

## Summary of Preliminary Agreement

### Recap of June 26, 2018 Meeting:

On June 26, 2018, the District and Public Advocates met to discuss the potential resolution of the Uniform Complaint filed by Public Advocates and Mayer Brown on behalf of Complainants on April 23, 2018, regarding the Annual Update portion of the District's LCAP.

At the meeting, the District and Complainants' Counsel (hereinafter "Parties") preliminarily agreed to the following terms and conditions, pending resolution via a final executed agreement:

- 1) Reporting locally collected data: (Locally Collected data is all data within the District's control)
  - a. Data available to the District in final form shall be reported in the draft LCAP for community and board consideration during the LCAP approval process to the extent required by the LCAP laws and regulations.
- 2) Updating LCAP data missing from the May/June community LCAP evaluation process.
  - a. The District shall provide a general data release of available updated data in November of 2018, including LCAP data for the prior school year that was not available at the time the LCAP was adopted. The data will be updated in the LCAP data tables in the LCAP appendix, the District's Dashboards, and in the Annual Update section of the current year's LCAP. The Parties agreed that the District requires flexibility with regard to sharing updated data in future years as the laws, practices, and needs of the community and the District around the LCAP are continuously evolving.
  - b. The Parties agree the inclusion of prior year data benefits the LCAP engagement process, which takes place during the school year. To this end, the District will endeavor to release all data so that the WCCUSD community can reflect upon it during the school year, in compliance with all applicable statutes and regulations.
- 3) Publishing updated 2016-17 Annual Update on the District's website.
  - a. Parties agree the district has fulfilled this condition. See <https://www.wccusd.net/cms/lib/CA01001466/Centricity/Domain/961/NEW%202017-18%20LCAP%20Final%20with%20Updated%20AMOs%204.24.18.pdf>.
- 4) Resolution of Complaint
  - a. In consideration of the above agreements, Public Advocates agreed to full resolution of the April 23, 2018 Uniform Complaint.

The Parties also agreed to Toll Timing for an Appeal:

On April 23, 2018, complainants filed a Uniform Complaint Process (hereinafter "Complaint") complaint against West Contra Costa Unified School District (hereinafter "District") alleging violations of California Education Code Sections 52060 et. seq.;

On June 18, 2018, the District issued its Notice of Findings;

On June 26, 2018, the Parties met to resolve their disputes and any and all other potential issues regarding the complaint and reached a preliminary resolution to the outstanding claims;


The Parties agree to toll the statute of limitations applicable to complainants' right to appeal pending the final resolution of all claims, up to and including July 25, 2018. If Complainants file an appeal with the California Department of Education by July 25, 2018, with regard to the above mentioned Complaint, the District agrees not to assert timeliness as a defense.

The Parties will diligently and in good faith cooperate toward drafting and executing a final agreement.

The District retains all other rights and defenses with respect to the above mentioned Complaint.


**IN WITNESS WHEREOF**, the Parties hereto have executed this Agreement on the date last set forth below.

**WEST CONTRA COSTA UNIFIED  
SCHOOL DISTRICT**


By   
Matthew Duffy  
Superintendent

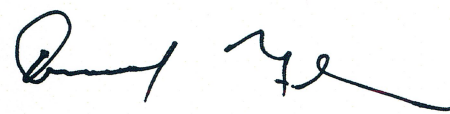
Dated 7-20-18, 2018

**PUBLIC ADVOCATES AND  
MAYER BROWN**

By   
Hans I. Moore  
Senior Staff Attorney

Dated: July 17, 2018

  
By  
Rigel S. Massaro  
Senior Staff Attorney  
Dated: July 17, 2018

  
By  
Donald M. Falk  
Partner  
Dated: July 17, 2018