

EXHIBIT P



February 9, 2016

Dr. Bruce Harter
Superintendent
West Contra Costa Unified School District
bharter@wccusd.net

Via electronic mail

RE: Addendum regarding February 10, 2016 Board Meeting Agenda Item F.7

Dear Superintendent Harter:

This addendum to our letter sent earlier today addresses the issues posed by Item F.7 (Public Hearing – Local Control Accountability Plan – Release and disbursement of \$4.3 million reserve) and its interaction with the pending ratification of the District’s Agreement with UTR (Item F.1).

Unfortunately, the description of and attachment to Item F.7 do not meet the District’s legal obligations to ensure targeted funds meet the District’s LCAP goals for high need students under LCFF. As we have said on multiple occasions, to fulfill its legal obligations, the District must amend all relevant components of its LCAP as concern the proposed new expenditures of base and supplemental and concentration (“S&C”) funds for the three-year LCAP period 2015-2018, hold a public hearing on the proposed new expenditures, and obtain county approval. Again, we reiterate the need to amend the LCAP with the following information:

- 1. Include the base and S&C funds for every action/service planned to meet the District’s goals for high need students and reflect any and all proposed changes to previously adopted expenditures (as proposed in Items F.7 and F.1).**

Despite repeated requests from community, the District chose not to include base funds in its adopted 2015-2018 LCAP. Without this information and an updated accounting of *all the LCFF funds being used to support the actions/services outlined in the LCAP*, it is impossible for the public to understand whether the additional funds allocated in the District’s attachment to F.7 (“2015-16 LCAP BY GOAL W/ \$4.3 Allocated,” or “Attachment”) augment pre-existing allocations in the adopted LCAP for 2015-2016 or whether the District is supplanting base fund allocations so it can use base funds to cover

the additional \$3,319,631 cost of salary and benefits during the 2015-2016 school year. Accordingly, the District must amend its LCAP with a description of whether the additional allocations are new expenditures or whether they were allocated from another funding source.

2. **Include the impact of the UTR agreement on *all three years* of the current adopted 2015-2018 LCAP, as required by LCFF.**

The District states in Item F.7 that “[t]he activities and services agreed upon with UTR will largely take effect in 2016-17 and moving forward,” but gives no indication of how the nearly \$22.5 million in new teacher salary and benefits obligation will be covered between 2016-2018 – and specifically, how much of this promise will be fulfilled by base and by S&C funds.

3. **Include updated annual measurable outcomes as a result of the newly proposed expenditures.**

If the District plans to spend an additional \$4.3 million as detailed in the Attachment and additional base and/or S&C funds (as not detailed), it is necessary for the District to identify the additional outcomes from the investment of these funds. Thus, the District should update its annual measurable outcomes resulting from the rebenching of teacher salaries in each of the next three years.

4. **Amend Section 1 of the 2015-2018 LCAP with the District’s efforts to obtain and integrate input from stakeholders – including parents and students – on these newly proposed expenditures.**

It is not clear whether the District’s “discussion” of its plan with the DLCAP Committee last month met its statutory duty to present the LCAP to this parent advisory committee “for review and comment,” (Cal. Educ. Code section 52062(a)(1)). In addition, the District presents no evidence it presented its plan to its Multilingual District Advisory Committee (as required by section 52062(a)(2)), or consulted with students (as required by Title 5 of Cal Code Regs. section 15495(a)). The action items and expenditures proposed in the Attachment to Item F.7 for high school counselors, counseling and psychological services, restorative practices, and student safety, for example, relate directly to concerns communicated by stakeholders to district staff and board members over the past year. Thus, action on Item F.7 must be withheld to allow for the requisite review and comment by students, parents, and community members.

5. **In a revised Section 2 and Section 3 of the 2015-2018 LCAP, explain how the newly proposed S&C expenditures for teacher salary increases and any other new S&C expenditures will be “principally directed” and “effective” in meeting the goals of high need students.**

The LCAP must also include clearly delineated teacher quality progress measures by which to judge the effectiveness of this investment.

Once the LCAP is amended with this information, it should be shared with the public before a public hearing, approved by the Board, and finally resubmitted to the county superintendent for final approval. We respectfully request the District to confirm that: (1) Item F.7 is not intended to serve as an LCAP amendment itself, and (2) the District plans to hold a public hearing on proposed amendments to the 2015-2018 LCAP document once those amendments are reflected in a draft. We request that this hearing be held at a future board meeting in accordance with the points set forth above.

Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Massaro", with a long horizontal flourish extending to the right.

Rigel S. Massaro
Staff Attorney
Public Advocates Inc.

A handwritten signature in black ink, appearing to read "Lilly Chen", with a long horizontal flourish extending to the right.

Lilly Chen
Statewide Education Rights Attorney
Public Counsel