EXHIBIT E
July 16, 2015

Dr. Karen Sakata
Superintendent
Contra Costa County Office of Education

Dear Superintendent Sakata:

Our organizations are part of a coalition of community members who have been deeply involved in the Local Control Accountability Plan (LCAP) process in West Contra Costa Unified School District (WCCUSD or the District). Over the past year, our coalition has worked with the District to increase transparency, improve services, and make WCCUSD a healthy environment for effective student learning. Despite our repeated requests, the District has yet to address many of our outstanding concerns with their 2015-2018 LCAP. Now that the WCCUSD Board has approved its LCAP and sent the plan to your office for approval, we write to request a meeting this month with the Contra Costa County Office of Education (CCCOE or the County) so that we can share some of our concerns with the District’s plan. We hope that the County will consider our input as it reviews the WCCUSD LCAP.

Over the past two months, our coalition has written three letters to the District, testified at both LCAP hearings, and met individually with the Superintendent and several school board members. While WCCUSD has taken some steps toward increasing transparency, the District failed to address the following issues:

1. Create a process to allocate unallocated supplemental and concentration funding;
2. Account for a significant decrease in supplemental and concentration funding between the District’s original budget projections and the second interim budget report;
3. Include all LCFF base funding in the LCAP; and
4. Ensure that district-wide expenditures meet regulatory requirements.

We have asked for a meeting with the District to ensure that the LCAP serves the community’s needs. We appreciate CCCOE taking our concerns into account to help the District produce the most comprehensive, transparent LCAP possible.

I. Create a Process to Allocate $4.3 Million in Supplemental and Concentration Funding

At its meeting on June 10, 2015, WCCUSD approved Resolution 80-1415 (the Resolution), which allocated $4.3 million in unspent supplemental and concentration funding to
the General Fund. The District received this money as a result of the Governor’s May budget revision, which funded LCFF at a higher rate than originally anticipated—53.08% instead of 32.19%. Per LCFF regulations, this funding must be spent in the fiscal year it was received to increase or improve services for unduplicated students. (5 C.C.R. § 15496.) This non-expenditure of $4.3 million renders the LCAP incomplete and also results in a technical deficiency in Section 3.B of the plan, which requires the District to demonstrate how services for high need students are increasing in proportion to the increase in supplemental and concentration funding provided this year.

At the June 10 and June 24 board meetings and in our June 24 letter we requested the District announce a clear process for allocating these funds, but to date District has not done so. Given the added difficulties of engaging community members over the summer, we expect the District to take additional steps to obtain community input; to notify the parent advisory committee, the English learner parent advisory committee and the public of their opportunity to submit written comments; and to hold a public hearing before the Board approves the District’s allocation of these funds, as required by Education Code § 52060(c). The County should provide oversight to ensure that the District allocates these additional supplemental and concentration dollars money according to local priorities and with adequate public process.

II. Explain the Decrease in Supplemental and Concentration Funding for 2014-2015

When reviewing the District’s second interim budget report, we found that WCCUSD claims to have received $3.5 million less in supplemental and concentration funding than it originally projected. (Second Interim Budget Report at 3, Jan. 31, 2015.) This discrepancy is also reflected in the Annual Update section of the District’s adopted LCAP for 2015-2018. (WCCUSD 2015-2018 LCAP at 23-44, adopted June 24, 2015.) We note that enrollment declined by 324 students, but this does not seem sufficient to explain such a significant reduction. We believe the discrepancy may have to do with the state target gap closure rate the District used in the interim report. The LCFF regulations require all LEAs to use the gap closure percentage set by the state. (5 C.C.R. § 15496(a)(4).) Rather than use the 29.15% gap closure percentage, however, the District apparently calculated the target gap closure at 21.76%. (Interim Budget Report at 3.) This potential error may have led the District to miscalculate how much in supplemental and concentration funds it had to spend on high-needs students. Additional questions related to the District’s budget expenditure also arose, including:

- Why did received supplemental and concentration funding decrease by $3.5 million and base funding decrease by $2 million (Interim Budget Report at 3), when supplemental and concentration funding is calculated as a percentage of base funding, and the District’s base to supplemental/concentration ratio was approximately 88% to 12%?
- By our calculations using the District’s numbers, supplemental and concentration funding decreased by $3.5 million, while base funding decreased by $2 million, a total decrease of $5.5 million. Why, then, did the district report a total LCFF funding decrease of only $800,000? We additionally note a discrepancy between the LCFF total reported to the District in Budget Schedule 1 in the Second Interim Budget Report and Assistant
Superintendent Gamba’s presentation to the Board regarding this Report. Both the executive summary and schedule 1 show the District receiving $216,832,664; the Assistant Superintendent’s presentation shows the District receiving $212,192,619. We would appreciate any explanation the District could provide.

III. Include All LCFF Base Funding in the 2015-2018 LCAP

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.” (Educ. Code § 52060(c)(1) (emphasis added).) The LCAP must include all this information if it is to serve as a “comprehensive planning tool.” (LCAP Template at 1.) As clearly stated in the law, regulations, and the LCAP template, the district must set goals for all pupils in the LCAP and show how its planned actions/services and expenditures will serve its entire student population and align with the eight state priorities. A district that approves an LCAP that omits base funding has failed to include its goals and its actions/services for all students. It also excludes the vast majority of its LCFF funding and effectively denies the community a voice in how the district executes its “basic instructional program.” (LCAP Template at 1.)

For each of its goals for all students, as well as high-need students, the district must identify all annual actions to be performed and services provided to meet the described goal.” (LCAP Template, Section 2, at 13 (emphasis added).) By limiting its LCAP to just a description of the actions funded by supplemental and concentration spending, the district fails to provide information on all the actions and services that relate to each of its goals—some of which may be funded by LCFF base or other dollars.

Despite repeated requests from community members to include these funds, however, WCCUSD refused to account for its LCFF base spending. A divided Board voted to approve the LCAP without base funding, with Trustee Valerie Cuevas voting nay because she felt the LCAP should include base funding. While we respect the District’s concerns about the document’s length, several districts have created readable, accessible LCAPs that serve community priorities. Indeed, the District’s own LCAP Dashboard could provide a workable means of maximizing both comprehensiveness and transparency without sacrificing either. We ask the County to hold the District to the requirements of LCFF regulations by insisting the WCCUSD LCAP include its LCFF base funding.

IV. Ensure District-Wide Expenditures Meet Regulatory Requirements

Because WCCUSD has a high concentration of unduplicated students—about 75% of its student population falls into one of the three unduplicated pupil subgroups—the District can more flexibly spend its supplemental and concentration funding on district-wide services. However, per LCFF regulations, it must still justify how district-wide spending is “principally

1 Both Schedule 1 and Assistant Superintendent Gamba’s presentation to the board are attached to this letter and are also available here: http://www.wccusd.net/cms/lib03/CA01001466/Centricity/domain/16/packets/2014-2015/20150318_BOE_Packet.pdf.
2 Among others, Oakland USD, Sacramento City USD, and Antioch USD all included base funding in their LCAPs.
directed” and “effective” in “increasing or improving” services for unduplicated pupils specifically. (5 C.C.R. § 15496.) We have outstanding concerns, which we raised to the District in prior letters and testimony, about whether several action items in the LCAP meet this standard. Specifically, we would call the County’s attention to the following:

- **Section 3 Justifications:** In Section 3, the District must justify why all its supplemental and concentration expenditures meet the LCFF regulation’s “principally directed” and “effective” standard, including actions taken with supplemental and concentration funding for the benefit of “all” students. Currently, Section 3 gives summary explanations of WCCUSD’s goals and how much the district plans to spend, often omitting how an action will benefit unduplicated pupils specifically. The District must provide an explanation for each expenditure of supplemental and concentration funding allocated on a schoolwide or districtwide basis, such as:

  - **Professional development days** ($2,570,300, p. 14): It is unclear how this professional development will increase or improve outcomes for high-needs students. Further explanation is required describing how this action is principally directed toward unduplicated pupil goals and how this action will be effective in meeting those same goals.
  
  - **Decentralize funding for school-sites** ($3,000,000, p. 14): Although school-site spending is an appropriate use of LCFF funding, supplemental and concentration funds must nevertheless be spent on increased or improved services for high-needs students. We would like to know how WCCUSD’s individual schools will use this $3 million in supplemental and concentration funding consistent with the aforementioned regulatory requirements. Antioch USD, for example, includes a useful appendix to its Annual Update detailing school-site expenditures so that community stakeholders can ensure that individual schools’ supplemental and concentration spending reflects local priorities.

- **Preexisting Actions Newly Funded with Supplemental & Concentration Dollars:** The District has chosen to allocate supplemental and concentration funding to pay for some actions that were funded using other sources in previous years, and we would like an explanation of the choice to use a different source. The change of funding sources poses transparency problems in light of the District’s decision to include only supplemental and concentration funding, as it is unclear whether the District is spending Title I and bond funds in other ways, or whether these revenues have disappeared for 2015-2016. The District is additionally required by the LCFF regulations to explain how supplemental and concentration funds are increasing or improving these services for high need students, and no such explanation is provided. For example:

  - **Whole school intervention model (Stege Elementary):** The District spent $400,000 in Title I and $49,066 in supplemental and concentration funds in 2014-2015 (pp. 25-26) but allocated $552,255 in supplemental and concentration funds in 2015-2016 (p. 10). (The amount spent in 2015-2016 is likely higher because the District combined two of last year’s actions/services into this action service—the
other action/service was “Implement the full-services learning center model” for which the District spent $91,301 in 2014-2015 (pp. 26-28).)

- **Expand innovative STEM opportunity – FabLab (located at Kennedy High School):** The Fab Lab was funded in 2014-2015 by $167,000 in bond funds (we assume—the District allocated $750,000 in bond funds and did not explain where the $167,000 came from) (p. 24) but will use $300,000 in supplemental and concentration grants in 2015-2016 (p. 10).

- **Disconnect between Outcomes and Actions/Services:** Some expected annual measurable outcomes do not seem to bear a close relationship to the planned actions (e.g. Goal 2, p. 14; Goal 5, p. 21). For example, it is not clear how “extending the workday for elementary clerk typists” and “providing an adaptive curriculum for special-needs students” will “increase the percentage of facilities with good/exemplary rating,” one of the expected outcomes under Goal 5 (p. 21). Goal 2, meanwhile, includes money for more professional development, but again it is not clear how that relates to the expected outcome of improving teacher retention (p. 14). Without further information about the fit between the District’s plans and the expected outcome, there is no way to measure whether the actions taken were effective in improving services for high-needs students.

- **Actions/Services Lacking Detail Needed to Ensure Regulatory Compliance and Measure Progress:** At present, the LCAP describes these actions in vague or unclear terms, leaving us unsure whether they meet the “principally directed” and “effective” standard or unable to measure the success of such actions as they are implemented. As we stated in our May 11 letter to the District, actions/services should be written with sufficient detail to communicate to stakeholders how the funds will be spent and ensure the District’s allocations meet regulatory requirements. We seek clarification of the following actions:

  - **English Language Learner assessments** ($934,585, p. 10): The action item, “Continue to support and improve services for English Language Learner assessment,” does not make clear how the District will spend almost 1 million dollars.

  - **Campus safety officers and psychologists** ($3,389,265, p. 18): It is unclear how these funds will be spent, i.e. how many officers and psychologists will be funded. Without further specificity, this large sum for services that benefit all students, raises concerns that the spending is not “principally directed” toward high-needs students. The District should also explain how these actions will help the district meet its overarching goal of improving student engagement and climate, and more specifically decrease chronic absenteeism, increase graduation rates, and reduce out-of-school suspensions. Dr. Harter provided a 2014-2015 breakdown of this expenditure to our coalition in a letter of June 2, and such a breakdown should be added to this year’s LCAP.

  - **Restorative justice, BEST, Toolbox & Mindful Life and Selena Jackson practices** ($416,632, p. 16): We request greater detail on this action item to reflect how much the District will spend on each strategy, whether this is for training or salaries, and at which school each strategy will be implemented.
Implement the English Language Learner master plan ($1,601,840, p. 18): The District should provide concrete actions it will take to implement the master plan, such as hiring bilingual aides or supporting English immersion classrooms, so that parents can evaluate the District’s annual progress to achieving its goal.

Augment special education services ($3,200,000, p. 18): It is not clear which special education services will be improved or increased specifically for high need students with special needs.

We appreciate the County’s attention to our concerns as it reviews the WCCUSD LCAP and we look forward to meeting with you at your earliest convenience.

Sincerely,

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Lilly Chen
Staff Attorney
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Healthy Richmond Steering Committee

CC:  Superintendent Harter
     WCCUSD Board Members

Enclosures:
May 11 Letter to Superintendent Harter
May 20 Letter to Superintendent Harter
June 2 Letter from Superintendent Harter
June 24 Letter to WCCUSD Board
Second WCCUSD Interim Budget Report Executive Summary
WCCUSD Board Resolution 80-1415