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June 15, 2016

Sent via electronic mail

Dr. Bruce Harter
Superintendent
West Contra Costa Unified School District
1108 Bissell Ave.
Richmond, CA 94801

RE: Item F4: 2016-2017 LCAP - Public Hearing

Dear Superintendent Harter:

Public Advocates works closely with community members and organizations deeply engaged in West Contra Costa Unified School District's (WCCUSD or the District) Local Control Accountability Plan (LCAP). Together with local stakeholders, we are committed to implementing the Local Control Funding Formula (LCFF) in a way that makes real the promise of increased and improved resources for high-need students, and greater transparency and meaningful engagement for the entire school community.

WCCUSD has made significant improvements in the latest draft of its LCAP, particularly around its overall budget transparency. **We recognize the addition of budget summaries in Appendix C as the district's genuine effort to show the community how it is spending its LCFF funds**, as well as its federal funds, other state monies, and local funds. The district has not met its legal and regulatory burden in Section 3, however. In order to ensure the equity intended with the district's supplemental and concentration (S&C) funds, and to further increase transparency to the legally required level, the District must:

1. Describe how funds spent in a school-wide or district-wide manner are "principally directed and effective" for high-need students. The current draft proposes to spend 85% of its allocated S&C funds in a district-wide manner without explaining how these funds will equitably benefit low-income students, English learners, and foster youth.

2. Describe how services for high-need students will increase or improve in proportion to the increase in S&C funds. The district states that actions/services for high-need students will increase or improve by 22.16% as compared to non-high-need students in 2016-2017, but it does not explain how this will take place, as required by the law and regulations.

3. **Include all LCFF funds the district plans to spend to reach its goals for ALL students in the LCAP.** The District has made great progress in its appendices towards budget transparency. The law and regulations require, however, that the actions/services toward each goal be included in the LCAP itself.

We appreciate the District taking our concerns and recommendations into account in order to produce a more comprehensive, transparent, and accountable LCAP. Our recommendations will help the District to be compliant with the LCFF law and regulations, and more importantly to fulfill the equity promise for all of the high-need students in West Contra Costa Unified School District.

1. **LCAP Must Explain how Districtwide Spending is “Principally Directed” and “Effective” for High-Need Students**

5 CCR § 15496(b) lays out the requirements for local educational agencies when they choose to spend S&C funds on a districtwide or schoolwide basis. For a school district has over 55 percent unduplicated students enrolled in the fiscal year that the LCAP is adopted. “(1) ... **A school district expending funds on a districtwide basis shall do all of the following: (A) [i]dentify in the LCAP those services that are being funded and provided on a districtwide basis” and “(B) [d]escribe in the LCAP how such services are principally directed towards, and effective in, meeting the district’s goals for its unduplicated pupils** in the state and any local priority areas.” The standard is identical for schoolwide spending at a school with more than 40 percent or more unduplicated students. 5 CCR § 15496(b)(2).

WCCUSD currently plans to spend 85% of its allocated supplemental and concentration funds districtwide, but it does not describe how the funds it is spending districtwide will be “principally directed” and “effective” in meeting its goals for high-need students. Section 3(A) of the WCCUSD LCAP states that “[m]aking an impact on the learning environment and the climate of the school as a whole will have a disproportionately positive impact on the targeted groups of students, specifically EL, low income, re-designated fluent English proficient, and foster youth” (p. 60). However, just because the District has an unduplicated student count of around 75 percent, and school-wide programs or services are predominately targeted toward schools with an unduplicated student count of 70 percent or higher, does not shield WCCUSD from meeting legal and regulatory requirements.

While it can be inferred how some actions are principally directed toward high-need students, there are still multiple actions/services that do not appear to bear any relation to the unique needs of high-need students. **For example, to achieve the second goal, the District is allocating roughly \$3.8 million in supplemental and concentration funds in order to “provide additional calendar days for teacher professional development, including standards-based instruction and classroom management strategies”** (p. 24). This action/service is designated as “LEA-wide” and the School Service Matrix indicates that every school (and we assume every teacher) will benefit from this professional development. The One Pager associated with this action further explains: “Professional learning will focus on the California Standards WCCUSD Areas of Focus, classroom management, social-emotional learning, and parental engagement.” Another example in goal four is the recent allocation of over **\$1.2 million to Visual and Performing Arts staff salaries and benefits, supplies, equipment, performances, and study trips.**

There is no mention of low-income, English learners or foster youth in these two large allocation of S&C funds, which together represent more than 10% of the district’s

S&C funding for the 2016-2017 school year. Without further explanation on how this form of professional development will be “principally directed toward” and “effective in” meeting the district’s goals for high-need students, WCCUSD has not fulfilled its legal obligation under the LCFF regulations.

We urge the District to ensure that the final draft of its LCAP will provide more specific information on how districtwide expenditures of supplemental and concentration dollars meet the regulatory requirements. The District must explain in Section 3 why and how each districtwide action/service, which by definition will benefit 100% of students, will be “principally directed” toward and “effective” for WCCUSD’s high-need students.

2. Demonstrate how Services for Unduplicated Pupils Will Increase or Improve by 22.16% as Compared to the Services Provided to All Students during 2016-2017

The instructions for the latter half of Section 3(B) clearly state that an LCAP must “demonstrate how the services provided in the LCAP year for low income pupils, foster youth, and English learners provide for increased or improved services for these pupils in proportion to the increase in funding provided for such pupils in that year” (p. 61). This requirement is a restatement of the regulatory requirement outlined in 5 CCR § 15496(a), which makes clear that S&C funding “shall be used to increase or improve services for unduplicated pupils *as compared to the services provided to all pupils* in proportion to the increase in funds” generated by high-need students.

While the District states that services for unduplicated pupils will be improved or increased by 22.16%, it fails to demonstrate how LCAP services for high-need students will increase or improve in proportion to the increase in supplemental and concentration funds those students generate. The district must describe how it will meet its obligation to proportionately increase and improve services for high-need students in order for the district’s LCAP to comply with the LCFF law and regulations and for stakeholders to be reasonably assured the actions/services funded by S&C dollars will make a measurable difference for the district’s high-need students.

3. Include All LCFF Funds the District Plans to Spend to Reach its Goals for All Students *in the LCAP*

In the attachment to June 15, 2016 Board item “F4. 2016-2017 LCAP Public Hearing,” the district includes “Appendix C: Budget Summaries/One Pagers” for its planned actions funded by S&C, base and “resource” funds. Upon review of these documents, the district has established that virtually all of its planned expenditures for the 2016-2017 school year are directly aligned with its five LCAP goals. This level of transparency is much appreciated. At the same time, we request that the district input this information into the LCAP template itself to comply with the LCFF statute and regulations,¹ increase readability for stakeholders, and to more clearly align its

¹ The law states that the LCAP must include a “description of the annual goals, *for all pupils*, and each subgroup of pupils identified pursuant to Section 52052, to be achieved for *each* of the state priorities.” (Sec.52060(c)(1) (emphasis added)). For each of its goals for all students, as well as high-need students, the regulations require that the district “identify *all annual* actions to be performed and services provided to meet the described goal.” (LCAP Template, Section 2, at 13 (emphasis added).)

Further, according to the State Board of Education, “[t]he state priorities broadly cover an LEA’s work to support its students and achieve outcomes; therefore, *almost all LEA expenditures* will likely be listed and described as a consequence of being tied to the actions that support an LEA’s goals for each of the state priorities. *Considering that an important objective of LCFF is to support increased budget transparency, LEAs should carefully consider how to reflect the services and related expenses for their basic instructional program in relationship to the state priorities.*” (See http://lcff.wested.org/wp-content/uploads/2014/04/Developing-a-Quality-LCAP-Chat-questions_Webinar-PartII_final.pdf (emphasis added); see also LCAP Template Introduction at 1 (“in developing

actions and services with its goals and measurable outcomes. In order for the WCCUSD LCAP “to be a comprehensive planning tool,” it must include the district’s actions/services for all students aligned with each of the state priorities. (LCAP Template at 1; Cal. Educ. Code Sec. 52060(c)(1).)

4. Questions Regarding LCAP Carry Over and Allocations of S&C Funds

Finally, we have a few questions regarding Sections 2 and 3 of the LCAP draft the District has presented for Public Hearing. We are pleased to see increased investments in actions and services the community cares about, including African American Student Achievement, English learners, tutoring for high-need students, psychologists, and school community outreach workers.

- a. Regarding Section 3(A): The district stated at its May 25th Board Meeting that it would allocate the estimated \$1 million in carryover funds from 2015-2016 in the 2016-2017 LCAP. **Where are the 2015-2016 carryover funds referenced in the LCAP?** If the \$1.1 million difference between last year’s allocated versus estimated actual spending were added to this year’s obligation, it seems as though the total in S&C funds for 2016-2017 would be approximately \$46.8 million.
- b. We are curious about a few decreases in spending between the first, second and third drafts of the WCCUSD 2016-2019 LCAP:
 - i. Allocations for the **EL Master Plan decreased from \$1.97 million to \$1.58 million**. The reasoning of this large decrease is unclear especially since the \$1.97 million was to fund 11.65 FTE, while the \$1.58 is supposed to fund 19.05 FTE.
 - ii. Allocations for **School Community Outreach Workers decreased from \$3.15 million to \$2.13 million**. Again, the reasoning for this large decrease is unclear when the \$3 million was to fund 42 FTE and the \$2 million is supposed to fund 41.5 FTE.
- b. Finally, we are interested to know how the district is ensuring that school sites are spending their allocation of the **\$3.8 million in S&C funds** in compliance with the LCFF statute and regulations.

We are happy to provide support or answer any questions the district may have about the matters flagged above. We recommend the district incorporate the recommendations above into the LCAP it presents to the Board for adoption on June 29th.

Sincerely,

Rigel S. Massaro
Staff Attorney
Public Advocates Inc.

cc: Members of the WCCUSD Board of Education, *via electronic mail*

goals, specific actions, and expenditures, LEAs should carefully consider how to reflect the services and related expenses for their basic instructional program in relationship to the state priorities”).)

By limiting the LCAP actions to those funded by supplemental and concentration spending, the district does not follow the LCFF law and regulations *all* the actions and services that relate to each of its goals—which we know are funded by LCFF base and other state, federal and local funds.