable spending requirements are largely the same.

Last year, a community group in Richmond, California asked Public Advocates to analyze several local charter school LCAPs and to share our analyses at a parent training.

This request proved harder to meet than anticipated. Some of these LCAPs were hard to obtain or did not exist, and few were translated into Spanish for a largely Spanish-speaking community. This experience inspired a sample analysis of 43 charter school LCAPs.

Public Advocates examined charter school LCAP availability online and in languages other than English, the LCAP's use of information in the new California School Dashboard, evidence of community engagement, use of S&C funds, and whether charter schools are increasing or improving services for high need students, as the LCFF law and regulations require.<sup>5</sup>

## Methodology

We selected 43 2017-2018 charter school LCAPs to review for this report (see Appendix A). We chose schools from five cities: Oakland, Richmond, Sacramento, San Jose, and Los Angeles. We chose these geographic areas because they are where Public Advocates works with community partners to support parent and student engagement in the LCAP process.

The authorizers of the charter schools that we reviewed authorize 35% of the charter schools in California.<sup>6</sup> In selecting these schools, we focused on several factors: the unduplicated pupil (UDP) percentage,<sup>7</sup> total student enrollment, whether or not the charter school is operated by a charter management organization (CMO), and whether our community partners had students enrolled at the charter school.

While our analysis focused on charters with the highest total enrollment in addition to a high UDP, i.e., above 55%, we also included several schools with a lower UDP percentage. We chose single charter schools, as well as schools affiliated with most major CMOs in California.

In total, this report analyzes 43 schools that serve 23,920 total students, 15,507 unduplicated students, and 5,471 English learners. A list of the schools analyzed in this report can be found in Appendix A of this report. In order to identify the charter schools for analysis, we gathered the names of charter schools in each city using the California Department of Education Charter School Locator<sup>8</sup> and gathered data on total enrollment, UDP percentage, and English Learner (EL) percentage using the California Longitudinal Pupil Achievement Data (CALPADS) UPC Source File for 2016-2017.<sup>9</sup>

### We examined all sections of each charter school LCAP:

- **Plan Summary:** In the Plan Summary, we assessed whether the charter school reflected on its strengths and needs as identified in the California School Dashboard and required by the LCAP template.

# Methodology

- **Annual Update:** In the Annual Update, we gathered data on the charter school's overall planned and actual expenditures, as well as the planned and actual S&C funding expenditures as compared to its annual allocation of S&C funds. Finally, we gathered information on whether the charter made progress in two of the eight state priorities that are of great importance to our community partners: school climate and parent engagement.
- **Stakeholder Engagement:** In this section, we assessed whether the charter school engaged all stakeholder groups, and whether it documented any effect these groups had on the LCAP.
- **Goals, Actions, and Services:** In the Goals, Actions, and Services section, we gathered data on whether the school specifically identified S&C funding, how much S&C funding was allocated for 2017-2018, whether actions/services were identified as contributing to meet the Increased or Improved Services requirement, and how many of such actions were implemented on a charter-wide basis as opposed to being targeted to specific UDP populations. We also analyzed whether the school included the measurable objectives in the LCFF statute for the same two priorities identified above: school climate and parent engagement.
- **Demonstration of Increased or Improved Services for Unduplicated Pupils (Increased or Improved Services section):** In the Increased or Improved Services section, we analyzed whether the school was increasing or improving services for high need students by considering the annual allocation of S&C funds, how much S&C funding the charter included in its LCAP, whether the charter identified schoolwide services, and whether the charter described how such services are principally directed toward and effective for high need students, as the law requires.

When we found that we had analyzed multiple charter schools from six CMOs, we conducted an additional analysis comparing the Stakeholder Engagement and Increased or Improved Services sections, to see how CMOs treated these sections for their separate campuses. For CMOs managing schools in separate cities, we were interested to learn how they adopted LCAPs by examining the board of directors' online meeting agendas and minutes.



We need our charter schools to complete their LCAPs so parents can understand the goals, actions, progress and funding that support student success. I understand how my school is spending S&C funds, but that's because I've asked a lot of questions. Other parents don't know, because this information isn't in our school's LCAP.

Abadesa, charter school parent, Richmond

# LCFF Requirements: School Districts v. Charter Schools

As mentioned above, LCFF applies to all California LEA's, including school districts, county offices of education and charter schools. In many respects, the law applies in the same way, with some important differences, as shown below.

Legal Requirements	School Districts	Charter schools
Equitable Formula	<p>Both districts and charters receive LCFF funding via the same equitable formula. Cal. Educ. Code § 42238.02(b), (d), (f).<sup>10</sup></p> <ul style="list-style-type: none"> <li>• Each pupil generates a base grant.</li> <li>• Each high need student generates a supplemental grant, equal to 20% of the base grant.</li> </ul>	
	<p>A district with more than 55% unduplicated pupils receives a concentration grant equal to 50% of the base grant, for every UDP above the 55% threshold.</p>	<p>Charter schools' concentration grant funds are capped at the total UDP of the district in which they are located, even if their own UDP is higher.<sup>11</sup> §42238.02(f)(2).</p>
Online Publication	<p>Districts must post their final LCAP on the district's website. § 52065(a). County offices of education (COE's) must publish all district LCAPs in their jurisdiction. §52065(c).</p>	<p><b>Charter schools are not required to post their LCAPs online.</b> There is no requirement that authorizers or COEs post charter school LCAPs online.</p>
Language Access	<p>If 15% or more of pupils in a public school speak a single language other than English, the school must provide all documents that are sent to parents in English and each language that meets or exceeds this 15% threshold. § 48985.</p>	



# LCFF Requirements: School Districts v. Charter Schools

Legal Requirements	School Districts	Charter schools
LCAP Template	Both districts and charters must use the LCAP and Annual Update template. <sup>12</sup> §§ 52060(a), 47606.5(a).	
	For districts, the LCAP is a three-year planning document. § 52060(b) and SBE Adopted LCAP Template.	The number of years addressed in the LCAP may align with the term of the charter school's budget. If year 2 and/or year 3 is not applicable, charter schools must specify as such. See LCAP Addendum.
Incorporating State Priorities	Districts must address each of the eight state priorities in the LCAP. § 52060. <sup>13</sup>	Charters are only required to address the state priorities that apply to the "grades served" or "nature of the program operated by the charter school." § 47605(b)(5)A).
Parent Involvement	Both districts and charters must "consult with teachers, principals, administrators, other school personnel, parents, and pupils in developing the LCAP." §§ 47606.5(e), 52060(g).	
	Every year, district superintendents must present the proposed LCAP to a district Parent Advisory Committee (PAC) and an English Learner PAC and respond in writing to comments received from these bodies. They must notify the public of the opportunity to submit written comments. § 52062(a).	Charter schools are not required to have any parent advisory bodies or public notifications to inform LCAP development.

# LCFF Requirements: School Districts v. Charter Schools

Legal Requirements	School Districts	Charter schools
LCAP Adoption	The school board must hold at least one public hearing on the LCAP before adopting the LCAP at another public hearing. Both hearings must align with the board's hearings on the district's annual budget. § 52062(b).	While we understand it is common practice, it is not clear whether the governing board of a charter school must formally adopt the charter's LCAP. A charter school's petition for establishment or renewal may be denied if it does not have an LCAP, however. §§ 47605(b)(5)(A)(ii), 47607(a)(2).
LCAP Oversight, including for proper spending	<p>School districts must submit their LCAPs to their county office of education (COE) by July 1. The COE may seek clarification and request amendments to the LCAP. The school board shall consider any amendments at a public meeting.</p> <p>The COE shall approve the LCAP by Oct. 8th if (1) it adheres to the LCAP template, (2) the district's budget is sufficient to meet the project costs of the LCAP, and (3) the LCAP adheres to the equitable spending requirements (see below). COE's shall provide technical assistance to districts whose LCAPs are not approved. §§ 52070, 52071.</p>	<p><b>There is no requirement that the charter school LCAPs be approved</b>, either by their authorizer or county office of education.</p> <p>Charter schools must submit their LCAP to their charter authorizer and their COE (and only the COE if the county is the authorizer) by July 1. § 47604.33(a)(2). The authorizer shall ensure the charter school "complies" with the LCAP. § 47604.32(a)(3).</p>



# LCFF Requirements: School Districts v. Charter Schools

Legal Requirements	School Districts	Charter schools
Using S&C Funds to Increase or Improve Services for High Need Students	<p>Both districts and charters must provide evidence in the LCAP to demonstrate how supplemental and concentration funding is used to advance high need student goals and must increase or improve services for unduplicated pupils in proportion to the increase in funding generated by such students. 5 Cal. Code Reg. § 15496.</p> <p>Districts and charter schools must identify all schoolwide services funded by S&amp;C funds and describe how such services are principally directed towards and effective in meeting the LEA's goals for unduplicated pupils. 5 Cal. Code Reg. § 15496(b)(3), (5).</p>	
	School districts with less than 55% UDP and district schools with less than 40% UDP must also: 1) describe how these services are the most effective use of the funds to meet LEA's goals; and 2) provide the basis for this determination. 5 Cal. Code Reg. § 15496(b)(4).	There are no additional requirements for charter schools serving less than 55% or 40% UDP.

# FINDINGS & RECOMMENDATIONS

Outlined below are eight findings and corresponding recommendations. Most findings and recommendations are specific to charter schools, while others also pertain to school districts, which is made clear below. We direct our recommendations to California lawmakers, charter school operators, and charter school communities, including parents, students, and community-based organizations. Our eighth recommendation for increased accountability for charter school LCAPs is overarching, based on the seven previous findings.

## 1 27 out of the 70 Charter Schools Examined did not Publish Their LCAPs Online

In order to review 43 charter school LCAPs for this report, we had to look for 70 total LCAPs. Twenty-seven LCAPs that we initially sought to examine were not published on the school's website (two were published in draft form). See **Appendix B** for the charter schools without an LCAP posted online.

After the LCAP was requested by a prospective parent via email, two of the 27 missing LCAPs were provided. When the still-missing LCAPs were requested from the authorizer or the county office of education, which according to the Education Code should have all charter school LCAPs under their authority/jurisdiction, two more were provided. After several levels of inquiry, 23 were never obtained. Without access to the LCAP, it is difficult for stakeholders to engage meaningfully in the decision-making and continuous improvement process at their school.

38%

of charter schools examined did not post their LCAP online and 33% were never provided, even after multiple inquiries

In exchange for the greater flexibility granted by LCFF, school districts and charter schools must provide transparency to their communities by collaboratively producing an LCAP each year. To promote this transparency, school districts are required to post their final LCAP online, and we find overwhelming compliance with this requirement.

There is no analogous requirement for charter schools, however. Similarly, while county offices of education are also required to post the LCAPs of the school districts in their jurisdiction, there is no analogous requirement for charter school authorizers or COEs. Some COEs and authorizers choose to publish their charter school LCAPs, such as the Santa Clara County Office of Education.<sup>14</sup>

# FINDINGS & RECOMMENDATIONS

## RECOMMENDATIONS

- **State law** should be amended to 1) require charter schools, like other LEAs, to post their final LCAP on the school website and 2) require charter school authorizers to post the charter school LCAPs under their jurisdiction.
- **Charter school authorizers and COEs should** 1) post charter LCAPs for their authorized charters and 2) follow up to receive LCAPs where they have not been provided.
- **Charter schools should** post at least the current year LCAP online as a straightforward way to enable stakeholders to understand how the charter is using LCFF funds.
- **School communities** should request that their charter school LCAP be posted online.

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### 91% of Charter Schools Examined Serving 15% or More English Learners Did Not Post their LCAPs in a Language Other Than English.

In our analysis, 32 of the 43 charter schools served 15% or more English learners. Of these, only three charter schools, or 9%, posted their LCAP in Spanish. While LCAP translation has also been an issue for school districts, our anecdotal experience is that districts have greatly improved their LCAP translation practices.

Translation of LCAPs is a legal requirement under state and federal law. The California Education Code requires districts and schools to translate parent-provided documents like the LCAP if over 15% of students speak a single language other than English. Title VI prohibits national origin discrimination, which includes denying immigrant families the same ability to participate as English proficient families.

## RECOMMENDATIONS

- **State law should** clarify that state and federal language access laws require LEA's to translate their LCAP, particularly in communities where 15% or more families speak a single language other than English.

# FINDINGS & RECOMMENDATIONS

- **Charter schools should** translate and post their LCAP in all languages where at least 15% of students come from families speaking a single language other than English.
- **School communities should** request their charter school translate their LCAP so they may fully engage in their school's planning and budgeting process. If translation of the LCAP (or interpretation of LCAP meetings) is not granted, we recommend concerned individuals file a complaint with the U.S. Department of Education's Office of Civil Rights.<sup>15</sup>

## **3 Only 16 Charter Schools Examined Clearly Tracked S&C Funds Generated by High Need Students in 2017-2018.**

Most of the charters we examined did not complete the Annual Update or the Goals, Actions & Services section of the LCAP template in a way that clearly reflected how the charter utilized its S&C funding. 88% of the charters analyzed did not account for the full amount of their 2016-2017 S&C funding in the Annual Update and 84% did not account for the full amount received in 2017-2018 in the Goals, Actions, and Services section.

Only 14 of the schools examined specified whether expenditures were funded by S&C dollars in their Annual Update. Only 16 accounted for S&C funds in their 2017-2018 plan, and only nine schools tracked their expenditure of S&C dollars over the two-year period. Many schools listed multiple funding sources, like Title I and LCFF—and even S&C funds—for a single action and did not break down how much funding from each source was used (we have also seen this issue in school district LCAPs).

While identifying the funding sources or distinguishing base funds and S&C is not a strict legal requirement, without this clarity it is difficult to determine how charter schools are using the funds generated by high need students to improve outcomes for these students.

**Of 43  
schools  
examined,**

**only nine accounted for 75% or more of the funds generated by high need students. In sum, of the \$48.6 million in Supplemental and Concentration Funds these 43 schools received, we could only find clear allocation of 33%, or \$15.8 million**

# FINDINGS & RECOMMENDATIONS

Even among those charter schools that reported their S&C funding, many planned to spend (and subsequently spent) only a fraction of their S&C allocation. Using the CDE's LCFF Funding Reports<sup>16</sup> and applying the percentage of LCFF implementation for the 2016-2017 and 2017-2018 school years,<sup>17</sup> we compared each charter school's 2016-2017 actual expenditures and 2017-2018 planned expenditures as listed in that year's LCAP.

Of the 14 charter schools that tracked S&C in 2016-2017, only seven accounted for at least 75% of their S&C funding, and of the 16 schools that tracked S&C in 2017-2018, only nine accounted for at least 75% of funds generated by high need students. In sum, of the \$48.6 million in S&C funds received by the 43 charter schools examined in this report, we could only find clear allocation of 33%, or \$15.8 million. We were unable to account for the remaining \$32 million of S&C funds. Below are examples from the schools reporting the most and least of their S&C funding:

- **Charter School Accounting for Most S&C Funds:** Rocketship Academy Brilliant Minds in San Jose received approximately \$1.4 million in S&C in 2016-17 and spent \$1,093,304. The LCAP did not account for the \$300,000 in unspent S&C dollars. In 2017-2018, the school again received approximately \$1.4 million in S&C, and it planned to spend \$1,279,638 in 17-18. In this “best case” example, over the past two years, it is still unclear what happened with over \$400,000 in unspent, unallocated, or misallocated S&C dollars. In addition to accounting for the greatest percentage of its S&C funding over the past two years, Rocketship Academy Brilliant Minds also exemplified a best practice in identifying spending from LCFF base funds, other state dollars, as well as federal funds in its LCAP.
- **Charter School Accounting for the Least of its S&C Funds:** Latino College Preparatory Academy School in San Jose received approximately \$1.2 million in S&C in 2016-17, and accounted for spending only \$108,598, or less than 10%. The LCAP did not explain what happened with the \$1.1 million in unspent S&C dollars. In 2017-2018, the school again received approximately \$1.2 million in S&C and planned to spend only \$63,375 (5% of what it received). Over the past two years, it is unclear what happened with over \$2,000,000 in S&C dollars that should have been transparently allocated to increase or improve services for high need students.

**For One San  
Jose Charter  
School**

**it is unclear what happened to over \$2  
Million in S&C Funds over the past two years**

# FINDINGS & RECOMMENDATIONS

## RECOMMENDATIONS

- **State law:** See recommendation eight, below. The lack of transparency and accountability regarding funds generated by high need students necessitates increased oversight and support for charter school LCAP development.
- **Charter school authorizers:** In the approval process recommended below, authorizers should ensure charter schools properly allocate the entirety of the funds generated by high need students, and accurately identify funding sources for actions and services as required by Education Code § 47606.5(b).
- **Charter schools:** Allocate the entirety of the funds generated by their high need student populations, and clearly indicate the source(s) of funding for all LCAP expenditures, including differentiating between LCFF base and S&C funding.
- **School communities:** Request their charter school be transparent about their S&C spending and break down LCFF and other funds so the community can track both state and federal funds their school receives and spends.

### 4 Most Charter Schools Did Not Adequately Address State Priorities Around Parent Engagement and School Climate.

LCFF redefines school success holistically, establishing eight state priorities.<sup>18</sup> In this report, we focused on two of these priorities: school climate, as measured by student surveys on the sense of safety and school connectedness, and parent involvement, as measured by parental participation in student programs and involvement in decision-making.

In our analysis, we examined whether charter schools included a measurable objective for three metrics: efforts the charter school makes to seek parent input in decision-making, how the charter school promotes parental participation in programs for unduplicated students, and student surveys on the sense of safety and school connectedness.

A slight majority of charters included a measurable goal for parental participation in programs (53%) and student surveys (56%).

Only 21% included a measurable objective for parent input in decision-making, however. In our experience analyzing school district LCAPs, this has not been an issue, but school districts are required to address all eight state priorities.



# FINDINGS & RECOMMENDATIONS

## Only 21% of Charter Schools Examined

clearly measured their efforts to engage parents in decision-making

Charter schools are only legally obligated to include those state priorities that meet the grades served or nature of the program operated by the charter school. Under the Charter School Act, however, all charter schools must have a plan for parental involvement. Cal. Educ. Code § 47605(b)(4).

In addition, school climate and parental engagement seem relevant to all of the schools examined in this report insofar as none of them are virtual schools, and they all serve students with parents or guardians. Meaningful engagement of both students and parents is essential to achieving the local control envisioned by LCFF. Moreover, all charter schools are required to report on School Climate and Parent Engagement on the California School Dashboard.

## RECOMMENDATIONS

- **State law should** be amended to require charter schools to address all eight state priorities or explain which are not relevant to their program or grades served.
- **Charter schools should** ensure they are addressing all applicable state priorities and their required metrics, including parent engagement and school climate. Special attention should be paid to charter schools' efforts to engage parents in school decisions.
- **School communities should** request their charter school address all state priorities and metrics.

### 5 Most Charter Schools Did Not Clearly Explain How Stakeholder Involvement Informed their LCAP.

In developing the LCAP, all local educational agencies (or "LEAs," which include both districts and charters) must consult with teachers, principals, administrators, other school personnel, parents, and pupils. The LCAP template prompts LEAs to describe these consultations and the impact that they had on the LCAP. Almost all the charter schools we examined (98%) consulted with the required groups in developing the LCAP, although some did not document any consultation with students.

# FINDINGS & RECOMMENDATIONS

However, only 16 out of 43 charters (37%) were clear about the substantive impact that stakeholder feedback had on the LCAP. We note that school districts also have difficulty explaining how the LCAP is responsive to stakeholder feedback. Without answering the prompt, “How did these consultations impact the LCAP for the coming year?” it is not clear how charter schools integrate stakeholder feedback into their LCAPs; it appears stakeholder feedback is only collected, not integrated into program improvement.

While nearly all charter schools consulted with stakeholders in developing their LCAP

**only 37% Explained How Stakeholder Input Impacted the LCAP**

Notably, the legal requirements around stakeholder engagement differ between school districts and charter schools. As described above, school districts are required to have a Parent Advisory Committee comprised of a majority of parents and an English Learner Parent Advisory Committee in districts with 15% or more English learners. While these committees can certainly face difficulties in authentically representing low-income, immigrant and parents of color, some type of structure designed to elicit and integrate the feedback from diverse stakeholders would improve the charter school LCAP process and the responsiveness of the document to community needs.

## RECOMMENDATIONS

- **State law should be** amended to require charter schools to adopt a plan to engage diverse stakeholders—particularly parents of high need students and the students themselves—in the LCAP process.
- **Charter schools should** engage in meaningful consultation with stakeholders, including dedicated groups (e.g. committees) of parents and students. We also recommend charter schools make clear how their consultations with all stakeholders—including parents and students—inform the content of their LCAP.
- **School communities should** advocate for organized parent and student input and that their needs be documented in the Stakeholder Engagement section of the LCAP.

# FINDINGS & RECOMMENDATIONS

## 6 Overall, Charter Schools Failed to Ensure that S&C Funds Increase or Improve Services for High Need Students

This finding is primarily based on our legal assessment of the “Demonstration of Increased or Improved Services” (Increased or Improved Services) section of the LCAP. While school districts have also struggled to meet the equitable spending requirements of LCFF, the degree by which charter schools were failing to meet these legal requirements far surpassed their school district counterparts, in our anecdotal experience.

LCFF requires LEAs to “increase or improve” services to high need students in proportion to the S&C funds they generate. The Increased or Improved Services section is where LEAs—including charter schools—must explain how they are meeting this equitable spending requirement. Specifically, LEAs must meet two regulatory requirements to ensure LCFF’s equity promise is realized for high need students:

- **Proportionality Requirement:** Charter schools must describe how they are increasing or improving services for high need students in proportion to the S&C funds these students generate. To this end, the LCFF regulations require calculation of a minimum proportionality percentage, or the percentage by which the school must increase or improve services, which the regulations define as a “grow[th]” in the quantity or quality of services. The charter school must then explain how it is meeting this percentage either qualitatively or quantitatively. 5 CCR § 15496(a).
- **Explain S&C Funds Spent on All Students:** Charter schools must also identify each schoolwide action/service, or the actions/services delivered to all students, including non-high need students, that are supported by S&C funds and justify how each such schoolwide action/service is principally directed towards and effective in meeting the school’s goals for high need students. § 15496(b).

**Proportionality Requirement:** All charter schools examined identified the percentage by which they must increase or improve services to high need students in proportion to the S&C funds generated by those students. However, only seven attempted to explain how they were meeting the percentage, and only two schools provided examples of what would be increased or improved.<sup>19</sup>

Alpha: Jose Hernandez Middle School in San Jose stated its proportionality requirement was 37% and explained that it planned to meet this requirement by generally improving program execution and cited one increase and one improvement: “increased access to counseling services and focused support efforts by teacher residencies and learning coaches” in the 2017-2018 school year.

# FINDINGS & RECOMMENDATIONS

Accelerated Charter Elementary School in Los Angeles listed three actions “intended to increase and improve the services to unduplicated pupils - in particular, English learners.” It is important to note that neither of these schools attempted to explain any charter-wide expenditures, as also required in the Increased and Improved Services section. The five other charter schools that offered explanations asserted that the funds generally would go towards meeting the proportionality requirement, rather than explaining which specific programs would be increased or improved.

## Only 2 Charter Schools

attempted to explain how they were increasing or improving services to high need students in proportion to the S&C Funds they generate

**S&C Funds Spent on Schoolwide Services Benefiting All Students:** Unfortunately, none of the 43 charter schools identified schoolwide expenditures of S&C funds and explained how these were principally directed toward and effective in meeting the charter schools’ goals for high need students. While several charter schools put forth a good-faith effort and explained how their charter-wide services were principally directed towards high need students, most claimed that all their schoolwide services were directed towards their high need students simply because they served a majority of high needs students. Some schools’ Increased or Improved Services sections asserted that their schoolwide programs were effective without explanation, while the rest did not treat effectiveness at all. As affirmed by the California Department of Education, the use of generic statements does not meet the legal requirements or the equity promise of LCFF specifically directed towards high needs students.<sup>20</sup>

The Increased or Improved Services section has two prompts to ensure LEAs comply with LCFF’s equitable spending requirements:

- Describe how services provided for unduplicated pupils are increased or improved by at least the percentage identified above, either qualitatively or quantitatively, as compared to services provided for all students in the LCAP year.
- Identify each action/service being funded and provided on a schoolwide or LEA-wide basis. Include the required descriptions supporting each schoolwide or LEA-wide use of funds (see instructions).

# FINDINGS & RECOMMENDATIONS

Those instructions set forth the regulatory requirement that schoolwide services for charters be “principally directed towards, and are effective in, meeting the...charter school’s goals for its unduplicated pupils.” 5 CCR § 15496(b)(5)(B). The Roses in Concrete Community School in Oakland LCAP is representative of the majority of charter school Increased or Improved Services Sections. Roses in Concrete responded:

*The percentage of unduplicated pupils at our school was 74% in 2016-17 and is projected to continue around that rate. Because such a large percentage of our students qualify, all actions and expenses are targeted towards these pupils. Additionally, services such as instructional aides in every classroom, a Director of Culture and Instruction, and Director of Student Support are implemented schoolwide, but disproportionately benefit our unduplicated pupils. We believe that all supplemental and concentration funds are principally directed to and effective in meeting our goals for unduplicated pupils in all state and local priorities.*

Like most charter schools examined, this response fails to 1) explain the 14.73% by which the charter school must increase or improve services to high need students, 2) identify each action funded and provided on a charter-wide bases, or 3) explain how each charter-wide action is principally directed towards and effective in meeting its goals for high need students.

As the CDE decision referenced above makes clear, “conclusory statement[s]” that reference the overall high need student percentage as justification for schoolwide spending “fail...to provide the required description.”<sup>21</sup>

While no charter school in this report explained how their charter-wide services were effective in meeting their goals for high need students, several schools provided thoughtful descriptions of these services.

For example, Oakland Charter High School—which is managed by Amethod Public Schools—specifically identified schoolwide services, provided a thorough description of each service, and explained how each would target high need students.

# ZERO

charter schools examined properly justified  
expenditures of S&C Funds spent on charter-wide  
services

# FINDINGS & RECOMMENDATIONS

On a related note, over  $\frac{1}{3}$  of the charter schools examined did not designate any of their actions/ services as meeting the increased or improved services requirement for high need students (this designation is contained in the “Goals, Actions and Services” section of the LCAP). This oversight is likely unintentional, and yet is critical to communicating the concrete actions the charter school is taking—likely with S&C dollars—to close gaps for high need students. Hopefully this omission will not be repeated; the 2018 Budget Trailer bill requires all LEAs to attach a budget overview for parents to the LCAP, and specifically identify the total budgeted expenditures that contribute to the increased or improved services requirement.<sup>22</sup>

**35% of Charter Schools**

**did not indicate any actions as meeting the increased or improved services requirement for high need students**

The requirements laid out by LCFF with regard to the Increased or Improved Services section are critical to demonstrating that the equity promise of LCFF for high need students is being met. While justifying the schoolwide use of S&C dollars is by no means a problem isolated to charter schools, it is necessary to fulfill the letter and spirit of the LCFF law and regulations to ensure that high need students are benefiting proportionate to the funds they generate.

## RECOMMENDATIONS

- **State law:** See recommendation eight, below. Charter schools receive hundreds of millions of S&C dollars every year and should have meaningful guidance and oversight regarding their expenditure of these funds to increase or improve services to high need students.
- **Charter school authorizers:** Ensure charter schools explain how they are meeting their proportionality requirement and that they justify any schoolwide expenditures of S&C funds as per the approval process recommended below.
- **Charter schools:** Identify all actions contributing to the increased or improved services requirement and describe how each schoolwide action is principally directed toward and effective in improving outcomes for unduplicated students.
- **School communities:** Ask how charter schools are using funds generated by high need students to increase educational opportunities and close equity gaps for these students.



# FINDINGS & RECOMMENDATIONS

## 7 Charter Management Organizations Reviewed that Manage Schools in Multiple Cities Approve LCAPs in One Board Meeting, Raising Concerns Around Local Control and Governance.

We also examined the opportunity of charter school communities to engage with their school's board of directors regarding LCAP development and adoption. While California law is silent on the definition, Federal law defines a CMO as “a nonprofit organization that operates or manages a network of charter schools linked by centralized support, operations, and oversight.” 20 USC § 7221i(3).

Twenty-one of the charter schools examined in this report are managed by a CMO or charter school network with schools in two or more municipalities (see Appendix C).<sup>23</sup> While accessible public hearings are not legally required for charter school LCAP development, a core value of LCFF is local control and governance, including the opportunity for stakeholders to provide input to the boards ultimately approving their LCAP.

We find that all the CMOs reviewed with publicly available board information are approving their LCAPs in one location—and sometimes on the consent calendar. This practice poses significant challenges for communities to publicly comment on the LCAP adoption process. Anecdotally, charter school parents have commented to us that they should not have to travel to a different city to attend a meeting of their board of directors. And while several of the CMOs examined had tele- or video-conference locations to expand public participation, we note that there is scant evidence the public did indeed attend or comment on the LCAPs at issue.

**All 12 CMOs  
Examined**

**which manage 123 charter schools in multiple  
cities—approved their 2017-2018 LCAPs on  
one date, in one location**

For example, all the 2017-2018 LCAPs for all 36 Aspire Public Schools—which are located from Modesto to East Palo Alto to Los Angeles—were adopted at a single meeting of the Board of Directors’ three-member Executive and Compensation Committee in Oakland on June 15, 2017. Discussion began in the morning, closed for the general board meeting, and the LCAPs were adopted when the Committee meeting reconvened in the late afternoon.

Aspire has a remote participation policy for members of the public to participate in board meetings by teleconference or videoconference from locations in Commerce and Stockton, but materials appear to only be available to the public at the Oakland office.<sup>24</sup> The minutes do not reflect public participation.

# FINDINGS & RECOMMENDATIONS

This centralized approach is often reflected in the LCAPs themselves. For example, this report analyzed five Aspire charter school LCAPs, which despite their demographic differences<sup>25</sup> at campuses in Sacramento, Richmond, and Oakland, reflected boilerplate language in their Increased or Improved Services sections (with a few distinct expenditures in the one sentence listing each charter's schoolwide services).

The two KIPP Bay Area school LCAPs we examined (in Oakland and San Jose) had nearly identical Stakeholder Engagement; Goals, Actions and Services; and Increased or Improved Services sections.

We also found a standardized approach across charter schools managed by the same school district, such as the case of Blackford Elementary and Lynhaven Elementary, both of which are managed by Campbell Union School District and have identical Increased or Improved Services sections.

While a standardized educational approach makes sense across the charter schools governed by a single CMO, it also seems that community engagement and efforts to meet student needs should differ depending on local conditions and demographics.

## RECOMMENDATIONS

- **State law should** require that local communities be able to easily attend board meetings, e.g. at a location within the municipality where their charter school is located, particularly around LCAP adoption. State law should also require charter schools to list a relationship with a CMO in their charter petition, if applicable, and should require the CDE to make clear whether a charter school is affiliated with a CMO in its charter school database, see *supra* note 23.
- **Charter school authorizers should** encourage their charter schools managed by a CMO with campuses in different cities to create ways by which local communities can be heard by their charter school's board of directors.
- **CMO boards of directors should** meet where their school communities can easily attend their meetings—or at least leverage technology to make meetings locally accessible—and should not adopt or discuss LCAPs on the consent agenda.
- **School communities should** advocate for local CMO board meetings to enable robust stakeholder engagement and genuine local control.

# FINDINGS & RECOMMENDATIONS



## **Overarching Recommendation: Charter School LCAPs Should be Approved by their Authorizers or County Offices of Education and Funding Should be Provided for Authorizers or County Offices of Education to Provide Technical Assistance and Support to Charter Schools Throughout the LCAP Process.**

We arrive at this overarching recommendation given the pervasiveness of the issues we encountered through this analysis. While we see many charter schools exhibiting a good faith effort (in only a few cases were entire sections left blank) and are aware of challenges facing LEAs in completing the LCAP, our findings around LCAP availability and language access, funding transparency, and parent engagement clearly point toward the need for greater guidance and oversight regarding charter schools' implementation of LCFF and the LCAP.

Robust guidance would also align with California's new system of support and accountability. Under this system, a charter authorizer "shall provide technical assistance to" a charter school that fails to improve outcomes on the California School Dashboard in one or more state priority areas in three out of four consecutive years.<sup>26</sup> Cal. Educ. Code § 47607.3(a).

At the very least, charter school LCAPs should be reviewed during the charter school's renewal process and their content (including annual measurable outcomes) should be aligned with the petition for renewal.

## CONCLUSION

Charter schools in California serve approximately 630,000 students, over 10% of the state's entire student population, and receive approximately \$3.4 billion in LCFF funds.<sup>27</sup> This includes \$900 million in supplemental and concentration funds generated by high need students.<sup>28</sup>

Like school districts, and in some cases even more so, charter schools enjoy broad flexibility in how these funds are allocated, with the only requirements being transparency in local spending and that supplemental and concentration funds increase or improve services for high need students in proportion to the funds they generate.

The LCAP is a document where local control ensures all students, especially the state's high need students, are provided an equitable opportunity to learn and are on track to achieve at levels commensurate with their more privileged peers.

Given this reality, charter school LCAPs should be available to all parents, community members, and policy makers, online and in languages other than English where they serve immigrant populations. Charter school authorizers, supported by county offices of education, should ensure LCAPs reflect robust stakeholder engagement, thoughtful reflection on multiple outcomes, and adherence to the equity promise of LCFF. The state has a clear interest to ensure that the hundreds of millions of dollars generated by hundreds of thousands of high need students attending charter schools are reported and meet equitable legal requirements.

While this report only examines 43 charter school LCAPs from 2017-2018, the trends are clear: without meaningful oversight and support, charter schools are not fulfilling the LCFF promises of broad stakeholder engagement, transparency in expenditures, and accountability for efforts to improve outcomes for all students. The state must better integrate charter schools into its accountability system and system of support to ensure that charter school communities have the same opportunity as their school district peers to engage and improve educational opportunities for high need students.

## ACKNOWLEDGEMENTS

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*Public Advocates Inc. is a non-profit law firm and advocacy organization that challenges the systemic causes of poverty and racial discrimination by strengthening community voices in public policy and achieving tangible legal victories advancing education, housing and transit equity. For more information, see [www.publicadvocates.org](http://www.publicadvocates.org).*

*Please contact Senior Staff Attorney Rigel Spencer Massaro at [rmassaro@publicadvocates.org](mailto:rmassaro@publicadvocates.org) with questions about this report.*

## Appendix A: Charter School LCAPs Analyzed

### Los Angeles

Charter School - and network, if applicable	Authorizer	S&C Funds Received in 2017-2018	S&C Funds Budgeted in LCAP	Parent Engagement Metrics?	Student Survey Metric?	Charter describes and justifies how schoolwide services funded by S&C are directed towards and effective for high need students?
Accelerated Charter Elementary (The Accelerated Schools)	Los Angeles Unified School District (LAUSD)	\$1,084,811	Unable to calculate	No, neither	No	No. The charter school marked this section as not applicable.
Alliance Cindy and Bill Simon Technology Academy (Alliance College-Ready Public Schools)	LAUSD	\$1,404,690	\$6,314,796	Participation: Yes; Decision making: No	No	No. Identifies school-wide services and explains how some services are principally directed but does not discuss their effectiveness for high need students.
Barack Obama Charter (Ingenium Schools)	State Board of Education	\$831,392	\$1,132,742	Yes, both	Yes	No. Identifies school-wide services and explains how two are principally directed toward high need students but does not discuss program effectiveness for high need students.
Granada Hills (None)	LAUSD	\$806,450	Unable to calculate	Participation: Yes; Decision making: No	No	No. Identifies school-wide services and explains how services are principally directed but does not clearly discuss their effectiveness for high need students.
Monseñor Oscar Romero Charter (YPI Charter Schools)	LAUSD	\$784,943	Unable to calculate	Participation: Yes; Decision making: No	Yes, but vague.	No. Does not identify actions or services, instead only restates goals and measurable outcomes.
New Designs - Watts (New Designs Charter Schools)	LAUSD	\$1,158,814	\$1,158,814	Participation: Yes; Decision making: No	No	No. Only identifies programs, does not explain how they are principally directed or effective for high needs students.
Oscar De La Hoya Animo Charter High School (Green Dot Public Schools)	LAUSD	\$1,668,409	Unable to calculate	Participation: Yes; Decision making: No	No	No. Rich discussion of charter network's educational model, but no explanation of how programs are principally directed or effective for high needs students.
Optimist Charter School (Optimist Youth Homes & Family Services)	Los Angeles COE	\$1,244,877	Unable to calculate	Participation: Yes; Decision making: No	No	No. Increased or Improved Services Section is barely addressed. All school-wide programs are not identified, and neither principally directed nor effectiveness are explained.
University Preparatory Value High (Value Schools)	LAUSD	\$955,969	Unable to calculate	No, neither	Yes	No. Identifies four programs, two of which are clearly principally directed. However, the others are not clearly principally directed, and effectiveness is missing for all.

## Oakland

Charter School - and network, if applicable	Authorizer	S&C Funds Received in 2017-2018	S&C Funds Budgeted in LCAP	Parent Engagement Metrics?	Student Survey Metric?	Charter describes and justifies how schoolwide services funded by S&C are directed towards and effective for high need students?
American Indian Public Charter (American Indian Model Schools)	Oakland Unified School District (OUSD)	\$1,224,295	Unable to calculate	Participation: Yes Decision making: No	Yes	No. Some school-wide programs are identified. However, they are not thoroughly explained as principally directed or effective for high need students.
Aspire Lionel Wilson College Preparatory Academy (Aspire Public Schools)	OUSD	\$1,162,850	Unable to calculate	No, neither	Yes	No. Schoolwide services are not identified or explained as principally directed or effective for high need students.
Cox Academy (Education for Change)	Alameda COE	\$1,246,673	Unable to calculate	No, neither	Yes	No. Schoolwide services are identified but are not explained as principally directed or effective for high need students.
Downtown Charter Academy (Amethod Public Schools)	OUSD	\$443,753	Unable to calculate	Participation: Yes Decision making: No	Yes	No. Schoolwide services are identified, and helpful details of each expenditure are provided. Some services are principally directed toward high need students, but the effectiveness of each action is not explained.
KIPP Bridge Academy (KIPP Public Schools)	OUSD	\$997,419	Unable to calculate	Participation: Yes Decision making: No	Yes	No. Schoolwide services are not identified or explained as principally directed or effective for high need students.
Lazear Charter Academy (Education for Change)	Alameda COE	\$960,201	Unable to calculate	No, neither	Yes	No. Some schoolwide services are briefly identified, but none are explained as principally directed or effective for high need students.
Lighthouse Community Charter (Lighthouse Community Public Schools)	OUSD	\$604,859	Unable to calculate	No, neither	No	No. Schoolwide services are neither identified nor explained as principally directed or effective for high need students.
Lodestar (Lighthouse Community Public Schools)	OUSD	\$227,700	Unable to calculate	Yes, both	No, but they did measure for 16-17	No. Schoolwide services are neither identified nor explained as principally directed or effective for high need students.
Oakland Charter High School (Amethod Public Schools)	OUSD	\$1,011,966	Unable to calculate	Participation: Yes Decision making: No	Yes	No. Schoolwide services are identified, and details of each are provided. Some services are principally directed toward high need students, but the effectiveness of each action is not explained.
Roses in Concrete (None)	OUSD	\$397,682	Unable to calculate	Yes, both	No	No. Some schoolwide services are briefly identified, but none are explained as principally directed or effective for high need students.



## Richmond

Charter School - and network, if applicable	Authorizer	S&C Funds Received in 2017-2018	S&C Funds Budgeted in LCAP	Parent Engagement Metrics?	Student Survey Metric?	Charter describes and justifies how schoolwide services funded by S&C are directed towards and effective for high need students?
Aspire Richmond California College Prep (Aspire Public Schools)	West Contra Costa Unified (WCCUSD)	\$665,447	Unable to calculate	No, neither	Yes	No. Schoolwide programs are briefly identified but none are explained as principally directed or effective for high need students.
Aspire Richmond Technology Academy (Aspire Public Schools)	WCCUSD	\$544,623	Unable to calculate	No, neither	Yes	No. Schoolwide programs are briefly identified but none are explained as principally directed or effective for high need students.
Caliber: Beta Academy (Caliber Schools)	Contra Costa COE	\$1,413,259	\$660,000	Participation: Yes; Decision making: No	No	No. Schoolwide programs are briefly identified but none are explained as principally directed towards or effective for high need students.
Leadership Public Schools: Richmond (Leadership Public Schools)	WCCUSD	\$1,205,601	\$1,441,835	No, neither	No	No. Schoolwide programs are identified but are not explained as principally directed toward or effective for high need students.
Manzanita Middle School (None)	WCCUSD	\$168,643	Unable to calculate	No, neither	No	No. The LCAP only identifies services but none are explained as principally directed or effective for high need students.
Richmond College Prep (Richmond College Prep Schools)	WCCUSD	\$776,974	\$814,158	No, neither	Yes	No. The LCAP only identifies services but none are explained as principally directed or effective for high need students.
Summit Public School: Tamalpais (Summit Public Schools)	WCCUSD	\$158,748	Unable to calculate	Yes, both	Yes	No. Some services are identified and include a description of how they are effective but not how they are principally directed to high needs students.

## Sacramento

Charter School - and network, if applicable	Authorizer	S&C Funds Received in 2017-2018	S&C Funds Budgeted in LCAP	Parent Engagement Metrics?	Student Survey Metric?	Charter describes and justifies how schoolwide services funded by S&C are directed towards and effective for high need students?
Aspire Alexander Twilight College Preparatory Academy (Aspire Public Schools)	San Juan Unified School District	\$433,698	\$309,000	No, neither	Yes	No. Schoolwide services are neither identified nor explained as principally directed or effective for high need students.
Aspire Capitol Heights Academy (Aspire Public Schools)	Sacramento City Unified School District	\$525,549	\$528,000	No, neither	Yes	No. Schoolwide services are identified but not explained as principally directed or effective for high need students.
Fortune Schools (6 Fortune Schools included in 1 LCAP)	Sacramento COE	\$12,194,119	Unable to calculate (note they tracked some S&C in 16-17)	Participation: Yes; Decision making: No	Yes	No. Schoolwide services are neither identified nor explained as principally directed or effective for high need students.
Gateway International (Gateway Community Charters)	San Juan Unified School District	\$1,130,026	\$835,104	Participation: No Decision making: Yes	No	No. Identifies school-wide services but only explains how its goals are principally directed towards high needs students. Does not explain how schoolwide services are effective for high need students.
Language Academy of Sacramento (None)	Sacramento City Unified School District	\$928,212	Unable to calculate	Yes, both	Yes	No. Schoolwide services are identified but are not explained as principally directed or effective for high need students.
Leroy Greene Academy (Natomas Unified School District)	Natomas Unified School District	\$620,783	Unable to calculate	Participation: No; Decision making: Yes	Yes	No. The charter school marked this section as not applicable.
Westlake Charter (Natomas Unified School District)	Natomas Unified School District	\$418,286	Unable to calculate	Participation: Yes; Decision making: No	No	No. Schoolwide services are identified but are not explained as principally directed or effective for high need students.

## San Jose

Charter School - and network, if applicable	Authorizer	S&C Funds Received in 2017-2018	S&C Funds Budgeted in LCAP	Parent Engagement Metrics?	Student Survey Metric?	Charter describes and justifies how identified services are directed towards and effective for high need students?
ACE Empower Academy (ACE Charter Schools)	Santa Clara COE	\$866,932	\$670,896	No, neither	Yes	No. Some schoolwide services are identified but they are not explained as principally directed towards and effective for high need students.
Alpha: Jose Hernandez Middle School (Alpha: Public Schools)	Santa Clara COE	\$1,062,747	Unable to calculate	No, neither	Yes - if annual survey is for students	No. Some schoolwide services are identified but are not explained as principally directed towards and effective for high need students.
B. Roberto Cruz Leadership Academy (Foundation for Hispanic Education)	East Side Union High School District (ESHUSD)	\$497,627	\$3,000	No, neither	No	No. Some schoolwide services are identified. Services are not explained, however, as principally directed towards and effective for high need students.
Blackford Elementary (Campbell Union School District)	Campbell Union School District	\$769,359	\$182,942	Participation: Yes Decision making: No	No	No. Some schoolwide services are briefly identified, but they are not explained as principally directed towards and effective for high need students.
Downtown College Prep: Alum Rock -- Middle & High Schools (Downtown College Preparatory)	Santa Clara COE	\$1,558,671	Unclear (note they tracked S&C in 16-17)	No, neither	Yes	No. Some schoolwide services are identified but are not explained as explained as principally directed towards and effective for high need students.
KIPP San Jose Collegiate (KIPP Public Charter Schools)	ESHUSD	\$1,038,482	Unable to calculate	Yes, both	No	No. One schoolwide service is identified but is not explained as principally directed towards and effective for high need students.
Latino College Preparatory Academy (Foundation for Hispanic Education)	ESHUSD	\$1,169,882	\$63,375	Participation: Yes Decision making: No	No	No. Some schoolwide services are identified but are not explained as explained as principally directed towards and effective for high need students.
Lynhaven Elementary (Campbell Union School District)	Campbell Union School District	\$785,567	\$140,091	No, neither	No	No. Some schoolwide services are briefly identified, but they are not explained as principally directed towards and effective for high need students.
Rocketship Academy Brilliant Minds (Rocketship Public Schools)	Santa Clara COE	\$1,409,358	\$1,279,638	Participation: Yes Decision making: No	Yes	No. Schoolwide services are identified—including furniture—and details of the expenditures are provided. They are not explained, however, as principally directed towards and effective for high needs students.
Summit Public School: Rainier (Summit Public Schools)	East Side Union High School District	\$298,246	\$300,000	Participation: Yes Decision making: Yes	Yes	No. Some services are identified and include an explanation of how they are effective. However, there is no explanation of how they are principally directed towards high need students.

## Appendix B: 2017-2018 Charter LCAPs Unavailable Online<sup>1</sup>

### LCAPs Provided by Charter School after Email Request

Charter School	Authorizer, County Office of Education, if different	Charter Management Organization, if applicable
Natomas Charter School	Natomas Unified, Sacramento COE	N/A
Smythe Academy of Arts and Science	Twin Rivers Unified, Sacramento COE	N/A

### LCAPs Provided by Authorizer or County Office of Education (when Charter School did not provide the document)

Charter School	Authorizer, County Office of Education, if different	Charter Management Organization, if applicable
Community School for Creative Education	Alameda County Office of Education	N/A
Envision Academy	Alameda County Office of Education	Envision Education, Inc.

### LCAPs Never Provided

Charter School	Authorizer, County Office of Education, if different	Charter Management Organization, if applicable
Aptitud Community Academy at Goss	Alum Rock Union Elementary, Santa Clara COE	N/A
Bachrodt Charter Academy**	San Jose Unified, Santa Clara COE	N/A
Benito Juarez Elementary*	West Contra Costa Unified, Contra Costa COE	Amethod Public Schools
Bowling Green Elementary	Sacramento City Unified, Sacramento COE	N/A
Capitol Collegiate Academy	Sacramento City Unified, Sacramento COE	N/A
El Camino Real Charter High	Los Angeles Unified, Los Angeles COE	El Camino Real Alliance
George Washington Carver School of Arts and Science	Sacramento City Unified, Sacramento COE	N/A
Higher Learning Academy	Twin Rivers Unified, Sacramento	Gateway Community Charters

<sup>1</sup> These LCAPs were requested via email, by a prospective parent. Emails were sent first to the charter school contact on file with the California Department of Education, and then to the LCAP and/or charter school departments at either the Authorizer or the COE. Email records available upon request.

	COE	
Ida Jew Academies	Mount Pleasant Elementary, Santa Clara COE	N/A
Making Waves Academy**	Contra Costa COE	Making Waves Academy
Natomas Pacific Pathways Prep	Natomas Unified, Sacramento COE	P20 Consortium
New Joseph Bonnheim Community Charter School	Sacramento City Unified, Sacramento COE	N/A
Oak Park Prep	Sacramento City Unified, Sacramento COE	St HOPE Public Schools
Oakland Military Institute**	Oakland Unified, Alameda COE	Oakland Military Inst., Coll Prep Academy
Ocean Charter	Los Angeles Unified, Los Angeles COE	Ocean Charter School
Paseo Grande Charter**	Robla Elementary, Sacramento COE	Sierra Educational Advancement Corporation
Richmond Charter Academy*	West Contra Costa Unified, Contra Costa COE	Amethod Public Schools
Sacramento Charter School	Sacramento City Unified, Sacramento COE	St HOPE Public Schools
St. HOPE Public School 7	Sacramento City Unified, Sacramento COE	St HOPE Public Schools
The MET	Sacramento City Unified, Sacramento COE	N/A
View Park Preparatory Accelerated Charter	Los Angeles Unified, Los Angeles COE	ICEF Public Schools
Yav Pem Suab Academy	Sacramento City Unified, Sacramento COE	Urban Charter Schools Collective
Grover Cleveland Charter High	Los Angeles Unified, Los Angeles COE	N/A

\* Note that these Amethod charter schools (Benito Juarez and Richmond Charter Academy) had draft LCAPs posted online. We requested but never received a finalized 2017-2018 LCAP.

\*\* Note that our request to the authorizer or the county office of education was not made for these four charter schools.

### Appendix C: Charter Management Organization LCAP Approval Processes

This table describes the 2017-2018 LCAP adoption process of Charter Management Organizations that manage at least one school analyzed in this report as well as another charter school in a different municipality.

Charter Management Organization	Number of California charter schools	Cities where charter schools are located	LCAP Approval at a single board meeting for multiple schools in separate cities?	Notes on Meeting Location, Time, whether Video Conference was an Option, whether LCAP Adoption was Placed on the Consent Agenda, and whether there was Documented Public Comment
Alliance College-Ready Public Schools	28	Los Angeles, Sun Valley, Glassell Park, Huntington Park, San Pedro	Unclear	There were no readily accessible board meeting documents.
Amethod Public Schools	6	Oakland, Richmond	Yes. Board meeting minutes for May 17, 2017 available here: <a href="http://bit.ly/2NqTTBU">http://bit.ly/2NqTTBU</a> .	2017 - 18 LCAPs for all six charter schools were approved at a single board meeting on May 17, 2017 in Oakland. Amethod did hold a public hearing in Oakland and Richmond the week prior to LCAP approval for two of its charter schools: <a href="https://bit.ly/2uG0CkD">https://bit.ly/2uG0CkD</a>
Aspire Public Schools	36	Oakland, East Palo Alto, Richmond, Stockton, Sacramento, Modesto, Huntington Park, South Gate, Los Angeles	Yes. Committee meeting minutes for June 15, 2017 available here: <a href="http://bit.ly/2uxll4m">http://bit.ly/2uxll4m</a> .	The Executive and Compensation Committee minutes indicate that all Aspire's 36 California schools were approved at a meeting on June 15, 2017 in Oakland. This Committee appears to be comprised of three of Aspire's (then) nine board members (compare the Committee minutes to the Board minutes from June 15th: <a href="https://bit.ly/2mC6ff9">https://bit.ly/2mC6ff9</a> .) The agenda states that public participation was available via videoconference in Stockton and Commerce, CA, but that materials were available only in Oakland: <a href="https://bit.ly/2uLrFLb">https://bit.ly/2uLrFLb</a> . The minutes do not reflect public comment.
Caliber Schools	2	Richmond, Vallejo	Yes. Board meeting minutes for June 14, 2017 available here: <a href="http://bit.ly/2uB9Mif">http://bit.ly/2uB9Mif</a> .	Both schools' LCAPs were approved at a single meeting on June 14, 2017 in Richmond. We note that this meeting had separate agenda items for the two LCAPs it approved; all other CMOs in this Appendix approved their multiple LCAPs in one single agenda item. We also note that Caliber was the only CMO in this list that included a copy of the LCAP in online, publicly available board materials: <a href="https://bit.ly/2mEIDHT">https://bit.ly/2mEIDHT</a> .



Fortune Schools	7	Sacramento, Elk Grove, San Bernardino	Yes. Board meeting minutes for June 8, 2017 available here: <a href="http://bit.ly/2zTTJRz">http://bit.ly/2zTTJRz</a> agenda with location information available here: <a href="http://bit.ly/2L8Nq1J">http://bit.ly/2L8Nq1J</a>	The LCAPs for the six Sacramento and Elk Grove Fortune School charter schools and San Bernardino's Hardy Brown College Prep were presented and approved at a single board meeting on June 8, 2017 in San Bernardino. Note that all six Sacramento and Elk Grove charter schools are listed in the same charter petition, allowing them to have the same LCAP: <a href="https://bit.ly/2O6hM2U">https://bit.ly/2O6hM2U</a>
Gateway Community Charters	7	Sacramento, West Sacramento, North Highlands, McClellan, Elk Grove.	Yes. Board meeting minutes for June 20, 2017 available here: <a href="http://bit.ly/2uABl5T">http://bit.ly/2uABl5T</a> .	The LCAPs for all seven schools were presented and approved at a single board meeting on June 20, 2017 in McClellan.
Green Dot Public Schools	20	Los Angeles, Venice, Inglewood	Yes. Board meeting minutes for June 30, 2017 available here: <a href="http://bit.ly/2uyzns8">http://bit.ly/2uyzns8</a> .	The minutes for the June 2017 meeting indicate that the 2018 LCAPs for all 20 schools were approved in one daytime meeting in Los Angeles and were on the consent agenda. The public was invited to attend via teleconference at locations in Santa Monica and Monrovia, CA (see <a href="https://bit.ly/2JOme2M">https://bit.ly/2JOme2M</a> ). There was no documented public comment.
Ingenium Schools	4	Compton, Los Angeles, Canoga Park, Winnetka, Maywood	Yes. Board meeting minutes for June 29, 2017 available here: <a href="http://bit.ly/2JH03eX">http://bit.ly/2JH03eX</a>	2017-18 LCAPs for all four charter schools were approved at a special board meeting held over teleconference on June 29, 2017. All five board members participated at different locations which were open to the public in Claremont, Inglewood, Los Angeles and Scottsdale, AZ: <a href="http://bit.ly/2JH03eX">http://bit.ly/2JH03eX</a> .
KIPP Public Schools Bay Area	14	San Francisco, Oakland, Redwood City, San Jose, San Lorenzo, East Palo Alto	Yes. Board meeting minutes for June 7, 2017 available here: <a href="https://bit.ly/2L6WofX">https://bit.ly/2L6WofX</a> .	All 12 Bay Area LCAPs were approved at a single daytime meeting on June 7, 2017 in Oakland.  Note that the same practice was followed for the 15 KIPP Los Angeles charter schools.
Leadership Public Schools	3	Hayward, Oakland, Richmond	Yes. Board meeting minutes for June 26, 2017 available here: <a href="http://bit.ly/2O1rwve">http://bit.ly/2O1rwve</a>	All three schools' LCAPs were presented and approved on June 26, 2017 at a restaurant in Oakland. No public comment was documented. A call-in number is provided on the agenda for "additional locations," but it is unclear where those locations are, and whether they are open to the public: <a href="https://bit.ly/2v9vRUL">https://bit.ly/2v9vRUL</a> .
Rocketship Public	13	Antioch, Concord,	Yes. Board meeting	All twelve 2017-2018 LCAPs were placed on the consent calendar and approved at a

Schools		Redwood City, Sunnyvale, San Jose	minutes for May 25, 2017 available here: <a href="http://bit.ly/2JCdFYI">http://bit.ly/2JCdFYI</a>	daytime board meeting on May 25, 2017 in San Jose. The meeting was also hosted via teleconference in Concord, Redwood City and San Jose), as well as at locations in Colorado, Maryland, Tennessee, and Wisconsin: <a href="http://bit.ly/2Lxoo8L">http://bit.ly/2Lxoo8L</a> .
Summit Public Schools	8	Sunnyvale, Redwood City, El Cerrito, Richmond, San Jose, Daly City	Yes. Board meeting minutes for June 28, 2017 available here: <a href="http://bit.ly/2uzZ0Ja">http://bit.ly/2uzZ0Ja</a> .	All 2017-2018 LCAPs were placed on a consent agenda and approved at a daytime board meeting on June 8, 2017 in Redwood City. The agenda references alternative locations for public participation, but the location provided is identical to the in-person meeting: <a href="https://bit.ly/2uJYfgM">https://bit.ly/2uJYfgM</a> .
YPI Charter Schools	3	Pacoima, Arleta, Los Angeles	Yes, we believe. Board meeting minutes for June 29, 2017 available here: <a href="http://bit.ly/2JDeFvU">http://bit.ly/2JDeFvU</a> .	One item on the June 29, 2017 agenda is listed as "2017-2018 YPICS LCAP" and was approved on this same date in Pacoima. It is unclear whether this one LCAP item included LCAPs for all three charter schools. The agenda states that board members participated by phone from four different locations in Los Angeles and Newhall, CA. There is no mention of whether these locations were open to the public: <a href="https://bit.ly/2uMrajZ">https://bit.ly/2uMrajZ</a> .

## CITATIONS

1. California Department of Education, *2017 - 2018 Advance Apportionment Funding*, <https://www.cde.ca.gov/fg/aa/pa/iassf17adv.asp> (accessed July 13, 2018).
2. California Department of Education, *2017-18 LCFF Funding Snapshot*, <http://ias.cde.ca.gov/lcffsnapshot/lcff.aspx> (accessed July 13, 2018).
3. California Department of Education, *Charter School Data*, <https://www.cde.ca.gov/sp/cs/re/cefcharterschools.asp> (accessed June 10, 2018).
4. 5 Cal. Code Reg. § 15496(b).
5. Public Advocates has issued two prior reports on LCFF and LCAP implementation: *Keeping the Promise of LCFF: Key Findings & Recommendations After Two Years of LCFF implementation* in April 2016, and *Keeping the Promise of LCFF In Districts Serving Less than 55% High-Need Students* in May 2016. While both reports focused largely on school district LCAPs, the first report identified the lack of oversight for charter school supplemental and concentration funds as a key challenge and recommended that the state revise the charter school LCAP review structure to provide adequate oversight of supplemental and concentration spending and invest in the capacity of charter authorizers to provide support to underperforming charter schools as the law requires.
6. This percentage was determined by checking each authorizer's website and determining how many charter schools they authorize. Those numbers were added together and divided by the total number of charter schools in the state (1,275). California Charter Schools Association, *Growth and Enrollment*, <http://www.ccsa.org/understanding/numbers/> (accessed July 13, 2018).
7. "Unduplicated pupil" count is defined as the number of pupils who are any of the following: 1) English learners, 2) meet income or categorical eligibility requirements for free or reduced-price meals; 3) foster youth. Each pupil is counted once even if the pupil meets more than one of the criteria. (These pupils are also referred to in this report as "high need students.")  
California Department of Education, *Unduplicated Pupils and California Longitudinal Pupil Achievement Data System*, <https://www.cde.ca.gov/fg/aa/lc/lcfaq.asp#CALPADS> (accessed July 13, 2018).
8. California Department of Education, *Charter School Locator*, <https://www.cde.ca.gov/ds/si/cs/> (accessed July 13, 2018).
9. California Department of Education, *CALPADS UPC Source File*, <https://www.cde.ca.gov/ds/sd/sd/filescupc.asp> (accessed July 13, 2018).
10. Unless otherwise noted, all legal citations refer to the California Education Code.
11. To learn more about this issue in charter school concentration grant funding, see Public Policy Institute of California, *Charter Schools and California's Local Control Funding Formula*, [http://www.pplic.org/wp-content/uploads/r\\_0917iur.pdf](http://www.pplic.org/wp-content/uploads/r_0917iur.pdf) (Sept. 2017).
12. It is worth noting that every charter school, even those affiliated with a CMO, must develop their own LCAP. In their petition for establishment and renewal petition, each charter school is required to identify and adopt annual goals for all pupils, subject to the regulations of LCFF. As such, each individual charter school must develop and adopt their own unique LCAP. CMOs may not create one LCAP for multiple charter schools unless they are authorized by the same petition. Cal. Educ. Code § 47605.6.
13. In this report, we focused on two priorities that have been of particular interest to our community partners: school climate and parent engagement
14. Santa Clara County of Education, Charter Schools Department, *SCCBOE - Authorized Charter Schools*, <https://www.sccoe.org/supoffice/charter-schools-office/Pages/default.aspx> (clicking on any school will provide a link to its LCAPs) (accessed July 13, 2018).
15. The Office of Civil Rights investigates complaints pursuant to Title VI, which includes national origin discrimination. To learn more about this process or file a complaint, see U.S. Dep't of Educ., Office for Civil Rights, *Complaint Form*, <https://www2.ed.gov/about/offices/list/ocr/complaintintro.html> (accessed July 13, 2018) and U.S. Dep't of Educ., Office for Civil Rights, *Questions and Answers on OCR's Complaint Process*, <https://www2.ed.gov/about/offices/list/ocr/qa-complaints.html> (accessed July 13, 2018).
16. California Department of Education, *Local Control Funding Formula Reports*, <http://ias.cde.ca.gov/lcffreports/> (accessed July 13, 2018).

17. During the 2016-2017 school year, LCFF was funded at 96% of the Target Entitlement, and in 2017-2018, the formula was funded at 97%, *supra* note 16.
18. For a complete list of the eight state priorities under LCFF and their related data elements, see California Department of Education, *LCFF Priorities/Whole Child Resource Map*, <https://www.cde.ca.gov/eo/in/lcff1sys-resources.asp> (accessed July 18, 2018). While charter schools are not required to report on Priority 1, the Basic Conditions of Learning, they are still required to report the number or percentage of misassigned teachers and vacant teacher positions; of students without access to standards-aligned instructional materials; and of instances where facilities do not meet the “good repair” standard in the California School Dashboard. Tracking and reporting on these measures is critical to ensuring students have what they need to learn.
19. The two charter schools referenced here attempted to address how they are meeting their proportionality requirement. We do not conclude here whether their explanations were sufficient to meet the legal requirements as laid out in the LCFF regulations.
20. California Department of Education, *Request for Appeal - Fresno Unified School District, American Civil Liberties Union, Appellant*, May 15, 2017, <https://assets.documentcloud.org/documents/3711100/LCAP.pdf> (accessed July 24, 2018).
21. *Id.* at 7.
22. AB 1808, Sec. 65, Educ. Code § 52064.1(b).
23. It is important to note here that it was not always easy to ascertain whether a charter school was managed by a Charter Management Organization. This was particularly the case for charter schools managed by small CMOs, as oppose to larger networks. We looked at whether a “Corporation name” was listed in CDE’s charter school database and at the charter school’s website to see if it was clearly part of a network of schools. In some cases, this still did not answer the question (e.g. for Envision Academy, which we learned is part of a CMO by looking at board meeting agenda where multiple school LCAPs were approved). California charter schools are not required to list a relationship with a CMO in their charter petition, so the CDE cannot track this information in its charter school database. See <https://www.cde.ca.gov/ds/si/cs/ap/lists.asp> (accessed July 25, 2018).
24. The Aspire Public Schools Executive and Compensation Committee meeting agenda, with the information about accessibility and materials availability, can be found here: <https://bit.ly/2uLrFLb> (accessed July 23, 2018).
25. Aspire Capitol Heights Academy in Sacramento serves 292 students in kindergarten through fifth grade. 71% of its students are African American and 6% are English Learners (ELs) and the school struggles with high rates of suspension and low academic achievement. Aspire Richmond Technology Academy serves the same grades and a similarly sized population, but 10% of its students are African American and 45.1% are ELs. Suspension rates are much lower at Aspire Richmond, though overall academic struggles are similar. And Aspire Lionel Wilson Preparatory Academy in Oakland educates nearly twice as many high school students, and 2% of its students are African American and 29% are ELs. Despite these significant differences, each of these Aspire schools (and indeed, all five Aspire schools examined for this report) has a nearly identical Increased or Improved Services section. (All data was drawn from the California Department of Education’s California School Dashboard, available at <https://www.caschooldashboard.org/#/Home> (accessed July 13, 2018).)
26. Cal. Educ. Code § 47607.3(a).
27. *Advance Apportionment Funding*, *supra* note 1.
28. *2017-18 LCFF Funding Snapshot*, *supra* note 2.