



5340 Skylane Boulevard
Santa Rosa, CA 95403-8246
(707) 524-2600 | scoe.org

March 28, 2024

To: District and Charter Business Officials

From: Sarah Lampenfeld, Director, External Fiscal Services
Michelle Panizzera, District Fiscal Management Advisor

Re: Important Update Regarding Public Notification of Proposed Budget Inspection and Hearing

We would like to bring to your attention an important update regarding the public notification requirements for the inspection and hearing of your district's proposed budget, as outlined in Education Code 42103(d).

Effective January 1, 2024, Education Code 42103(d) was amended by AB 721 Chapter 811 on October 12, 2023. The amendment stipulates that the public notification of the dates and location for the inspection of the proposed budget and the date, time, and location of the public hearing must be published in a newspaper of general circulation by the school district or the county superintendent of schools on behalf of the district. Previously, this responsibility solely belonged to the county superintendent. **Additionally, the Education Code now allows school districts to post the public notice on their internet websites.** We strongly encourage you to begin posting the public notification on your website this year, even though it is not yet a mandatory requirement.

Furthermore, effective January 1, 2027, Education Code 42103(d) will be amended again. The requirement to publish the public notification in a newspaper of general circulation will be repealed and replaced with the requirement that each school district must prominently post the public notification on its website's homepage. Each county superintendent of schools will be responsible for verifying that this requirement is met for all school districts in their jurisdiction.

To assist our office in complying with the publication requirement, we have enclosed a form for your district/charter to complete and return. **We strongly encourage LEAs to continue with the same process of Sonoma COE publishing the notification to ensure the requirement is met until January 1, 2027.**

Please return the SCOE Biz 24-15: Public Hearing Notice to Michelle Panizzera, and she will either complete the notification process with the newspapers or provide her with the documentation that the publication requirement has been completed by your district.

Amie R. Carter, Ed.D. | Sonoma County Superintendent of Schools

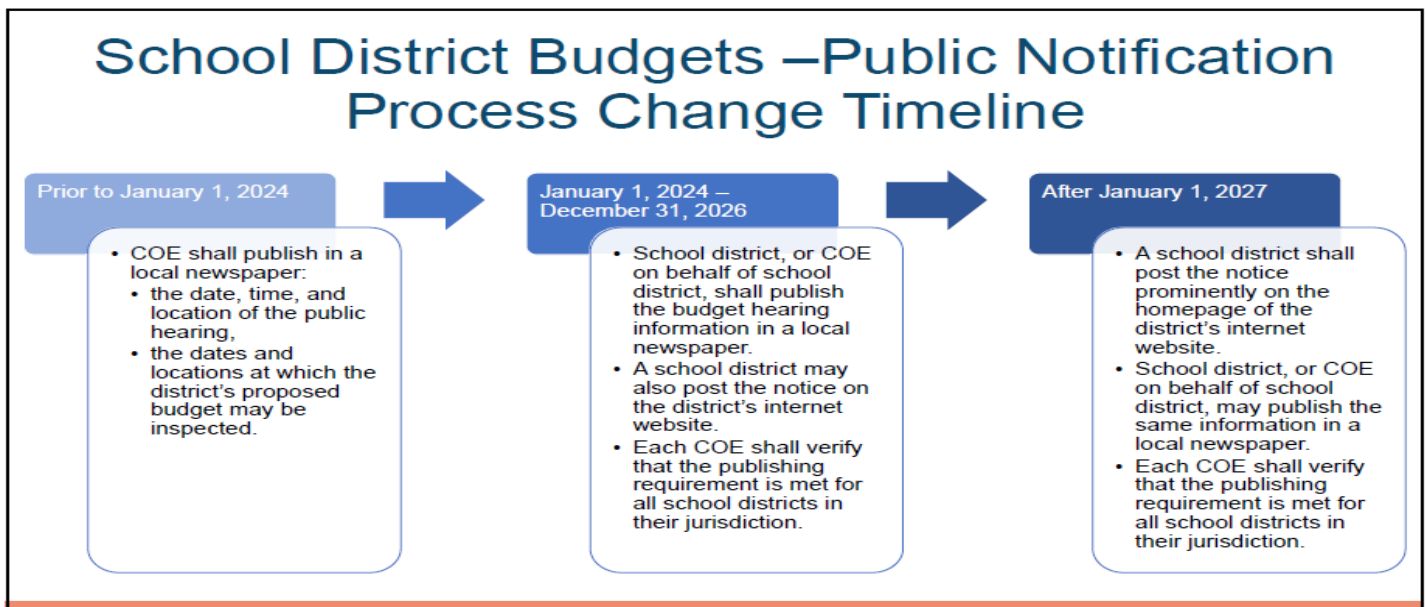
Board of Education | Gina Cuclis, Herman G. Hernandez, Steven Herrington Ph.D., Peter Kostas, Andrew Leonard

For your reference, we have included the Education Code references that are pertinent to the public hearing requirements for a proposed budget and a proposed LCAP:

- ✚ [CDE March 22, 2024 letter](#)
- ✚ [Education Code §42103, Proposed budget; public hearing; public inspection; publication](#)
- ✚ [Assembly Bill No. 721, Chapter 811, amendment to Education Code §42103](#)
- ✚ [Education Code §42127\(a\)\(2\), Formulation, adoption, approval, and revision of budget; procedure](#)
- ✚ [Education Code §52062\(b\)\(1\)\(2\), Conditions precedent to consideration of adoption of local control and accountability plan by governing board of school district; duties of superintendent of school district; public hearing; adoption of revisions](#)

Please feel free to call Sarah at (707) 524-2635 if you have any questions regarding this information.

From CDE:



Cc:
Greg Medici, Deputy Superintendent Business
Cindy Gordon, District Fiscal Management Advisor
Anne Marie Norris, District Fiscal Management Advisor
Felicia Aguirre, District Fiscal Management Advisor

attachment: SCOE Biz 24-15

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Board of Education | Gina Cuclis, Herman G. Hernandez, Steven Herrington Ph.D., Peter Kostas, Andrew Leonard

SCOE BIZ

Business Services Bulletin No. 24-15



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(707) 524-2600 ■ www.scoe.org

March 28, 2024

To: District and Charter School Business Personnel
From: Sarah Lampenfeld, Director, External Fiscal Services
Subject: Notice of Public Hearing on Proposed Budget and Local Control and Accountability Plan (LCAP)

1. Please complete the following information for your LEA, "Notice of Public Hearings on 2024-25 Proposed Budget and LCAP". The form is due to SCOE no later than 17 days prior to the public hearings (10 days to meet the law and 7 days to provide newspaper notice). Please note: Since the LCAP and Proposed Budget public hearings must be held at the same meeting, SCOE recommends the LCAP public hearing be mentioned in the Proposed Budget public hearing newspaper notice.
2. Return this form (e-mail) to SCOE Fiscal Advisor, Michelle Panizzera (email mpanizzera@scoe.org). SCOE will e-mail you the publication date once it is known. Please examine the newspaper on that day to ensure the district's notice has been published.
3. **DO NOT ISSUE A PURCHASE ORDER** to SCOE. SCOE will issue payment to the newspaper on your behalf. After the actual charge is known, SCOE will complete a cash transfer in 2024-25 to charge all districts and charters using the following account: General Fund-0-0000-0000-7200-5825-000-0000.
4. You will receive a copy of this transfer at which time you may journal to a more specific account code for your LEA.

2024-25 Proposed Budget and LCAP

_____ School District &/or Charter School
Address: _____

Proposed Budget (Ed Code 42103) & Proposed LCAP: (Ed Code 52062) – see attached Ed code & examples

Available for Public Inspection

Location/web address: _____

Date: From _____ to _____ Time (if applicable): From: _____ m to _____ m
(Must be at least 3 working days prior to the public hearing)

Public Hearing

(Location): Meeting held via ___ In-person ___ Zoom

Location/web address: _____

Date: _____ Time: _____ .m.

Date of Board Meeting for Public Adoption of Proposed Budget:

put date here

NEWSPAPER

Number of Times to be published

Authorized signature

Print Name

e-mail address

Date

42103 Budget

The governing board of each school district shall hold a public hearing on the proposed budget in a district facility, or some other place conveniently accessible to the residents of the district. The **public hearing** shall be held any day on or before the date specified for this purpose in subdivision (a) of, or paragraph (3) of subdivision (d) of, Section 42127, but not less than three working days following availability of the proposed budget for public inspection. At the hearing any resident in the district may appear and object to the proposed budget or any item in the budget.

The hearing may be concluded on the proposed budget when there are no requests for further hearing on file, and shall be concluded no later than the date specified for this purpose in subdivision (a) of, or paragraph (3) of subdivision (d) of, Section 42127. The budget shall not be finally **adopted** by the governing board of the district until after the public hearing has been held.

The proposed budget shall show expenditures, cash balances, and all revenues as required to be tabulated in Sections 42122 and 42123, and also shall include an estimate of those figures, unaudited, for the preceding fiscal year. In addition, any tax statement submitted by the governing board of the school district pursuant to subdivision (a) of Section 42127, any district tax requirement computed pursuant to subdivision (b) of Section 42127 for the school year to which the proposed budget is intended to apply, and any recommendations made by the county superintendent pursuant to subdivision (d) of Section 42127 shall be made available by the district for public inspection in a facility of the district or in some other place conveniently accessible to residents of the district.

Notification of dates and location or locations at which the proposed budget may be inspected by the public and the date, time, and location of the public hearing on the proposed budget shall be published by the school district or the county superintendent of schools in a newspaper of general circulation in the district or, if there is no newspaper of general circulation in the district, in any newspaper of general circulation in the county, at least three days prior to the availability of the proposed budget for public inspection. The publication of the dates and locations shall occur no earlier than 45 days prior to the final date for the hearing as specified in subdivision (a) of, or paragraph (3) of subdivision (d) of, Section 42127, but not less than 10 days prior to the date set for hearing. The cost of the publication shall be a legal and proper charge against the school district for which the publication is made.

(2) A school district may also post the notice described in paragraph (1) on the school district's internet website.

(3) Each county superintendent of schools shall verify that the publishing requirement described in paragraph (1) is met for all school districts in their jurisdiction.

52062 Local Control and Accountability Plans

(b) (1) A governing board of a school district shall hold at least one public hearing to solicit the recommendations and comments of members of the public regarding the specific actions and expenditures proposed to be included in the local control and accountability plan or annual update to the local control and accountability plan. **◆The agenda for the public hearing shall be posted at least 72 hours before the public hearing and shall include the location where the local control and accountability plan or annual update to the local control and accountability plan will be available for public inspection.** The public hearing shall be held at the same meeting as the public hearing required by paragraph (1) of subdivision (a) of Section 42127.

(2) A governing board of a school district shall **adopt** a local control and accountability plan or annual update to the local control and accountability plan in a public meeting. This meeting shall be held after, but not on the same day as, the public hearing held pursuant to paragraph (1). This meeting shall be the same meeting as that during which the governing board of the school district adopts a budget pursuant to paragraph (2) of subdivision (a) of Section 42127.

(c) A governing board of a school district may adopt revisions to a local control and accountability plan during the period the local control and accountability plan is in effect. A governing board of a school district may only adopt a revision to a local control and accountability plan if it follows the process to adopt a local control and accountability plan pursuant to this section and the revisions are adopted in a public meeting.

◆Publishing the date of the LCAP Public Hearing in the newspaper does not preclude the agenda posting requirement as per Ed Code 52062 (section (b)(1) noted above.

Example #1: Assumes Public Hearing and Adoption meetings in June

<u>Form To SCOE</u>	<u>Publishing Date</u>	<u>Public Inspection Period</u>	<u>Public Hearings Date</u>	<u>Budget and LCAP Adoption Date</u>
Must notify newspaper by	<u>Last day to publish public notice</u>			
May 24*	June 1*	June 6,7,8,11,12*	June 12* @ 7:00 pm	June 19*
<i>At least 7 days prior to the publishing date</i>	<i>Must be published no less than 10 days before the public hearing date</i>	<i>Must be at least 3 working days prior to the public hearing AND can start no sooner than June 5 (3 days after the public notice).</i>	<i>No less than 10 days after publish of public notice.</i>	<i>Must be on or before July 1</i>

Example #2: Assumes Public Hearing in May and Adoption meetings in June

<u>Form To SCOE</u>	<u>Publishing Date</u>	<u>Public Inspection Period</u>	<u>Public Hearings Date</u>	<u>Budget and LCAP Adoption Date</u>
Must notify newspaper by	<u>Last day to publish public notice</u>			
May 10*	May 18*	May 22,23,24,25,29*	May 29* @ 7:00 pm.	June 19*
<i>At least 7 days prior to the publishing date</i>	<i>Must be published no less than 10 days before the public hearing date</i>	<i>Must be at least 3 working days prior to the public hearing AND can start no sooner than May 21 (3 days after the public notice).</i>	<i>No less than 10 days after publish of public notice.</i>	<i>Must be on or before July 1</i>

*dates are examples – not specific to this calendar year