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Arturo Delgado, Ed.D.
Superintendent

November 12, 2015

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John Affeldt
Public Advocates, Inc.
131 Steuart Street, Suite 300
San Francisco, CA 94105-1241
e-mail: jaffeldt@publicadvocates.org

David Sapp
ACLU of California
1313 West Eighth Street
Los Angeles, CA 90017-9639
e-mail: dsapp@aclusocal.org

Laura Muschamp
Covington & Burling, LLP
2029 Century Park East, Suite 3300
Los Angeles, CA 90067-3044
e-mail: lmuschamp@cov.com

Re: Uniform Complaint Procedure regarding LAUSD-LCAP

Dear Messrs. Affeldt, Sapp and Ms. Muschamp:

The Los Angeles County Office of Education (LACOE) has completed its investigation of the above-referenced complaint filed against LACOE.

This complaint will be treated confidentially. Information shall be provided only to those persons within LACOE with a need to know. You are advised that the County prohibits retaliation against you or anyone who files a complaint, anyone who requests an appeal or anyone who participates in any complaint investigation process. You are also advised that civil law remedies may be available to you.

Appeal Information

If you disagree with the findings and conclusions presented to you by this office you have the right to appeal within fifteen days of the receipt of this letter. Such an appeal

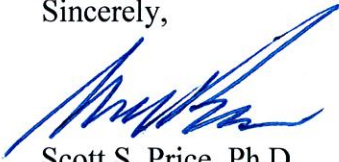
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should specify the reason for appealing the decision. A copy of the original complaint and a copy of this report should be included. Send your appeal to:

**California State Department of Education
Office of Equal Opportunity
1430 N Street – Suite 6019
Sacramento, CA 95214**

If you have any questions or need more information, please feel free to call me at (562) 922-6124.

Sincerely,



Scott S. Price, Ph.D.
Chief Financial Officer
Acting as UCP Coordinator

SSP:mt

cc: Arturo Delgado, Ed.D., Superintendent, LACOE
Dayton Gilleland, Ed.D., Chief Academic Officer, LACOE
Olivia Fuentes, Director of Accountability, Support and Monitoring, LACOE

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Los Angeles County Office of Education
Uniform Complaint Procedure regarding LAUSD-LCAP

Background

The Local Control Funding Formula (“LCFF”) was established in 2013. The LCFF gives districts broad discretion over LCFF funding including “supplemental” and “concentration” grant funds as long as these funds are used to increase or improve services for unduplicated students in addition to what is expended on services provided for all pupils. Districts with an enrollment of unduplicated students in excess of 55% of total enrollment can spend supplemental and concentration funds district wide if two criteria are met.

1. Description of the services being provided on a district wide basis.
2. Description of how services are directed towards meeting the district’s goals for unduplicated students in the state priority areas.

As part of the LCFF, the Local Control Accountability Plan (“LCAP”), with its accompanying template and regulations, was established to help districts demonstrate their compliance with education code and to communicate their local district expenditures to their constituent school community and its stakeholders.

County offices of education must review and approve district LCAP plans based on the criteria outlined in Education Code §§ 42127(d) and 52070(d) which include reviewing whether the district has adhered to the template and whether the district budget contains sufficient expenditures to implement the LCAP.

On or about September 15, 2015, the Los Angeles County Office of Education (“LACOE”) received a complaint (“Complaint”) by mail dated September 9, 2015 from the ACLU on behalf of Ms. Reyna Frias and the Community Coalition of South Los Angeles (“Complainant”). This Complaint utilizes the Uniform Complaint Procedure (“UCP”) to seek an administrative remedy. The Complaint alleges that LACOE failed to comply with the legal requirements under Education Code §§ 42127(d) and 52070(d) pertaining to the review and approval of the 2014-15 and 2015-16 Los Angeles Unified School District’s (“LAUSD”) Local Control and Accountability Plans.

Although the Complaint does not specify which of the criteria in Education Code §§ 42127(d) and 52070(d) with which LACOE has allegedly failed to comply, it does allege that LAUSD has

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improperly expended supplemental and concentration grant funds on students that are unduplicated but who are also special education students.

Complaint Review Procedure

After the Complaint was received by LACOE, Scott Price, Chief Financial Officer, was designated as the UCP Coordinator for this Complaint and tasked with investigating the Complaint. Dr. Price interviewed the individuals listed below to determine the facts pertinent to the Complaint.

People Interviewed

Keith Crafton, Director of Business Advisory Services
Charles Faulkner, Assistant Director of Business Advisory Services
Olivia Fuentes, Director of Accountability, Support and Monitoring
Bonnie McFarland, Project Director III, Division of Accountability, Support and Monitoring
Dr. Dayton Gilleland, Chief Academic Officer

Determination

After analyzing the Complaint, reviewing the education code cited by the Complainant, and considering the public documentation and the interviews with the individuals listed above, it was determined that LACOE did not fail to comply with the legal requirements under Education Code §§ 42127(d) and 52070(d) pertaining to the review and approval of the 2014-15 and 2015-16 Los Angeles Unified School District's ("LAUSD") Local Control and Accountability Plans.

This determination was made based on the following:

1. LAUSD met all statutory deadlines in the creation, board approval, and submission of their LCAP plans to LACOE. LACOE also met all statutory deadlines in the review and approval of the plans.
2. LAUSD provided a comprehensive plan and rationale for LCAP expenditures within the approved State template. The said expenditures called into question by the Complainant were clearly explained and justified by LAUSD.
3. The LCAP plan was generated with required stakeholder input and approved by the Los Angeles Unified School District's Board of Education. Given the local nature of the Local Control Accountability Plan, all plan expenditures had been vetted through the local district LCAP processes.

4. County offices of education approve local control and accountability plans if they determine the following criteria outlined in EC 52070(d):
 - (1) The local control and accountability plan or annual update to the local control and accountability plan adheres to the template adopted by the state board pursuant to Section 52064.
 - (2) The budget for the applicable fiscal year adopted by the governing board of the school district includes expenditures sufficient to implement the specific actions and strategies included in the local control and accountability plan adopted by the governing board of the school district, based on the projections of the costs included in the plan.
 - (3) The local control and accountability plan or annual update to the local control and accountability plan adheres to the expenditure requirements adopted pursuant to Section 42238.07 for funds apportioned on the basis of the number and concentration of unduplicated pupils pursuant to Sections 42238.02 and 42238.03

In each of these three instances, after LACOE review, the LAUSD LCAP met the approval criteria.

5. LAUSD correctly calculated the dollar amount of supplemental and concentration grants received and included the correct proportionality percentage within the SBE template.
6. LAUSD has an unduplicated percentage higher than 80%. This means that LAUSD has flexibility to expend supplemental and concentration grant funds on a school wide or district wide basis. LAUSD has described the services in question and how they are directed to unduplicated students to meet LCAP goals.

Conclusion

Based on the information above found through the investigation of the Complaint, it was determined that LACOE acted appropriately in approving the LCAP and that it did not fail to comply with the legal requirements under Education Code §§ 42127(d) and 52070(d).