

**Budget Summary**

**Project title:** 2842-IOLTA LSP-2019-Public Advocates Inc.-83

**Budget Year:** 2019

**Organization:** Public Advocates Inc.

**FORM A -IOLTA Budget Description**

**1. IOLTA grant allocation:** \$295,850

**2. How will the grant be utilized to provide free civil legal services to indigent persons in California [Business & Professions Code §6218(a)]?**

**A. Education Equity**

We will use half of this grant to support our efforts to increase access to quality education for the least-advantaged low-income and English Learner public school students in California.

The education-related half of this grant will be used to pursue investigation and compliance activities surrounding the legal sufficiency of the new Local Control and Accountability Plans (LCAPs) each district is now required to adopt. In 2013, with Public Advocates' support and input, California passed landmark legislation enacting a new school funding formula (Local Control Funding Formula or LCFF) and significantly expanding local control of those funds. This new school funding system is the most progressive statewide system in the nation, and we are using its new requirements to increase and improve services for low and very-low income students. The new, more equitable funding formula provides all districts a uniform base per pupil grant plus an additional 20% for each student who is either low-income, an English learner, or a foster youth, and another 50% of the base grant for each student who fits one of those categories above a set threshold in districts with high concentrations of such students. These latter school districts constitute nearly half of those in the state and represent pockets of concentrated poverty where 55% or more of the district's students are low-income. The new LCFF funding system frees districts of many of the constraints in spending that existed under the prior funding system, while imposing two main parameters: (1) districts' educational program must address eight state priorities, which fall in the areas of student achievement, school climate, course access, and the standards established by the Williams v. California case, among others, and (2) districts must increase or improve services for the aforementioned high-need students in proportion to the amount of funds those students generate for the district under the new formula.

Each district must articulate in the LCAP plans required by LCFF how it is setting goals, taking actions, and spending funds to achieve its goals in the eight state priority areas and how it is proportionally increasing or improving services for high-need students according to a legally-established formula. LCAPs must be designed in consultation with school community stakeholders, including parents and students, adopted after a set of public hearings, and reviewed and approved by county offices of education, and they must identify how local districts propose to spend the state's \$70-plus billion investment in public education. They are due June 30th each year and are reviewed for October approval by county offices.

With our community partners, Public Advocates has played a major role (as part of our EAF-supported work) in shaping the State Board of Education's regulations governing the rules for district compliance with the transparency, community engagement, and proportional expenditure requirements of the LCFF statute. To ensure the full and faithful implementation of

the equity promise of LCFF for very low-income students, and compliance with State Board of Education regulations, Public Advocates will undertake the following activities:

- (1) Provide legal guidance to districts and the field on LCFF/LCAP compliance;
- (2) Investigate LCAPs around the state, particularly in districts with large numbers of low- and very low- income students, for their legal sufficiency;
- (3) Correct deficiencies by working with districts and county offices of education; and
- (4) If necessary, undertake enforcement actions, including:
  - (a) Submitting administrative complaints, such as those we filed against the Long Beach Unified School District and the Los Angeles County Office of Education in 2017 that resulted in new and expanded services for low-income students in 30 of the district's highest-need schools and the West Contra Costa Unified School District in 2018, which resulted in the release of key data on student performance; or
  - (b) Litigation of the sort we filed against Los Angeles Unified School District, which resulted in a precedent-setting agreement providing more than \$150 million to 50 of the highest-need schools in the district.
  - (c) Monitoring and enforcing the settlements or administrative or court orders that we have obtained.

## B. Metropolitan Equity

We will use the other half of this grant to meet the needs of very low-income residents for affordable housing, tenant protections, the prevention of displacement, and legal and policy advocacy ensuring that transportation and climate investments meet the most pressing needs of low-income communities while promoting neighborhood stabilization.

A primary goal of our work will be the implementation and expansion of the groundbreaking package of state housing bills signed into law in 2017 and additional housing civil rights legislation passed in 2018 that currently awaits the Governor's signature. These bills include new, equitable land use requirements, funding for affordable housing, and tenant protection policies, as well as fair housing legislation (AB 686, co-sponsored by Public Advocates), which is likely to take effect in 2019, that will compel local governments to identify barriers to fair housing choice that perpetuate segregation and take actions to remedy it. We will work to ensure that these laws result in tangible benefits for California's most disadvantaged residents at the local level, while pressing for additional state legislation to create and preserve affordable housing and prevent displacement. In pursuit of these goals, we will build on the housing policy agenda we helped develop in 2015 with more than 60 advocacy and base-building groups from across California and the housing production policy agenda we are currently developing with many of these groups, a process we launched by way of a statewide convening on August 1 where 35 organizations from across the state participated. A second key goal is to ensure that investments of climate and transportation funds at the state, regional, and local levels are shaped by and meaningfully benefit very low-income residents and communities.

We will continue to pursue a range of legislative, legal, and administrative efforts to address policies and actions in both the public and private sector that are shortchanging low-income residents and communities. Critical issues we will address — and opportunities we will seek to leverage — include the following:

-The failure of local governments to meet their obligations under the Housing Element Law and the Surplus Land Act. The legislation that we successfully co-sponsored in 2017 (AB 1397 and SB 166) strengthens the Housing Element law's requirements that local governments identify and maintain realistic sites for affordable housing development, and provides new legal leverage to compel anti-housing jurisdictions to comply with these requirements. In 2018, pending legislation we helped to draft, AB 1771, added fair housing requirements to the process of setting Housing Element targets — which will strengthen this system as a tool for advancing affordable housing in high-resource cities. The Surplus Land Act requires various local agencies and jurisdictions to prioritize the use of surplus public land for affording housing, and we have pursued enforcement actions and litigation in Oakland and San José when its requirements have not been met. We are also exploring possible legislative amendments to strengthen the Act.

-The gap in affordable housing funding left by the dissolution of redevelopment agencies. Although the legislature took an important step in 2017 to establish a new permanent source for affordable housing (SB 2), this funding will be distributed primarily by formula to cities around the state. Concerted and coordinated advocacy is needed to ensure this new funding is effectively and properly spent. In 2019, we will also engage in policy discussions aimed at bringing back an affordable housing funding set-aside and production requirement in any new redevelopment bill, as well as protections against displacement and requirements that investments benefit underserved community residents by addressing needs they identify as priorities.

-The impact of market demand combined with government policies that subsidize and streamline luxury development near transit. Together, these factors are driving up rents in low-income urban neighborhoods, pricing out the poorest families, and displacing them to areas lacking employment and educational opportunity and access to healthcare and other services.

-The role of major corporations in driving a job boom concentrated in the technology and related sectors that few low-income residents and people of color benefit from. Influxes of highly paid workers are driving up housing prices and creating intense displacement pressures in communities that have historically housed low- and moderate-income residents, often people of color. These highly profitable corporations, which have benefited disproportionately from recent federal tax cuts, can (and should) mitigate these impacts through corporate social responsibility, community engagement programs, and community benefit agreements.

-Major new investments addressing critical needs of very low-income communities and residents. The recently concluded two-year legislative session saw the passage of SB 1 (Beall), a \$5.2 billion a year transportation funding measure that includes \$400 million a year for expanding the transit services that low-income residents depend on to access work, school, healthcare, and legal services attorneys, as well as \$25 million a year for Sustainable Communities Planning Grants. We will monitor the implementation of SB 1 and work to ensure that a fair share of transportation investments meets the priority needs of low-income communities.

We will also continue to work on shifting the way public investment is directed in both the housing and transportation sectors and with climate investments.

Our work toward these goals will gain strength from the engagement of our community partners in statewide networks we co-convene. These include:

-HousingNow!, a campaign we co-lead of more than 50 organizations fighting the harmful impact of corporate landlords on low-

income communities and advocating for tenant protections and affordable housing;

-The Statewide Investment Without Displacement Network, which engages more than 30 organizations in advocating locally and at the state level for community-serving investments that strengthen, rather than displace, vulnerable, low-income communities;

-A multi-issue equity network unified behind an 8-point, cross-issue policy platform for equitable development — ranging from affordable housing, to transit justice and quality jobs — developed by more than 50 organizations from all five major metropolitan regions of the state;

-A statewide housing production group that we convened on August 1 and that continues to hold conversations in multiple working groups as well as full-partner conversations; and

-The California Climate Equity Coalition, which brings together more than 100 organizations from throughout the state to fight for the equitable investment of cap-and-trade auction revenues, including targeted funding to meet the needs of disadvantaged communities.

To promote these priorities, take advantage of these opportunities, advance investments in affordable housing and local transit service, and build the power of low-income communities in state and local decision-making, Public Advocates will undertake the following activities:

(1) Develop policy proposals and participate in stakeholder discussions to ensure that new state housing policy meets, and does not compromise, community needs;

(2) Identify and execute local implementation strategies and educate community and advocacy organizations throughout the state about the local actions needed to make housing bills meaningful (for example, AB 1505, which restores the ability of local jurisdictions to impose inclusionary housing requirements on rental developments but does not require such local policies);

(3) Advocate at the state level to fill gaps in the 2017 housing package on issues of fair housing and tenant protections;

(4) Conduct legal, policy, and fiscal analyses both for the internal support of our statewide coalition partners and to help guide decision makers and the general public;

(5) Play strong leadership roles in statewide equity networks, link grassroots groups in low-income communities across the state to critical state policy deliberations and decisions, and build the capacity of low-income communities of color to engage in state policy advocacy;

(6) Develop innovative, equity-focused policy solutions, and advocate for their adoption at the state administrative and legislative levels;

(7) Continue to advocate for the use of Participatory Budgeting — a powerful democratic process in which community members brainstorm ideas, work with public agency staff to develop proposals based on those ideas, and then vote to select projects that the government implements — as we have successfully done at the state level with the Caltrans Sustainable Communities Planning Grants and the Transformative Climate Communities programs, and at the regional level with MTC's Lifeline Transportation Program, while educating low-income community groups about Participatory Budgeting opportunities;

(8) Work with academic and other experts to develop strong equity methodologies, indicators, and metrics; and

(9) Disseminate our analyses and solutions to a range of stakeholder audiences.

**a. What results or outcomes do you anticipate from the specified use of grant funds?**

**A. Education Equity**

The impact of our work is twofold. The legal guidance and consultation we provide to school districts and county offices of education helps ensure LCFF's myriad legal requirements are honored, including the key requirement that some \$9 billion in supplemental and concentration grants from the state is principally directed towards and effectively used to increase or improve services for high-need students. Our enforcement actions, whether through administrative complaints or litigation, stop unlawful uses of these funds, which effectively deny high-need students services to which they are entitled, with potential long-term impacts on their educational attainment. Moreover, the outcomes of our enforcement efforts result in corrective actions ordered against districts and/or settlements that provide significant relief, as in the settlement of our lawsuit with LAUSD, which provides more than \$150 million for supportive services in the district's highest need schools and the administrative relief we won against LAUSD and Long Beach Unified, ordering a halt to unlawful spending practices. Further, we undertake enforcement actions strategically, with an eye to setting precedents that will discourage districts throughout the state from failing to fulfill the equity promise of the LCFF.

Our LCAP legal guidance, enforcement, and litigation work has tangible benefits for millions of low-income students, English learners, foster youth, and their families throughout California. Specific outcomes include:

- Challenged districts, as well as districts across the state, comply with their legal obligation to properly use funds designated for increased or improved services for high-need students resulting in improved educational opportunities and outcomes;
- School districts honor the rights of low-income parents and students to meaningfully engage in the development of district spending and academic plans; and
- Districts follow legal requirements to be transparent about how they are spending state LCFF funds and the results they are achieving with students as a result of district actions and services.

**B. Metropolitan Equity**

The outcomes of the work described above include:

- New investments addressing California's critical affordable housing shortage in jurisdictions where very low-income residents are being disproportionately impacted;
- Enforcement of new and existing laws and regulations that results in local jurisdictions identifying and maintaining realistic sites for affordable housing development and prioritizing surplus public land for affordable housing;
- Legislation and policies at the local, regional, and state level protecting vulnerable residents from displacement;
- Equitable investments in transit services that meet the mobility needs of low-income residents;

- New state legislation and/or policies that set aside funds to meet the housing and transportation needs of disadvantaged and low-income communities;
- Faithful implementation of existing set-aside provisions governing the expenditure of cap-and-trade revenues that benefit (and do not harm) disadvantaged communities and low-income residents; and
- Increased capacity of community organizations representing low-income Californians to advance and shape policies and investments, utilize legal and policy levers, and hold decision-makers accountable;
- New legal theories and strategies for advancing equitable investments, addressing the affordable housing shortage, and protecting very low-income residents from harmful actions by public and private sector actors.

In all our work, we seek to bring the voices of very low-income people to the table when local, regional, and state agencies make critical decisions that impact their social and economic opportunities. Our overarching goal is to ensure that state policy and budget reforms meet the real needs of the lowest-income Californians, that the voices of these residents are included the development of new policies and proposals, and that their advocacy is effective in not only winning reforms but implementing them as well.

**b. How does the IOLTA grant fit into the overall budget of the organization? For example, are the funds allocated evenly across all qualified expenditures for both personnel and non-personnel expenses, are they designated for specific positions or projects, are they used to leverage a match for other grants, etc.?**

This IOLTA grant is treated as project funds that support our Education Equity and Metropolitan Equity teams to work on the specific projects discussed above. These valuable funds support specific personnel and non-personnel expenses related to that project work. We do use IOLTA funds to leverage other grants, for example, by demonstrating to potential funders that we have existing partial external support for the work, which reinforces its significance. We also use the allowable amount of non-program funding toward core operating expenses, which are the hardest to raise from other sources and yet are essential to effective operations and organizational sustainability (e.g., financial management; development; occupancy expenses).

## Staffing Classification

Positions	FTEs	Description of Work
Attorneys	1.09	Managing attorneys will: lead their respective teams; act as lead counsel (on LCFF enforcement work); anchor state policy work (on transportation and investment equity). Staff, Senior Staff Attorneys and Law Fellows will: serve as co-counsel, chief investigator, community advisor (on LCFF enforcement work); anchor state policy work (on affordable housing and displacement); work on cap-and-trade policy and investment advocacy.
Paralegals	0.12	This position will provide support in areas of research, outreach, travel planning, event logistics, and materials preparation.
Other	0.61	This includes support from our Director of Finance & Administration, Finance Manager, Grants Manager, Administrative Manager, Office Assistant and Director of Development, all of whom will provide budgeting, reporting, compliance, and grant administration support.
Director of Communication	0.12	This position will work with both teams as well as with our coalition and community partners to provide strategic communication support.

Communication s Manager	0.12	This position will provide communications support to both program teams, co-counsel, and community partners.
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Total	2.06
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## FORM B -EAF Budget Description

1. EAF grant allocation: \$246,990

2. Describe the activity, or set of activities, you propose to fund with the EAF grant. If you propose more than one set of activities, please number and describe each of them separately.

California's school system is the largest in the country with close to 6.3 million public school students, one of every eight in the nation. Seventy-six percent are students of color and 58% qualify for free or reduced priced meals, an indicator of poverty. More than 20% of the student population, 1.3 million, consists of English Learners. An even larger group, 42%, speak a language other than English at home. English Learners are poor at an even higher rate than the general population. According to the nonpartisan Legislative Analyst Office, approximately 75% of English Learners in California qualify for free or reduced-price lunch.

Unfortunately, low-income students, students of color, and English Learners continue to have the worst achievement outcomes in the state and face the greatest obstacles for moving on to productive college and career tracks. The 2017 results from the Common Core standards-aligned state achievement tests (SBAC) show that low-income students and English Learners continue to lag far behind their peers in demonstrating academic proficiency. On the English-Language Arts standards tests, only 36% of economically-disadvantaged students demonstrated proficiency, compared to 68% for non-disadvantaged students. Results for Mathematics were similar with 25% of poor students scoring proficient compared to 57% of students who are not economically-disadvantaged. Now that California is testing for more rigorous, higher-order, and problem-solving skills under the new Common Core standards these gaps are larger than those exhibited on the last round of testing in 2013 under the state's previous standards.

Performance on these English-only tests has high stakes for English Learners. If they cannot demonstrate proficiency in the state's standards, they are continually assigned, year-after-year, to remedial English-Language Arts and Mathematics courses, where they languish and rarely are able to progress to more rigorous college preparatory courses. In 2017, state SBAC tests showed that only 12% of English Learners tested proficient on English Language Arts standards compared to 54% for English-only students. Similar gaps in proficiency exist for English Learners on the Mathematics standards tests with only 12% scoring proficient in Math, compared to 43% for English-only students. (And again, these gaps were wider than those last observed under the prior standards tests.)

While California ranks among the top five economies worldwide, it significantly under-invests in education. As a recently published study produced by Stanford University and Policy Analysis for California Education found, in 2016–17 California's public K–12 schools spent about \$69.7 billion to educate their students. An additional \$22.1 billion — 32% above actual spending — would have been necessary to ensure that all students had the opportunity to meet the state's goals for student achievement. The most recent Education Week analysis (2018) places California 35th out of 50 states and the District of Columbia in adequacy of school funding, an especially poor ranking given California's very high cost of living and the large share of high-need students that are educated here.



As a result of this under-investment, California has the fewest adults per student in its school system — teachers, counselors, administrators, and health and social support personnel — of any state in the country. The state disproportionately fails to deliver fully-prepared teachers, instructional materials, safe and clean facilities, rigorous curriculum, and support services to the neediest students so as to prepare them for college and career. In addition, the policymakers running the school system are primarily responsive to traditional advocates — teachers' unions, school administrators, and, locally, more affluent, better-educated, and vocal parents — as compared to the bulk of the parents and students, who are from low-income communities, often with immigrant backgrounds. Although the entire public school system is struggling, the neediest students — students of color, English Learners, and students in poverty — are the most negatively affected. Grassroots organizations representing these families are hampered by a lack of access to information about their legal rights to basic educational opportunities and, as a result, do not typically have a place at the state and local tables where resource, instructional, and accountability policies and practices are developed. The need for effective community engagement from low-income communities in state and local education policy making is critical.

After 2013, this need took on even greater urgency. With support, momentum, and technical expertise provided by Public Advocates and our client base of grassroots organizations, California passed a landmark school funding reform known as the Local Control Funding Formula (LCFF). As detailed above, the LCFF's new, more equitable funding formula provides all districts a uniform base per pupil grant plus an additional 20% for each student who is either low-income, an English Learner, or a foster youth, and another 50% of the base grant for each student who fits one of these categories above a set threshold in districts with high concentrations of such students. Each district must now annually articulate in its Local Control and Accountability Plan (LCAP) how it is setting goals, taking actions, and spending funds to achieve state goals in eight priority areas and how it is proportionally increasing or improving services for high-needs students. LCAPs must be designed in consultation with school community stakeholders, adopted after a set of public hearings, and reviewed and approved by county offices of education. In addition to the great need for an informed community voice in education policy making in general, LCFF poses challenges — and new opportunities — for parent, student, and community groups to engage in shaping state LCFF policies and rules as well as local district processes for creating and revising academic and spending plans, that is, their LCAPs, annually.

Public Advocates' Educational Equity project will address these challenges and opportunities through two sets of activities:

(1) Technical Assistance

(a ) Providing 7-12 technical assistance trainings to grassroots partners.

(b) Providing technical assistance to at least 50 organizations including grassroots partners working in at least 10 school districts in the form of policy and legal analysis, tracking and summarizing policy developments, development of policy alternatives, and campaign development assistance.

(2) Policy and Legal Analysis

In addition, to increasing the capacity of grassroots partners to affect state and local educational policy and practices, we will provide policy and legal analysis at the following service levels:

(a) Participating monthly in leading the Technical Working Group (that is, the steering committee) of the LCFF Equity Coalition,



a collaboration of more than 40 organizations that has coalesced around LCFF policy advocacy, including grassroots entities with statewide reach, such as PICO California, Californians for Justice, Parent Institute for Quality Education, and the Parent Organizing Network.

(b) Drafting and submitting letters to the State Board of Education and testifying on behalf of the LCFF Equity Coalition on LCFF and accountability policies at State Board meetings every other month.

(c) Participating monthly in a new “Partnership” collaborative along with Californians for Justice, the Learning Policy Institute, and the Advancement Project to further expand the grassroots education advocacy infrastructure and to advocate for enhanced school funding and teacher quality policies.

(Note: This community engagement, advocacy, and capacity-building work around state and local educational policies is distinct from the LCFF/LCAP enforcement work supported by the IOLTA grant, which supports the provision of legal compliance advice to districts across the state and, where necessary, investigation, administrative complaints, and litigation to enforce compliance with LCFF’s legal requirements.)

**a. What results or outcomes do you anticipate from the specified use(s) of grant funds, and how will you evaluate progress towards achieving identified results or outcomes?**

Public Advocates’ Educational Equity program seeks to increase the capacity of grassroots community groups, low-income parents, students of color, and English Learners to positively affect education policy in ways that result in greater educational opportunities, particularly for underserved, low-income English Learner students. The overarching goals for this project (and our embedded theory of change) can be summarized as: (1) informing, educating, and providing technical assistance to grassroots community groups and low-income parents and students so as (2) to increase their capacity to influence local and state education policy and, thereby, (3) positively shape education policy in ways that result in greater educational opportunities for the target constituencies. Achieving these goals will result in greater capacity for grassroots organizations to affect state and local education policy, particularly policymaking by the State Board of Education and local districts’ annual plans for spending and for meeting state and local educational priorities as evidenced in district-adopted LCAPs.

In particular, we will bring community voices into state and local education policy decisions to achieve the following outcomes:

(1) Influence the State Board of Education’s adoption of at least two new policies that refine implementation of LCFF and its new state accountability framework (the California School Dashboard) for measuring district and school performance under the LCFF to the benefit of low-income students and English Learners, and

(2) Influence local adoptions of LCAPs in two or more instances so as to achieve our community partners’ identified needs and priorities for their target constituencies.

(3) Formalize the Partnership collaborative with a set of agreed-upon work plans and commitments for advancing grassroots-based education advocacy work in 2019.

**b. For each activity, or set of activities, describe generally the categories of staff that will be funded, the services each category of staff will provide or the activities they will undertake, and the particular outcomes and goals associated with those activities.**

This work will be implemented primarily by the attorney members of the Education Equity team, which includes:

Managing Attorney: Oversees the project, directs state-level advocacy, and provides input on local training and advocacy as required.

Deputy Managing Attorney: Assists with team operations, Partnership work, and the provision of local technical assistance and community organizing support.

Director of Legislative & Community Affairs: Leads the implementation of the policy advocacy work and community outreach relative to the state-level advocacy and local advocacy in the Sacramento City Unified School District and Central Valley districts.

2 Senior Staff Attorneys: Provide legal technical assistance to families and community organizations, trainings, and local advocacy for districts in the Bay Area, South Bay, Central Coast, and Los Angeles County; one will also provide Sacramento-based state-level advocacy support.

Law Fellow: Provide support to the local technical assistance and community organizing support teams across the state.

All of the staff above (with the exception of the Managing Attorney) will be involved in delivering the trainings and technical assistance, increasing the capacity of grassroots organizations and low-income students and parents, and working to win local policy and practice changes in district LCAPs. The Managing Attorney and the Director of Legislative & Community Affairs will lead work to bring the influence of grassroots community groups and their constituents to state-level policymaking with support from the other attorneys.

Also supporting the efforts of the Education Equity team are the following staff:

Legal Administrative Coordinator: Provides support to the legal team.

Education Team Administrative Manager: Provides support to the Partnership collaborative and supervises support to the legal team.

Director of Communication: Leads communication campaigns directly related to the project.

Communications Manager: Provides communications support to the team.

Director of Finance & Administration: Provides budgeting and reporting leadership to this project.

Finance Manager: Provides expense management, budgeting and reporting support to this project.

Sacramento Administrative Assistant: Provides office and administrative support to the Sacramento-based advocacy staff.

**c. How does the EAF grant fit into the overall budget of the organization? For example, are the funds designated for specific positions or projects, are they used to leverage a match for other grants, etc.?**

As with the IOLTA grant, the EAF grant is treated as project funds that support our Education Equity team to work on the specific project work discussed above. These valuable funds support specific personnel and non-personnel expenses related to that project work. We do use EAF funds to leverage other grants, for example, by demonstrating to potential funders that we have existing partial external support for the work, which reinforces its significance. We also use the allowable amount of non-

program funding toward core operating expenses, which are the hardest to raise from other sources and yet are essential to effective operations and organizational sustainability (e.g., financial management; development; occupancy expenses).

Categories	EAF Grant Funds		Other Funds		Totals for Funded Activities
	# of Positions	FTEs	# of Positions	FTEs	FTEs
Attorneys	6	0.82	6	1.14	1.96
Paralegals	1	0.13	1	0.13	0.26
Other	9	0.79	9	0.53	1.32

### FORM C - Compliance Assurance

#### 1. How will the organization ensure IOLTA and EAF grants are used only to provide free civil legal services to indigent persons in California as defined in the statute and rules?

It is the mission of Public Advocates to work on cases serving indigent communities. All of our current work falls within that category.

With our education work, for example, we focus on the statewide population of low-income students and their families who qualify as impoverished under federal poverty guidelines. There is not readily-available information statewide and in individual school districts as to which students meet the precise federal definition. As such, we rely on the most commonly used proxy for poverty in education which is the measure of students whose families qualify for the federal free lunch program (which criterion is 135% of poverty) and to a lesser extent those who qualified for reduced price meals (185% of poverty). Statewide in 2016–17, 49% of all students were deemed eligible for free lunch and another 9% were eligible for reduced price lunches. Further, much of our current education equity efforts concern school districts with concentrated poverty under the state's new Local Control Funding Formula law. LCFF defines a concentration of poverty as districts where 55% or more of the students qualify for free or reduced price meals. Finally, as well, a significant part of our education work addresses the special needs of English Learners. English Learners are poor at an even higher rate than the general school population. According to the nonpartisan Legislative Analyst Office, approximately 75% of English Learners in California qualify for free or reduced price lunch. (The English Learner figure is also certainly an underestimate as it does not include undocumented students who do not qualify or enroll in the free/reduced price meal program due to immigration status.) With these statistical patterns in mind, we are confident that, when we focus our advocacy around the issues facing students eligible for free lunch and/or English Learners, we are addressing the needs of our target indigent student population.

#### a. How do you screen at intake for income and other eligibility information?

Public Advocates Inc. engages in systemic challenges to the persistent, underlying causes and effects of poverty. This is Public Advocates' primary purpose and function, and Public Advocates provides these legal services on behalf of California's poor without charge.

Because Public Advocates' primary focus is impact work and systemic change, rather than direct services and direct representation, Public Advocates focuses upon the income levels and poverty of the class the legal services are designed to

benefit. For example, even if Public Advocates represents specific indigent individuals in a class action or other impact case, it ensures that the relief sought broadly benefits poor people as a class, not just those specific individuals. Similarly, Public Advocates often represents community-based organizations, which in turn provide direct services and leadership to poor people within their respective communities. Public Advocates ensures that the action and the relief sought broadly benefit poor people as a class, even if the community-based non-profits or some of the individual plaintiffs in a given case are not themselves indigent individuals.

Accordingly, in assessing whether proposed legal services will provide systemic relief from the persistent, underlying causes and effects of poverty, Public Advocates determines that the relief and legal services, if successful, will benefit individuals and/or households whose incomes fall within governmental poverty thresholds established and revised from time to time, and in any case within the threshold set by section 6213(d) of the California Business & Professions Code.

Public Advocates' policy is to ensure compliance with these Income Eligibility Guidelines in its case selection process. Each memo requesting Board approval for new litigation includes an analysis of the following factors and any others, as applicable, that aid in ensuring that the matter is one which will primarily benefit indigent persons (as that term is defined in Section 6213(d) of the California Business & Professions Code):

- (1) the forum in which the matter is being pursued;
- (2) whether the named clients are indigent persons or organizations primarily benefiting indigent persons;
- (3) in the case of a proposed class action, the definition of the class to be contained in the complaint;
- (4) a description of the group of individuals that would benefit from a favorable resolution of the matter, and if available, relevant demographic data that assists in quantifying the relative size of that group (e.g., proportion of the affected persons who receive free or reduced-price lunches or who live in very-low or extremely-low income households);
- (5) to the extent ascertainable, whether a majority of those who would benefit are indigent persons;
- (6) the relation of the legal issues raised by the matter to the needs of indigent persons;
- (7) whether indigent persons are disproportionately impacted by the legal issues to be raised or the policy or practice to be challenged; and
- (8) the relief proposed to be sought.

**b. Describe any other relevant practices to ensure funds are spent only for qualified legal services.**

We also evaluate whether our work has achieved tangible legal and policy changes that are effective in benefiting our target indigent populations. See answer to #2.c, below.

**2. Significant efforts must be made to use 20 percent of the IOLTA and EAF grants for increasing the availability of services to members of especially disadvantaged and underserved client groups (Business & Professions code Section 6221). What constituency(ies) will you serve with 20 percent of the grant allocations for IOLTA and EAF?**

By its nature, Public Advocates' work targets especially underserved and disadvantaged client groups. We expect that far more than 20% of the allocation will provide services to members of especially underserved client groups throughout

California.

IOLTA Grant:

In our education equity work, we have a special focus on those who speak a language other than English. In our LCFF enforcement work to improve resource equity in low-income schools across the State then, at least 20% of those funds would be targeted to the population of overwhelmingly low-income language minority students within the population of underserved low-income students — that is, districts that serve very large numbers of English Learners and resource equity and community engagement policies specifically affecting these communities. English Learner students, who account for 20% of California's public school population or some 1.3 million students, are one of the most disadvantaged populations of low-income students in California in that, compared to low-income (as well as to non-poor students), they suffer from higher proportions of under-qualified teachers, more severe shortages of instructional materials, poorer physical conditions, and less access to college-track offerings. As a result, they receive among the lowest proficiency scores on state assessments and have some of the lowest graduation rates.

Similarly, our legislative and administrative advocacy efforts focused on advancing affordable housing and local transit are entirely focused on meeting the needs of California's lowest-income residents. This work aims to strengthen the voices of very low-income communities in state housing and transit policy while at the same time increasing the investments and policies needed to meet these communities' needs. At least 20% of these efforts will benefit very-low and extremely low-income residents, including families facing severe housing insecurity who are at-risk for displacement and homelessness.

For instance, through our statewide coalition work on the expenditure of cap-and-trade revenues we helped to secure a continuing appropriation of 10% of these funds to be used for affordable housing near transit and 5% to be dedicated to operating public transit. Free transit passes for indigent riders who are otherwise forced to evade fares or forego other essentials to pay for transportation is also an eligible use that we will continue to advocate for. Millions of dollars will be dedicated this fiscal year for the construction of housing affordable to the lowest income families near transit, jobs, and other opportunities, while millions more will be dedicated to transit service improvements. We will continue to work statewide to ensure that these promised benefits flow to the lowest-income Californians and to build on these successes in future funding cycles.

We are also focused on preventing displacement of the most vulnerable residents from areas near transit, which experiencing rapidly increasing as a result of new state investments and market forces. The residents most at risk are those who are working minimum wage jobs or are marginally employed. The already high cost of living throughout the state means that these individuals and families are living in substandard housing, often in severely overcrowded conditions. Still, losing this housing often leads to severe disruption of social and economic networks that can be difficult or impossible to recover from and homelessness.

Well over a third of the work of the overall 1.45 FTE attorney and other program staff allocated to the Education Equity and Metropolitan Equity programs supported by the IOLTA grant will benefit targeted members of especially underserved communities throughout California. The total cost of these staff alone amounts to \$166,760 including benefits; this amount is well above the 20% threshold.

EAF Grant:

We expect that far more than 20 percent of the allocation will provide services to members of especially underserved client

groups throughout California. Public Advocates' Educational Equity project seeks to improve educational opportunities in low-income schools across the State. These schools are overwhelmingly populated not only by low-income students, but ethnic and language minority youth as well. In particular, within the population of underserved low-income students, a substantial part of Public Advocates' efforts will inure to the benefit of low-income, immigrant, limited-English-proficient students. As noted, Limited English Proficient (that is, English Learner) students (75% of whom are low-income), account for 20% of California's public school population or some 1.3 million students. In many of the worst-off schools they often constitute 60% or more of the student population. Research surveys have demonstrated that English Learners are the most disadvantaged students in California in that, among all traditional sub-populations, they suffer from the highest proportion of under-qualified teachers, the most severe shortages of instructional materials, and the worst physical conditions.

We expect that substantially all of our efforts will be providing services to members of especially underserved client groups. Within that we expect that at least 20% of our work in the Educational Equity project will provide services to low-income, limited-English speaking students.

Well over a third of the overall 1.20 FTE attorney and other program staff allocated to the Education Equity program supported by the EAF grant will benefit English Learners, who are an especially disadvantaged and underserved low-income community in California. The total cost of these staff alone amounts to \$138,941 including benefits; this amount is well above the 20% threshold.

**a. Why do you consider this constituency to be of special need?**

Please refer to the answer to question Form C #2 immediately above.

**b. What services will the organization provide to this constituency?**

Please refer to the answers to questions Form A and Form B #2 above.

**c. How will these services be evaluated?**

In our legal advocacy our goal is to generate changes in law and policy that will serve the interests of very low-income people. We regularly evaluate the success of our efforts to make our services available to underserved client groups (especially communities of color and limited-English-speaking constituencies in poverty). We do so by reviewing how the outcomes we achieve in our lawsuits and other legal advocacy efforts affect the availability of quality educational, health, housing, transportation and other opportunities for poor residents generally, and poor minority and limited-English-speaking constituencies in particular.

We have monitored the outcomes of these impacts through our continuing collaborations with parents, teachers, unions, professional and community-based organizations, state and local officials, community organizers and school districts and other local agencies throughout the State. We also monitor the state and local policy changes we win and work to implement and analyze whom they benefit.

Sometimes we engage external evaluators to measure our effectiveness. For example, a number of years ago Public Advocates received five years of funding from the Hewlett Foundation to engage an outside evaluator to review and assess the effectiveness of our education work. The evaluator determined that Public Advocates' objectives are being achieved, including with respect to efforts which have been funded by past IOLTA and EAF grants. Each year that evaluation included

analyses of completion of actions intended to advance specific goals and sometimes also included structured interviews with clients, stakeholders, policy makers and others knowledgeable about our work. These interviews have generated overwhelmingly positive feedback and affirmance of the impact of our work and has included, as well, valuable suggestions for improvement that we incorporate into our work.

In other cases, we do our best to evaluate the impact of our work on underserved client groups, and we endeavor to collect qualitative and quantitative evidence when we can. For example, the impacts of the Superior Court's ruling in *Urban Habitat v. City of Pleasanton* have been very significant across California. This was exemplified by the media coverage of the decision, including a front-page San Francisco Chronicle headline proclaiming that the Alameda land-use ruling could reshape state planning decisions and newspaper editorials with headlines such as "Court reinforces message: More housing needed," and "Affordable housing decision in Alameda County is an important case." We ourselves observed the case's influence when we quickly reached positive resolutions in two other jurisdictions that had failed to adequately plan for low income housing.

We expect similar statewide ramifications from the recent settlement of our LCFF enforcement action against LAUSD that resulted in \$150 million in new services for low-income students, as well as the enforcement actions in Long Beach Unified and West Contra Costa Unified.

d. How will you ensure that at least 20 percent of the IOLTA and EAF grants fund services to this constituency?

Please refer to the answer to question #2 above.

## FORM D - Organizational Budget

### ORGANIZATIONAL BUDGET

#### Personnel

Account Title	IOLTA	EAF	IOLTA & EAF	Other Monies	Total Budget
1. Lawyers	\$110,500	\$86,745	\$197,245	\$962,724	\$1,159,969
2. Paralegals	\$5,400	\$5,850	\$11,250	\$49,750	\$61,000
3. Other Staff	\$18,584	\$19,454	\$38,038	\$375,020	\$413,058
<b>SUBTOTAL</b>	<b>\$134,484</b>	<b>\$112,049</b>	<b>\$246,533</b>	<b>\$1,387,494</b>	<b>\$1,634,027</b>
4. Employee Benefits	\$32,276	\$26,892	\$59,168	\$329,158	\$388,326
<b>TOTAL PERSONNEL</b>	<b>\$166,760</b>	<b>\$138,941</b>	<b>\$305,701</b>	<b>\$1,716,652</b>	<b>\$2,022,353</b>

#### Non-Personnel

Account Title	IOLTA	EAF	TOTAL IOLTA & EAF	Other Monies	Total Budget
5. Space	\$30,443	\$35,775	\$66,218	\$229,805	\$296,023
6. Equipment Rental and Maintenance	\$1,500	\$500	\$2,000	\$3,500	\$5,500



7. Office Supplies	\$4,000	\$500	\$4,500	\$8,500	\$13,000
8. Printing and Postage	\$500	\$0	\$500	\$9,000	\$9,500
9. Telecommunications	\$3,000	\$1,200	\$4,200	\$13,800	\$18,000
10. Technology	\$2,500	\$0	\$2,500	\$12,500	\$15,000
11. Program Travel	\$4,000	\$1,500	\$5,500	\$44,500	\$50,000
12. Training	\$2,500	\$1,500	\$4,000	\$32,250	\$36,250
13. Library	\$1,000	\$1,500	\$2,500	\$7,500	\$10,000
14. Insurance	\$3,000	\$1,200	\$4,200	\$2,058	\$6,258
15. Litigation	\$0	\$0	\$0	\$15,000	\$15,000
16. Capital Additions	\$0	\$0	\$0	\$2,500	\$2,500
17. Contract Service to Clients	\$0	\$0	\$0	\$0	\$0
18. Evaluation	\$0	\$0	\$0	\$0	\$0
19. Other	\$3,000	\$2,500	\$5,500	\$113,500	\$119,000
<b>TOTAL NON-PERSONNEL</b>	<b>\$55,443</b>	<b>\$46,175</b>	<b>\$101,618</b>	<b>\$494,413</b>	<b>\$596,031</b>
<b>Administrative</b>					
20. Personnel	\$55,147	\$46,374	\$101,521	\$564,850	\$666,371
21. Non-Personnel	\$18,500	\$15,500	\$34,000	\$114,327	\$148,327
<b>TOTAL ADMINISTRATIVE</b>	<b>\$73,647</b>	<b>\$61,874</b>	<b>\$135,521</b>	<b>\$679,177</b>	<b>\$814,698</b>
<b>GRAND TOTAL</b>	<b>\$295,850</b>	<b>\$246,990</b>	<b>\$542,840</b>	<b>\$2,890,242</b>	<b>\$3,433,082</b>

Personnel Total: \$2,022,353

Non-Personnel Total: \$596,031

Grand Total: \$3,433,082

### IOLTA Summary

% Personnel: 75.01%

% Non-Personnel: 24.99%

#### Personnel Allocation

If the proposed budget allocates less than 75 percent to personnel, explain why it deviates from the recommended percentages?

% Program: 75.11%

% Administration: 24.89%

#### Program Allocation

If the proposed budget allocates less than 75 percent to program, explain why it deviates from the recommended percentages.

Percentage of the IOLTA grant's share of the total organizational budget: 8.62%

### EAF Summary

% Personnel: 75.03%

% Non-Personnel: 24.97%

#### Personnel Allocation

If the proposed budget allocates less than 75 percent to personnel, explain why it deviates from the recommended percentages?

% Program: 74.95%

% Administration: 25.05%

#### Program Allocation

If the proposed budget allocates less than 75 percent to program, explain why it deviates from the recommended percentages.

Percentage of the EAF grant's share of the total organizational budget: 7.19%

### FORM E - Proposed By County IOLTA/EAF Budget

Download Template Form:

By County Form

Upload Completed By County Form:

**2019\_Form\_E\_-\_By\_County\_Budget.xlsx**  
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**2019\_Form\_E\_-\_By\_County\_Budget\_Revised.xlsx**  
58 KB - 10/24/2018 1:51pm

Total Files: 2

**1. If you serve more than one county, explain how you will ensure that grant funds will be spent providing services in the county to which they are allocated.**

For example, are employees assigned to specific counties, do they keep time records, or do you allocate based on numbers of cases or client served? Be specific about all methods you use to allocate expenses by county.

The work described in Forms A and B is intended to lead to broad statewide impacts affecting all counties. The allocated

grants for the year are approximately 16% of the organization's total budget and approximately 15% of the total budgeted personnel costs. We anticipate spending 100% of the grant amounts provided for the counties in question.

## Form F- Proposed IOLTA/EAF Budget Narrative

### Proposed Narrative

### Personnel

Account Title	IOLTA	Narrative	EAF	Narrative
1. Lawyers	110500	The attorney staff consists of 2 managing attorneys (0.129 FTE each) who will lead his respective program area, and senior staff (0.54 FTE), staff attorney (0.08), policy advocate (0.08 FTE), and law fellows (0.13 FTE) who will provide technical assistance.	86745	The attorney staff consists of the managing attorney (0.14 FTE) who will direct the project, the Director of Legislative & Community Affairs (0.17 FTE) who will lead implementation of the policy advocacy work and community outreach, the deputy managing attorney (0.15 FTE), senior staff attorneys (0.31 FTE) and a law fellow (0.05 FTE) who will provide technical assistance to families and community organizations.
2. Paralegals	5400	The Legal Administrative Coordinator (0.12 FTE) will provide support to both program teams in areas of legal research, outreach, travel planning, event logistics, materials preparation.	5850	The Legal Administrative Coordinator (0.13 FTE) will provide support to the Education Equity team in areas of legal research, outreach, travel planning, event logistics, materials preparation.
3. Other Staff	18584	The Director of Communication (0.12 FTE) and the Communications Manager (0.12 FTE) will work with both program teams, co-counsel and community partners to provide strategic communication support.	19454	The Director of Communication (0.12 FTE) and the Communications Manager (0.13 FTE) will work with the Education Equity Team, families and community partners to provide strategic communication support.
SUBTOTAL	134484		112049	
4. Employee Benefits	32276	Benefits include health and dental insurance, 403(b) retirement contributions, life and AD&D insurance, workers' compensation insurance and all employer-paid employment taxes. The load factor is calculated at 24%.	26892	Benefits include health and dental insurance, 403(b) retirement contributions, life and AD&D insurance, workers' compensation insurance and all employer-paid employment taxes. The load factor is calculated at 24%.
TOTAL PERSONNEL	166760		138941	

## Non-Personnel

Account Title	IOLTA	Narrative	EAF	Narrative
5. Space	30443	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant:11%.	35775	The total project's staffing as a percentage of total organizational staffing is 13%; we are only charging 11% of the total space line item amount to this budget.
6. Equipment Rental and Maintenance	1500	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 27%.	500	This is 9% of the line item and is less than the total project's staffing a a percentage of total organization staffing (13%).
7. Office Supplies	4000	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 31%.	500	This represents approx. 4% of the line item. The EAF allocation is smaller because we have other grants that will fund this line item.
8. Printing and Postage	500	this represents approx. 5% of the line item. The IOLTA allocation is smaller because we have other grants that will fund this line item.	0	
9. Telecommunications	3000	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 17%.	1200	This represents approx. 7% of the line item. The EAF allocation is smaller because we have other grants that will fund this line item.
10. Technology	2500	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this	0	

		portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 17%.		
11. Program Travel	4000	This represents approx. 8% of the line item. The IOLTA allocation is smaller because we have other grants that will fund this line item.	1500	This represents approx. 3% of the line item. The EAF allocation is smaller because we have other grants that will fund this line item.
12. Training	2500	This represents approx. 8% of the line item. The IOLTA allocation is smaller because we have other grants that will fund this line item.	1500	This represents approx. 4% of the line item. The EAF allocation is smaller because we have other grants that will fund this line item.
13. Library	1000	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 10%	1500	This amount accounts for 80% of the annual subscription expense to track legislation, an activity which is essential to our education advocacy work.
14. Insurance	3000	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 43%	1200	This line item is for professional liability insurance, which applies to attorney staff only. While our Education Team attorneys account for 63% of this expense, we are only charging 17% to the EAF budget.
15. Litigation	0		0	
16. Capital Additions	0		0	
17. Contract Service to Clients	0		0	
18. Evaluation	0		0	
19. Other	3000	To the extent that (a)"IOLTA funding may be utilized for core operating expenses (sustainability for the entire organization)", and (b) this portion of these real expenses is not sufficiently funded by other grants, we are assigning a larger share of this line item to the IOLTA grant: 18%. This line item consists of dues and membership fees that we are obligated to pay to ensure that our attorneys continue to be licensed to practice in the state	2500	This line item consists of dues and membership fees that we are obligated to pay to ensure that our attorneys continue to be licensed to practice in the state of CA; it also includes a nominal allowance for business meals (food and non-alcoholic beverages only).

		of CA.	
TOTAL NON-PERSONNEL	55443		46175
Administrative			
20. Personnel	55147	This line item includes 0.10 FTE each of our Director of Finance & Administration and Finance Manager. It includes 0.12 FTE each of our Grants Manager and Administrative Manager, and 0.05 FTE of our Director of Development. Together these positions provide budgeting, reporting, compliance, and grant administration support. Also included is 0.12 FTE of our Sacramento Administrative Assistant who will provide office and administrative support to Sacramento-based staff. Benefits are added at 24%.	46374 This line item includes 0.08 FTE each of our Director of Finance & Administration, Finance Manager, and Grants Manager. It includes 0.12 FTE of our Administrative Manager, 0.05 FTE of our Office Assistant and 0.04 FTE of our Director of Development. Together these positions provide budgeting, reporting, compliance, and grant administration support. Also included is 0.11 FTE of our Sacramento Administrative Assistant who will provide office and administrative support to Sacramento-based staff. Benefits are added at 24%.
21. Non-Personnel	18500	This line item includes expenses related to general organizational insurance, fees paid for benefits and payroll processing, software subscriptions that enable basic workflow and communication, and service fees paid to our audit service provider. The expenses are allocated to the maximum in keeping with the target overall grant allocation of 25% to non-personnel and non-program expenses.	15500 This line item includes expenses related to general organizational insurance, fees paid for benefits and payroll processing, software subscriptions that enable basic workflow and communication, and service fees paid to our audit service and IT support providers. We cannot operate without these services in place. These expenses are allocated to the maximum in keeping with the target overall grant allocation of 25% to non-personnel and non-program expenses.
TOTAL ADMINISTRATIVE	73647		61874
GRAND TOTAL	295850		246990

Upload Additional Documents (Optional)

Please upload any supplemental materials or requested documents