



VIA ELECTRONIC MAIL ONLY

January 29, 2019

President Monica Garcia, Board of Education
Superintendent Austin Beutner
Los Angeles Unified School District
333 South Beaudry Avenue
Los Angeles, California 90017
Monica.Garcia@lausd.net
Austin.Beutner@lausd.net

RE: 1/29/19 Board Meeting Action Item 1: Recommended adoption of the Collective Bargaining Agreements between the District & UTLA

Dear President Garcia, Board Members & Superintendent Beutner:

We write to address the agenda item on the January 29, 2019 Board meeting concerning ratification of the agreement with UTLA to settle the teachers' strike. We are pleased that students are back in school with the promise of new resources to come in the future. That said, we offer two important considerations for the Board and District leadership as concerns ratification of the Agreement.¹

First, the Board needs to ensure that any commitments under the Agreement align with and do not conflict with the District's annual obligation to increase and improve services for high-need students over and above the services provided to all students. That obligation is currently equivalent to \$1.16 billion in actions and services annually or 32.6% of extra effort for low-income students, English learners and foster youth above the District's core program. Most of the program upgrades under the UTLA Agreement appear to be across-the-board enhancements to LAUSD's core program. Those much-needed enhancements can only be pursued in a way that does not prevent the District from first meeting its existing legal obligation to proportionally increase or improve services for high-need students under LCFF.

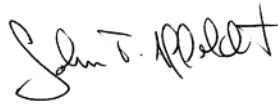
The mechanism to demonstrate the District's compliance with LCFF is its Local Control Accountability Plan (LCAP) and leads to our second point. If ratified, the Agreement can only be implemented upon full disclosure of its impact on the budget and the District's spending plan and upon engagement with the community under required LCFF processes. Adoption of the UTLA Agreement would substantially and materially alter LAUSD's current three-year spending plan set forth in its LCAP. As such, ratification of the Agreement would necessitate an immediate amendment of the LCAP and the related budget. We and the broader school community look forward to hearing the District's plans and timeline for amending its current LCAP and fulfilling the necessary community engagement and transparency requirements

¹ Though this letter focuses on LCFF compliance, the ACLU Foundation of Southern California, as a member of the Students Not Suspects Coalition, remains opposed to administrative or "random" searches, a topic covered by the Agreement, and emphasize that LAUSD must completely and immediately abolish its random search policy.

related thereto as well as to the proper demonstration of how the District is meeting its proportionality obligation toward high-need students. Such important steps in engaging the community around the Agreement and being transparent about its budget implications in public meetings are necessary for Board and ultimately County approval of the amended LCAP. Moreover, as noted, amendment of the LCAP would be needed before the District can implement the material LCAP and budget changes envisioned by the Agreement.

We urge the Board to acknowledge and reinforce these basic equity and engagement principles under LCFF in considering adoption of the proposed Agreement.

Sincerely,



John T. Affeldt
Managing Attorney
Public Advocates Inc.



Sylvia Torres-Guillen
Director of Education Equity
ACLU of California

cc: LAUSD Board Members
UTLA President, Alex Caputo-Pearl
LACOE Superintendent, Debra Duardo
LACOE General Counsel, Vibiana Andrade