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August 14, 2017

### VIA ELECTRONIC MAIL

Debra Duardo, M.S.W., Ed.D.  
County Superintendent of Schools  
Los Angeles County Office of Education  
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### Re: Clarification of Pomona USD LCAP

Dear Dr. Duardo:

As an organization committed to the faithful implementation of the landmark Local Control Funding Formula (LCFF) in ensuring critical resources reach our state's high-need students to improve student outcomes, Public Advocates writes to share comments with you about Pomona Unified School District's (the district or PUSD) Annual Update and Local Control Accountability Plan (LCAP). We hope they will be useful to you as your team completes its LCAP review.

These comments are based on the [June 17, 2017 draft LCAP](#), which is the most recent version available on the district website. We ask that the County obtain a satisfactory explanation of the following issues before approving the district's LCAP:

- **Justification of Districtwide & Schoolwide Services for High-Need Students:** The district claims to provide increased and improved services to high-need students districtwide and schoolwide without adequately justifying those services as the law requires. Indeed, the majority of the actions reflected in the LCAP are marked as districtwide increased or improved services. While we appreciate the narrative that the district provides in the "Demonstration of Increased and Improved Services for Unduplicated Pupils" section of the LCAP. Our analysis of this section (in which we matched each description in the section to its referenced action from the Goals, Actions & Services section) revealed that, for the most part, the district fails to clearly explain how each districtwide or schoolwide service is *principally directed* to district goals for high-need students and how that service is *effective* towards those goals. (5 C.C.R. 15496(b)). And for schools that serve less than 40% high need students, how that service is the *most effective use* of those funds. Please see Attachment 1 for some examples of the district's significant districtwide and schoolwide

investments that need further clarification. For more information on this legal requirement, we recently sent a joint letter with the ACLU to all county superintendents that discusses this and other legal requirements, which can be found [here](#). We also urge the County to reference the California Department of Education recent guidance on this requirement in its response to a UCP complaint, available [here](#).

- **Inaccurate Budget Summary:** According to the budget summary, the LCAP only includes some \$51 million out of more than \$200 million in general fund spending. The \$51 million figure appears to correspond to the district's calculation of supplemental and concentration (S&C) funds. According to the district budget book, S&C funds account for only 22% of the total LCFF revenue the district receives. Yet, in the area provided for explanation of what LCFF funds are not included in the LCAP, the district fails to provide a complete explanation. Moreover, our review of the LCAP shows that the district does in fact include some expenditures that exceed the \$51 million reported in the Budget Summary as the total amount of LCAP spending (*see, e.g.*, Goal 2, Action 1, reflecting \$77 million in certificated salaries). Thus, the district must clarify its Budget Summary to ensure that it is accurately reflecting its total LCAP spending as well as adequately explaining what General Fund Budgeted Expenditures are omitted from its LCAP.
- **Lack of Clear Explanation of Material Differences Between Budgeted and Actual Expenditures in the Annual Update as well as How Actions Were Implemented, Including at School Sites.** Across the Annual Update, there are instances of significant variation in spending, especially of S&C funds, that the District fails to explain. For example, the district budgeted some \$3.6 million in S&C funds for Goal 2 Action 2 of the Annual Update to hire "qualified teachers, administrators, and staff" who are "providing additional services to designated students." The district reports the actual amount spent was more than \$7.1 million in S&C funds—nearly double the budgeted amount. Despite this significant increased investment, the district merely reports that it "Hired all staff as planned" without explanation as to why this expenditure cost double what was planned, nor any discussion of what "additional services" designated students received. We also did not see such explanation in the analysis section of this goal.

Another example is Goal 3, Action 13, where the district budgeted more than \$2.7 million to "Provide additional personnel to support the current intervention model at all schools with a focus on English Learners and Reclassified students." The Actual action is reported as "A teacher and counselor were hired to support the current intervention model at schools with a focus on English Learners and Reclassified students." It is unclear from this description whether every school in the district received this staff. There are several actions as well where the district merely reports that "All schools were provided with funding to purchase materials and supplies for English Learners and Re-classified students" as well as for "Low Income pupils and Foster Youth" and schools were provided with funding for additional intervention services (G3 A14, A15, A16 & A17 at p.33-34.) However, we would expect the district not only to provide funding, but to actually monitor and report whether those resources and services were in fact provided to high-need students at the school site.

- **Unclear What Impact Stakeholder Engagement Had on the LCAP.** The LCAP discussion of Stakeholder Engagement does not make clear what impact, if any, the district's community engagement had on its LCAP and Annual Update. In particular, it is not clear whether any of the investments in the LCAP were added or modified in response to any community feedback. This is an area worth additional attention and support given our understanding that the district received a Uniform Complaint Procedure complaint from a group of parents in Pomona in April of this year

that raised numerous concerns about the inclusiveness of the LCAP engagement process. For your information, a copy of that complaint and the district response are included here as Attachment 2. Note that the district also erred in following UCP statute by not advising the complainants of their rights to appeal the district response to the California Department of Education. Instead, the district only mentioned its internal appeal process.

- **Holding S&C Funds in Budgeted Reserves:** We also urge you to seek clarification on the district's treatment of S&C funds as part of its ending fund balance under reserves. In 2016-17, the district carried a sizeable \$20.9 million reserve assigned to LCFF S&C funds. However, this reserve is now zeroed out in the 2017-2018 budget. Nowhere does the current LCAP or 2016-17 Annual Update reflect the existence of this significant pot of funds or how it will be spent in service of high-need students. The 2017-18 budget does, however, reference some \$10.99 million in "LCAP carryover funds."<sup>1</sup> Some clarifying questions are necessary to understand: 1) What is the district's practice around holding S&C funds in reserve? 2) Did the district spend the \$20.9 million in S&C funds it held in reserve in 2016-17? 3) If so, how were those funds spent and based on what community engagement? 4) What is the source and purpose of the nearly \$11 million in "LCAP carryover funds" in the 2017-18 reserve?

When a district fails to dedicate significant S&C funds generated by high-need students towards increasing and improving services for those students, as PUSD appears to have done over the past three years in amassing a significant supplemental fund reserve, such a practice raises concerns about whether the district is meeting its obligations to increase and improve services for high-need students as compared to all students and to meaningfully engage with community in determining its strategies and spending. In addition, where the district has not in fact spent its full allocation of S&C funds on services for high-need students, the district should not count such funds as prior year expenditures on services for high-need students at step 2 of its 7-step proportionality calculation dollars. (5 CCR § 15496(a).)<sup>2</sup>

- **Special Attention to Services for English Learners.** Given the identification of the significant gaps in performance for English Learners in the district, we urge the County to ensure that the district is indeed investing adequately in its services for English Learner students. In particular, throughout the LCAP, the district fails to tie its invested actions in the Annual Update and future years to some measure of effectiveness to ensure that the chosen investments are having the desired impact for student outcomes. Again, given the concerns raised by English Learner parents in the UCP complaint submitted in April, as well as the district's performance on the Dashboard, this is an area that requires special attention.

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<sup>1</sup> See the district's 2017-18 Budget Book available [here](#), at Form 01 – p.34.

<sup>2</sup> Please also see the California Department of Education's [helpful guidance](#) on the necessity of properly justifying the use of supplemental funds, including the recognition that a district shall not include expenditures that cannot be properly justified in its "estimate of prior year expenditures for unduplicated pupils ... when it calculates its minimum proportion by which it must increase or improve services for unduplicated pupils in the 2017-18 LCAP year." CDE 5/5/2017 Letter re UCP Appeal at p.14, available at

<sup>2</sup> Please also see the California Department of Education's [helpful guidance](#) on the necessity of properly justifying the use of supplemental funds, including the recognition that a district shall not include expenditures that cannot be properly justified in its "estimate of prior year expenditures for unduplicated pupils ... when it calculates its minimum proportion by which it must increase or improve services for unduplicated pupils in the 2017-18 LCAP year." CDE 5/5/2017 Letter re UCP Appeal at p.14, available at <https://assets.documentcloud.org/documents/3711100/LCAP.pdf>.

August 14, 2017  
Superintendent Debra Duardo  
Re: Pomona USD LCAP  
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Public Advocates is committed to ensuring that the LCFF funds generated by high-need students actually “increase or improve” services to these populations, as the law and equity require. We are also committed to supporting districts to meaningfully engage local stakeholders so that they may ensure that the expenditure of all LCFF funds effectively meet local needs, particularly those of districts’ low-income students, English learners, and foster and homeless youth. As a further resource, I wish to again bring to your attention [a recent letter](#) to all county superintendents we prepared jointly with the ACLU regarding key areas of emphasis in reviewing LCAPs and annual updates. We look forward to working with you and the district to achieve greater educational outcomes for the district’s unduplicated pupils.

As always, I am available to answer any questions you may have. I can be reached directly at 415.431.7430, extension 306 or by email at [ajongco@publicadvocates.org](mailto:ajongco@publicadvocates.org).

Sincerely,



Angelica Jongco  
Senior Staff Attorney  
Public Advocates, Inc.  
131 Steuart Street, Suite 300  
San Francisco, CA 94105

Enclosure:  
Attachments 1 & 2

Cc:

Vibiana M. Andrade, General Counsel, [andrade\\_vibiana@lacoedu](mailto:andrade_vibiana@lacoedu)  
[LCAP@lacoedu](mailto:LCAP@lacoedu)

Richard Martinez, Superintendent, Pomona Unified School District, [Richard.martinez@pusd.org](mailto:Richard.martinez@pusd.org)

## ATTACHMENT 1

### EXAMPLES OF DISTRICTWIDE AND SCHOOLWIDE SERVICES IN PUSD LCAP THAT NEED FURTHER CLARIFICATION:

- G1-A10: Primary (TK-3) programs continued and supported to provide a solid, social, emotional and academic foundation beyond the adopted core program, \$4,433,784.
  - Although the description here claims that these programs are provided beyond the adopted core program, from the district's Budget and Site LCAP Summary 2017-20 at p.18, available in the [budget book](#), it appears that this expenditure is covering the full cost of all TK and Full Day Kindergarten teachers districtwide. The district does not seek to justify this expenditure in the Demonstration of Increased and Improved Services section of the LCAP, although it appears to be claiming this as a districtwide expense in service of high-need students. It is not apparent from this description how the staffing provided is something being provided to high-need students in addition to what is provided to all students let alone how these services are principally directed and effective towards the district's goals for high-need students.
- G1-A11: We note that the district has a significant investment in Dual Immersion Programs, \$1,391,186 at 3 schools. However, one of those schools, Pantera, serves well below the district average of low-income (39%) and English Learner students (14%), raising the question of whether schoolwide spending of S&C funds at this site is a most effective use of funds to benefit high-need students.
- G1-A13: \$2,316,914 for professional development. The district fails to explain how it is measuring the effectiveness of this investment on achievement of high-need students. This expenditure also includes administrative staff (secretary) that does not appear how it contributes to professional development.
- G1-A14: Music program, \$1,526,940, lacks explanation for how this expenditure is principally directed and effective for high-need students.
- G1-A21: Neighborhood school model to meet diverse need of our students, \$2,260,100. With other expenditures, it is possible to cross reference the Budget and Site LCAP Summary to understand what positions or services are funded even where the description is vague. Here, however, the district fails in both documents to explain what is actually being funded by this expenditure. Moreover, one of the sites that is included in this expenditure is again Pantera—raising the same issues as in the point above about the most effective use of schoolwide funds.
- G1-A22: World class education through academies, \$3,569,624. While career academies is a common strategy that we have seen in many other districts as a way to address achievement gaps for high-need students, we were concerned to see in the budget summary that the district appears to be funding some basic/core administrative positions—such as the Middle School Principals, Assistant Principals, School Office Managers, Secretaries and Typist Clerks with S&C funds. It is not clear how these basic positions, which are necessary at any school throughout the district, can be considered increased and improved services to high-need students.
- G2-A3 – Professional development and collaboration opportunities on a variety of topics [State Standards, technology integration, positive behavior support] to build capacity to meet the needs of all students, \$2,472,125. In the Demonstration section, the district cites to this action as an increased and improved services and claims that professional development is needed for teachers and staff in light of the evolving changes to State Standards and Assessments. This is a good example of an action that appears to be equally directed to *all students*. Indeed, the district's own

description states the professional development is to build capacity to “meet the needs of all students.” As such, it should not count as an increased and improved service for high-need students. *Note that because the district in 2017-18 declines to distinguish between base and supplemental and concentration LCFF funds, the LCAP in the coming year provides less transparency than in past years. We would encourage the district to continue to track its S&C funding separately from base spending.*

- G2-A5 – Classified staff will support clean and healthy facilities, \$1,922,267. According to the budget summary, this is the entire custodial staff of the district – 7 FTE Head Custodians, 21 FTE Additional Custodial positions and 1 FTE Custodial Supervisor. The district fails to provide any justification for this expenditure. In the Demonstration section, the district cites “paraeducators” in reference to this action. Moreover, we are not sure the district could properly justify this expenditure as principally directed to high-need students. All students in the district are entitled to clean and healthy facilities under *Williams*. It is unclear how the custodial staff cited are providing anything above the basic conditions of learning to which every student is entitled.
- G2-A8 – Staff time to work on classroom environment to support student learning, \$1,236,063. Nothing the district includes in the description here or in the Demonstration section (discussing how teachers work prior to student arrival to ensure an engaging environment) makes clear how this is an action that is principally directed or effective to goals of high-need students.
- G3-A8: Staffing and resources for health and safety, \$4,332,813. The district marks this entire expenditure as meeting the increased or improved services requirement. Consulting the Budget and Site LCAP Summary 2017-20 reveals very disparate expenditures under this one strategy: “4 FTE school nurses, 27.7 FTE health services assistant, 7.75 school site specialists, 1 Coordinator Child Welfare and Attendance, 26.5 FTE Campus Security Assistants & Officers, City of Pomona.” These appear to be distinct strategies that should be separately listed and justified in the district LCAP so that the public can transparently evaluate what is working or not working in the LCAP—especially if these are all supposed to, as the district claims, minimize student absences. The district fails to discuss the effectiveness of these strategies. Moreover, without further explanation, most, many of these positions appear to be equally directed towards all students and in some cases—such as security officers—we have often seen communities of color often raise concerns about whether their presence contributes to disproportionate involvement of black and brown youth in being pushed out of school and into the criminal justice system.

Please note that this list is provided to illustrate the concerns raised in the letter above but is in no ways meant to be comprehensive. As mentioned above, we believe that overall, the district must do a better job of justifying *each* distinct districtwide or schoolwide expenditure in a way that makes apparent the benefit to high-need students and how the district is measuring effectiveness.

# ATTACHMENT 2

The following outlines Padres Unidos de Pomona LCAP complaint that the Pomona Unified School District LCAP process is not transparent or democratic which leads to the suspicion that the district is misappropriating funds for at-risk students:

- After reviewing the LCAP Budget Report provided to us on 12/9/16 we conclude that the LCAP budget is not transparent because it is not produced in Spanish.
- After reviewing the LCAP Budget Report provided to us on 12/9/16 we conclude that the LCAP budget is not transparent because it does not consistently state which schools are receiving services or eligible to receive services under each action.
- After reviewing the LCAP Budget Report provided to us on 12/9/16 we conclude that the LCAP budget is not transparent because it does not consistently state if employees will be working directly from schools or the district under each action.
- After learning from district leaders at an 11/28/16 LCAP meeting we conclude that the LCAP process is not democratic because 83% of supplemental LCAP funds are directly controlled by district leaders.
- After learning from district leaders at an 11/2/16 LCAP meeting we conclude that the LCAP process is not democratic because students and parents have been excluded from participating in a district sponsored LCAP Steering Committee that includes labor unions and district officials.
- The LCAP process is not democratic because parents have are not given the opportunity to provide input on spending at the district sponsored LCAP Parent Advisory Committee
- The LCAP process is not transparent or democratic because district leaders broke off monthly meetings and have refused to meet with parent leaders since parent concerns became public via an Inland Valley Daily Bulletin Article published on 3/7/17.
- The LCAP process is not transparent or democratic because district leaders ignored a January 9, 2017 request to provide quantitative and qualitative data that specifically shows improved student educational outcomes for the following action items: G1-A4, G1-A12, G1-A15, G2-A1, G2-A2, G2-A6, G3-A5, G3-A7, G3-A11, G3-A13, G3-A15, and G3-A17
- The LCAP process is not transparent or democratic because district leaders ignored a January 9, 2017 request to provide an update to provide an update on the creation of bylaws for the district sponsored LCAP Steering Committee and LCAP Parent Advisory Committee.
- The LCAP process is not transparent or democratic because on March 10<sup>th</sup> at the LCAP PAC Meeting the PUSD Superintendent asked parents that are members of Padres Unidos de Pomona to raise their hands and identify themselves. Parents interpreted the action as a form of intimidation and to discourage them from pursuing more information on LCAP.



## Pupil and Community Services

# Pomona Unified School District

800 South Garey Avenue, P.O. Box 2900, Pomona, CA 91769 – Ph. (909) 397-4800, Ext. 23950  
Fax: (909) 623-8233- E-mail Address: [www.pusd.org](http://www.pusd.org)

June 27, 2017

### Emailed and U.S. Mail

[erocha@live.com](mailto:erocha@live.com) [jsanchez@genteorganizado.org](mailto:jsanchez@genteorganizado.org)

Evelia Rocha

Jesus Sanchez

1387 Scott Avenue

Pomona, CA 91767

Re: Case #: IIS-04-1317

Dear Ms. Rocha and Mr. Sanchez:

The purpose of this letter is to formally respond to your complaint filed with the District against the LCAP budget and process. In this response the complaint will be addressed as substantiated, unsubstantiated, or unfounded.

- A substantiated response to the allegations indicates that there was enough evidence to support your allegation, and corrective action will be taken.
- An unsubstantiated response to your allegation indicates that there was not enough evidence to determine whether the allegation did or did not occur.
- An unfounded response indicates that there was evidence to indicate that the allegation did not occur.

### Allegations and Findings of Fact

In your complaint you allege that the LCAP budget and process is not transparent or democratic, and that this leads to suspicion that the District is misappropriating funds for at-risk students. You have delineated the complaint further into ten bulleted items, which are listed individually as submitted:

1. After reviewing the LCAP Budget Report provided to us on 12/9/16, we conclude that the LCAP budget is not transparent because it is not produced in Spanish.

The California Education Code, Article 4, Section 48985 (a) states: If 15 percent or more of the pupils enrolled in a public school that provides instruction in kindergarten or any of grades 1 to 12, inclusive, speak a single primary language other than English, as determined from the census data submitted to the department pursuant to Section 52164 in the preceding year, all notices, reports, statements and may be responded to either in English or the primary language., or

records sent to the parent or guardian of any such pupil by the school or school district shall, in addition to being written in English, be written in the primary language,

Padres Unidos de Pomona and PUSD staff discussed the translation of the 2016 LCAP. The District requested and received quotes from two outside companies to translate the document. Quotes are as follows:

Doc Tracking – full document \$4,137.75 and annual update \$1,561.55

Magnus – full document \$4,229.00 and annual update \$1,688.00

When quotes were presented to the group, it was agreed that translating the document at this time of year would not be a good investment of funds since the revision process for 2017 had begun. The group agreed that the document would be translated beginning in the 2017 school year.

2. After reviewing the LCAP Budget Report provided to us on 12/9/16, we conclude that the LCAP budget is not transparent because it does not consistently state which schools are receiving services or are eligible to receive services under each action.

The LCAP plan must be completed in compliance with the State Board of Education approved template. The template, as set forth in regulations 5CCR Section 15497.5, may not be materially altered.

Padres Unidos de Pomona received the *Annual Update* section of the LCAP, which includes the *Planned Actions and Services* with the *Budget Expenditures* and the *Estimated Annual Expenditures*. Each action states the Scope of Service, which must be chosen from responses provided in the template. Examples are; LEA-wide, School-wide, or Limited to Unduplicated Student Group(s). If the services are provided to all schools within the LEA, the LEA must indicate "All Schools."

3. After reviewing the LCAP Budget Report provided to us on 12/9/16, we conclude that the LCAP budget is not transparent because it does not consistently state if employees will be working directly from schools or the district under each action.

LEAs must explain how they will expend supplemental and concentration funds in the LCAP year and how many proposed LEA-wide or school-wide uses of supplemental and concentration funding will meet the relevant standards set forth in the LCFF expenditure regulations (5CCR 15496 (b)). Specifically, this means that LEAs must explain how any proposed LEA-wide or school-wide uses of these funds will support services that are "principally directed towards, and are effective in, meeting the LEA's goals for its unduplicated pupils in the state or any local priority areas."

Padres Unidos de Pomona received the *Annual Update* section of the LCAP, which is in compliance with State requirements. The location of employees funded with LCFF is not a requirement. Parents have had multiple opportunities to discuss positions such as: library clerks, nurses, mental health providers, and counselors.

4. After learning from District leaders at an 11/28/16 LCAP meeting, we conclude that the LCAP process is not democratic because 83% of supplemental LCAP are directly controlled by District leaders.

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. State Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP. If a single goal requires longer than one year to implement fully, the LCAP should reflect the annual incremental actions, services and expenditures, as well as the annual anticipated progress that the district expects to achieve for each student group. These annual benchmarks will assist LEAs and the community to monitor the progress of the plan.

Padres Unidos de Pomona requested information regarding LCFF funds distribution. District staff shared that the funds were distributed to schools on a per pupil allocation taking into account the demographics of each school site. A per pupil allocation ensures equitable distribution to address the needs of students. The majority of funds listed in the LCAP District level plan are used for services directly at school sites, such as providing additional nurses, mental health staff, and/or counselors.

5. After learning from District leaders at an 11/2/16 LCAP meeting we conclude that the LCAP process is not democratic because students and parents have been excluded from participating in a District sponsored LCAP Steering Committee that includes labor unions and District officials.

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. State Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP.

The District established a Steering Committee to assist with developing and facilitating communication documents that were shared with stakeholder groups throughout the year. This is not a mandated entity, nor a decision making group. Officers from the District English Learner Advisory Committee (DELAC) and District Advisory Committee (DAC), are encouraged to attend. Students will also be invited to participate in this committee.

6. The LCAP process is not democratic because parents are not given the opportunity to provide input on spending at the District sponsored LCAP Parent Advisory Committee (PAC).

The statute requires the inclusion of parents, including parents or legal guardians of targeted disadvantaged pupils in the planning and implementation of the LCFF. School districts need not

establish new parent advisory groups if the LEA has previously existing groups that satisfy the new requirements.

Parent Advisory Committee members have an opportunity to provide input into the development of the LCAP each year during regularly scheduled meetings and on annual surveys.

7. The LCAP process is not transparent or democratic because District leaders broke off monthly meetings and have refused to meet with parent leaders since parent concerns became public via an Inland Valley Daily Bulletin Article published on 3/7/17.

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. State Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP.

The Parent Advisory Committee was formed to obtain input on the LCAP process. This group includes parents of English Learners, Low Social-Economic, and Foster youth parents and caregivers. The meetings with Padres Unidos were started to address concerns of this specific group. It was later determined that these concerns should be addressed through the public PAC meeting process and all members be allowed to participate. The District determined that a separate and exclusive meeting with Padres Unidos was no longer necessary.

8. The LCAP process is not transparent or democratic because District leaders ignored a 1/9/17 request to provide quantitative and qualitative data that specifically shows improved student educational outcomes for the following action items: **G1-A4, 12, 15; G2 A1, 2, 6; G3 A5, 7, 11, 13, 15, 17.**

**G1-A4:** Teacher Student Ratios are listed in the SARC document, which may be found at: <http://edline.pusd.org/pages/PUSD/Departments/EducationalServices/categoricalPrograms/SARC>

*Staff will be assigned to specific grade levels and courses in a manner that decreases teacher/student ratios (e.g., class size reduction grades K-3 and 7-9 mathematics and reduce number of elementary combination classes) in order to facilitate student achievement in CCSS.*

**G1-A12:** Student achievement data may be found at:

<https://www.caschooldashboard.org/#/Home>

*Primary (TK-3) programs will be continued and supported to provide a solid social, emotional and academic foundation.*

**G1-A15:** Pomona Unified School District (PUSD)'s School Calendar, which includes all professional development days may be found at:

[http://edline.pusd.org/files\\_SOAGN\\_/a8cdf90f0770a6fa3745a49013852ec4/SCHOOL\\_CAL\\_2016-17\\_REV\\_7-13-16\\_White.pdf](http://edline.pusd.org/files_SOAGN_/a8cdf90f0770a6fa3745a49013852ec4/SCHOOL_CAL_2016-17_REV_7-13-16_White.pdf)

*Build capacity of adult learners in the system to transform practice, increase teacher effectiveness and efficacy to impact identified students' learning.*

**G2-A1:** PUSD staffing ratios may be found at:

[http://edline.pusd.org/pages/PUSD/Departments/EducationalServices/CategoricalPrograms/SAR\\_C](http://edline.pusd.org/pages/PUSD/Departments/EducationalServices/CategoricalPrograms/SAR_C)

*Schools will be staffed and supported by qualified teachers, administrators and staff.*

**G2 A2:** PUSD staffing ratios may be found at:

[http://edline.pusd.org/pages/PUSD/Departments/EducationalServices/CategoricalPrograms/SAR\\_C](http://edline.pusd.org/pages/PUSD/Departments/EducationalServices/CategoricalPrograms/SAR_C)

*Schools will be staffed and supported by qualified teachers, administrators and staff who are providing additional services to designated students.*

**G2 A6:** PUSD's School Calendar which includes all professional development days may be found at:

[http://edline.pusd.org/files\\_SOAGN\\_/a8cdf90f0770a6fa3745a49013852ec4/SCHOOL\\_CAL\\_2016-17\\_REV\\_7-13-16\\_White.pdf](http://edline.pusd.org/files_SOAGN_/a8cdf90f0770a6fa3745a49013852ec4/SCHOOL_CAL_2016-17_REV_7-13-16_White.pdf)

*Professional learning and collaboration opportunities will be provided on a variety of topics such as Common Core, technology integration, science, positive behavior support, and other areas as identified by a needs assessment, to build capacity to meet the needs of targeted students.*

**G3 A5:** PUSD's School Calendar, which includes all professional development days may be found at:

[http://edline.pusd.org/files\\_SOAGN\\_/a8cdf90f0770a6fa3745a49013852ec4/SCHOOL\\_CAL\\_2016-17\\_REV\\_7-13-16\\_White.pdf](http://edline.pusd.org/files_SOAGN_/a8cdf90f0770a6fa3745a49013852ec4/SCHOOL_CAL_2016-17_REV_7-13-16_White.pdf)

*Crisis intervention and mental support staff will provide strong guidance and support to meet the social, emotional and behavioral needs of students. Training will be provided to address the needs of the targeted population.*

**G3 A7:** Contract information may be found at:

<http://www.boarddocs.com/ca/pomona/Board.nsf/goto?open&id=ACAJUO4EE90A>

*Hire staff to serve as liaisons between foster care youth, their families, schools and county agencies.*

**G3 A11:** Staffing information may be found at:

<http://www.boarddocs.com/ca/pomona/Board.nsf/goto?open&id=9YAMP5C353>

*Increase student access to academic and behavioral counseling and support for college and career awareness and readiness.*

**G3 A13:** Staffing information may be found at:

<http://www.boarddocs.com/ca/pomona/Board.nsf/goto?open&id=ADSOFL69052B>

*Provide additional personnel to support the current intervention model at all schools with a focus on English learners and reclassified students.*

**G3 A15:** Copies of each school's Single Plan for Student Achievement (SPSA), are available for public review in the Educational Services Office at the District Education Center.

*To provide all schools with materials and supplies for low-income pupils and foster youth.*

**G3 A17:** Copies of each school's SPSA are available for public review in the Educational Services Office at the District Education Center.

*To provide all schools with funds for additional intervention services to increase student engagement in school activities focused on targeted students.*

9. The LCAP process is not transparent or democratic because District leaders ignored a 1/9/17 request to provide an update on the creation of bylaws for the District sponsored LCAP Steering Committee and LCAP Parent Advisory Committee.

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. State Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP.

The LCAP Steering Committee created bylaws at the 1/6/17 meeting.

10. The LCAP process is not transparent or democratic because on March 10<sup>th</sup>, at the LCAP PAC Meeting, the PUSD Superintendent asked parents that are members of Padres Unidos de Pomona to raise their hands and identify themselves. Parents interpreted the action as a form of intimidation and to discourage them from pursuing more information on LCAP.

Meaningful engagement of parents, students, and other stakeholders, including those representing the student groups identified by LCFF, is critical to the development of the LCAP and the budget process. State Education Code identifies the minimum consultation requirements for school districts and county offices of education as consulting with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing the LCAP.

Identification of stakeholder groups is a means to ensure balanced participation of the LCAP process.

#### Findings of Fact

Complainant allegation number one is partially substantiated.

Complaint allegations two through ten are unsubstantiated.

#### Conclusion of Law

As it pertains to Foster Care/Homeless Student Educational Rights: Denial of immediate enrollment; to remain in school of origin; enrollment in a comprehensive school; partial credit;

state graduation requirements; 5<sup>th</sup> year enrollment, or access to resources, services, or activities, no violation of law has occurred.

As it pertains to Improper Governmental Activity: Notification can be made to the District if an employee has information regarding possible noncompliance with or violations of state or federal statutes, rules or regulations by a District employee that is economically wasteful or involves gross misconduct or inefficiency, no violation of law has occurred.

Corrective Actions

The 2017-2018 LCAP will be translated into Spanish. Students will be invited to participate in the LCAP Steering Committee

Disposition of Complaint and Rationale

At this point, we must conclude that the issues raised in your complaint have been addressed to the extent possible. Recommended corrective actions, if any, will be taken. There will be no further action taken with regard to your complaint, and the District will consider the matter resolved.

Appeal Process

Under the District's Administrative Regulation 1312.1, you may **within five (5) days** of receiving this letter appeal the decision in writing to the Administrative Director, Pupil & Community Services (the "District Appeal Officer"), Pomona Unified School District, 800 S. Garey Avenue, Pomona, California 91766. If we do not receive your appeal within the specified time period, we will consider this matter closed.

Sincerely,



Krystana Walks-Harper, Ph.D.  
Associate Director  
Pupil & Community Services