

# CLIENT NEWS BRIEF

## Senate Bill 98 Suspends LCAPs for 2020-2021; Instead, LEAs Must Adopt a Learning Continuity and Attendance Plan

Senate Bill (SB) 98, the Education Budget Trailer Bill, suspends the requirement to adopt a Local Control Accountability Plan (LCAP) for the 2020-2021 school year. Instead, for the 2020-21 school year, local educational agencies (LEA) will be required to adopt a “learning continuity and attendance plan.”

The Governor had previously, through Executive Order N-56-20, extended the 2020-21 LCAP adoption and LCAP budget overview deadlines from July 1 to December 15, 2020. (See [2020 Client News Brief Number 35](#)) Now, the LCAP is eliminated and replaced for 2020-21, although LEAs must still adopt a budget overview for parents by December 15.

### Learning Continuity and Attendance Plan

SB 98 adds section 43509 to the Education Code and requires LEAs to adopt, by September 30, 2020, a learning continuity and attendance plan for 2020-2021. This learning plan must include the information specified in the template to be developed by the California Department of Education (CDE) by August 1.

Learning Plan. The learning continuity and attendance plan must include the following:

- A description of how the LEA will provide continuity of learning and address the impact of COVID-19 on pupils, staff, and the community in the following areas, along with the specific expenditures the LEA anticipates making to support its ability to address the impacts of COVID-19:
  - In person instructional offerings;
  - Distance learning program;
  - Pupil learning loss;
  - Monitoring and support of mental health and social and emotional well-being of pupils and staff;
  - Professional development and resources to address trauma and other impacts of COVID-19 on the school community;
  - Pupil engagement and outreach;
  - School nutrition;
- A description of how federal and state funding is used to support the efforts described in the learning continuity and attendance plan; and
- A description of how the LEA is increasing or improving services based on the number and concentration of unduplicated pupils.

Adoption Timeline and Process. Although similar to the LCAP, the adoption timeline and process for soliciting input on the learning plan are distinct, as summarized below.

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- August 1– CDE will publish template for the learning continuity and attendance plan;
- September 30 – Deadline for LEAs to adopt learning continuity and attendance plan;
- Five Days After Adoption – Deadline for district to file with county office of education (COE), COE to file with CDE, or charter school to file with its chartering authority and COE;
- October 30 – Deadline for COE or CDE to provide written recommendations for amendments to the plan, if any;
- 15 Days after receipt of COE or CDE recommendations – Deadline for LEA to consider written recommendations in a public hearing;
- December 15 – Deadline for LEAs to adopt the LCAP budget overview for parents.

Similar to the LCAP process, LEAs must solicit and consider stakeholder feedback while developing the learning continuity and attendance plan. Specifically, the LEA must solicit recommendations and comments from members of the public, notify members of the public about the opportunity to submit written comments, present the learning plan to the parent advisory committee (PAC) and the English Learner parent advisory committee (EL PAC), respond to comments from PAC and EL PAC in writing, provide options for remote participation in the public hearings and include efforts to solicit feedback to reach stakeholders who do not have internet access or who speak languages other than English. The learning plan must be presented at a public hearing before the governing board, after posting the agenda for at least 72 hours; then the governing board must adopt the learning plan in a public meeting after, but not on the same day as, the public hearing. Finally, the LEA must prominently post the learning plan on the homepage of its website, consistent with the LCAP posting requirements.

## Takeaways

LEAs must adopt a learning continuity and attendance plan by September 30, 2020. Despite a truncated timeline, the requirements for stakeholder engagement, a separate public hearing, and adoption at a public governing board meeting remain. LEAs are not required to adopt an LCAP for the 2020-2021 school year, however, LEAs must adopt a LCAP budget overview for parents by December 15, 2020.

If you have any questions about the learning continuity and attendance plan, the LCAP budget overview for parents; or SB 98 in general, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).