

Date: \_\_\_\_\_

Name of District: \_\_\_\_\_  
District Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: Uniform Complaint for failure to comply with Local Control Funding Formula (LCFF) mandates

Dear Administrator:

The District is out of compliance with state education laws with respect to school finance and Local Control Funding Formula (LCFF) mandates. This complaint is filed pursuant to Cal. Educ. Code § 52075.

**I. VIOLATIONS**

The specific violations are checked off below:

**Budget**

- ☐ Failure to adopt a local control accountability plan prior to adopting a budget. Cal. Educ. Code § 42127(a)(2).
- ☐ Failure to hold a public hearing on the budget to be adopted. Cal. Educ. Code § 42127(a)(1).
- ☐ Failure to comply with auditing requirements. Cal. Educ. Code § 41020.
  - ☐ Failure to conduct a timely audit.
  - ☐ Failure to make books and accounts available to the County or other arrangements to provide for auditing.

**Local Control Accountability Plan (LCAP)**

- ☐ Failure to develop a local control accountability plan in accordance with Cal. Educ. Code §52060.
  - ☐ Failure to include for the school district and each school a description of:
    - ☐ Annual goals to be achieved for each of the eight state priorities and any additional local priorities.
    - ☐ Specific actions the school district will take to achieve the annual goals for each of the eight state priorities and any local priorities.
  - ☐ This violation is with respect to the following state and/or local priority(ies):
    - ☐ State Priority #1: Appropriate teacher assignments, access to standards-aligned instructional materials, and school facilities maintained good repair.
    - ☐ State Priority #2: Implementation of academic content and performance standards adopted by the State Board of Education.
      - ☐ Failure to describe annual goals and specific actions for how programs and services will enable English Learners to:
        - ☐ Access common core academic content standards.
        - ☐ Access English Language Development standards.
    - ☐ State Priority #3: Parental Involvement
      - ☐ Failure to describe annual goals and specific actions for how the school district and each school will seek parent input in making decisions for the school district and each individual school site.

\_\_\_\_\_ Failure to describe annual goals and specific actions for how the school district and each school will promote parental participation in programs for low-income students, English Learners, foster youth, and students with exceptional needs.

\_\_\_\_\_ State Priority #4: Pupil Achievement

\_\_\_\_\_ Failure to describe annual goals and specific actions for pupil achievement as measured by:

- \_\_\_\_\_ Statewide assessments.
- \_\_\_\_\_ Academic Performance Index.
- \_\_\_\_\_ Percentage of students who successfully complete courses that satisfy requirements for University of California and the California State University or courses that align with state-board approved career technical education standards.
- \_\_\_\_\_ Percentage of English Learners who make progress toward English proficiency.
- \_\_\_\_\_ English Learner reclassification rate.
- \_\_\_\_\_ Percentage of students who pass an advanced placement examination with a score of 3 or higher.
- \_\_\_\_\_ Percentage of students who demonstrate college preparedness after participation in the Early Assessment Program or subsequent to any assessment of college preparedness.

\_\_\_\_\_ State Priority #5: Pupil Engagement

\_\_\_\_\_ Failure to describe annual goals and specific actions for pupil engagement as measured by:

- \_\_\_\_\_ School attendance rates.
- \_\_\_\_\_ Chronic absenteeism rates.
- \_\_\_\_\_ Middle school drop-out rates.
- \_\_\_\_\_ High school drop-out rates.
- \_\_\_\_\_ High school graduation rates.

\_\_\_\_\_ State Priority #6: School Climate

\_\_\_\_\_ Failure to describe annual goals and specific actions for school climate as measured by:

- \_\_\_\_\_ Suspension rates.
- \_\_\_\_\_ Expulsion rates.
- \_\_\_\_\_ Other Local Measure(s): \_\_\_\_\_.

\_\_\_\_\_ State Priority #7: Pupil access to, and enrollment in, a Broad Course of Study

\_\_\_\_\_ Failure to describe programs and services developed and provided to:

- \_\_\_\_\_ Low-income students
- \_\_\_\_\_ English Learners.
  - \_\_\_\_\_ Failure to document EL high and middle school student enrollment in all courses needed for graduation
  - \_\_\_\_\_ Failure to document all EL students receiving instruction in all core subjects including the arts
- \_\_\_\_\_ Foster Youth Students.
- \_\_\_\_\_ Students with Exceptional Needs.

\_\_\_\_\_ State Priority #8: Pupil Outcomes

\_\_\_\_\_ Local Priority(ies):

---

---

---

\_\_\_ Failure to consult all necessary parties in developing the LCAP. Cal. Educ. Code § 52060(g). The following parties were not consulted:

\_\_\_ Parents                      \_\_\_ Students                      \_\_\_ Teachers  
\_\_\_ Principals                      \_\_\_ Administrators                      \_\_\_ Other School Personnel

\_\_\_ Failure to adopt the LCAP in compliance with Cal. Educ. Code § 52062. The violations are with respect to the following:

Parent Advisory Committee

- \_\_\_ Failure to present the LCAP or annual update to the LCAP to the parent advisory committee for review and comment before the LCAP is considered by the governing board for adoption.
- \_\_\_ Failure of the Superintendent to respond in writing to comments received by the parent advisory committee.

English Learner Parent Advisory Committee

- \_\_\_ Failure to present the LCAP or annual update to the LCAP the English learner parent advisory committee for review and comment before the LCAP is considered by the governing board for adoption.
- \_\_\_ Failure of the Superintendent to respond in writing to comments received by the English learner parent advisory committee.

General Public

- \_\_\_ Failure to notify members of the public of the opportunity to submit written comments regarding specific actions and expenditures to be included in the LCAP or annual update to the LCAP.

Individual School Plans

- \_\_\_ Failure of the Superintendent to review individual school plans and ensure that specific actions included in the LCAP or annual update to the LCAP are consistent with strategies included in the individual school plans.

Public Hearing Requirements

- \_\_\_ Failure of the governing board to hold at least one (1) public hearing to solicit recommendations and comments from the public regarding the specific actions and expenditures to be included in the LCAP or annual update to the LCAP.
- \_\_\_ Failure to post the agenda for the public hearing at least 72 hours before the hearing.
- \_\_\_ Failure to include in the agenda for the public hearing the location where the LCAP will be available for public inspection prior to the hearing.
- \_\_\_ Failure to adopt the LCAP or annual update to the LCAP at a public hearing that is held after, not on the same day, as the public hearing to solicit recommendations and comments from the public.

Changes to LCAP

- \_\_\_ Failure to follow the same process for adopting an LCAP to make a change
  - \_\_\_ Failure to present the proposed changes to, and respond to comments by, the parent advisory committee
  - \_\_\_ Failure to present the proposed changes to, and respond to comments by, the English Learner parent advisory committee
  - \_\_\_ Failure to notify members of the public of the opportunity to submit written comments regarding the proposed changes
  - \_\_\_ Failure to review individual schools plans and ensure that proposed changes to LCAP are consistent with strategies in school plans

- \_\_\_ Failure to hold a public hearing to solicit comments regarding the proposed changes
- \_\_\_ Failure to post the agenda 72 hours in advance and/or include the location where the LCAP will be available with the proposed changes for public inspection
- \_\_\_ Failure by the governing board to adopt any changes to the LCAP at a public hearing
- \_\_\_ Failure to update the LCAP annually in accordance with Cal. Educ. Code § 52061(a):
  - \_\_\_ The District has failed to complete a timely update of the LCAP (deadline is July 1, 2015, and each year thereafter)
  - \_\_\_ The annual update of the LCAP fails to include:
    - \_\_\_ A review of any changes in the applicability of goals
    - \_\_\_ A review of the progress toward the goals in the existing LCAP
    - \_\_\_ An assessment of the effectiveness of the specific actions described in the existing LCAP toward achieving the goals
    - \_\_\_ A description of changes to the specific actions the District will make as a result of the review and assessment
    - \_\_\_ A listing and description of the expenditures for implementation of the specific actions in the updated LCAP
    - \_\_\_ A listing and description of the expenditures that will serve:
      - \_\_\_ Low-income students
      - \_\_\_ English Learners
      - \_\_\_ Students Redesignated Fluent English Proficient (RFEP)
      - \_\_\_ Foster Youth
- \_\_\_ Failure to ensure the implementation of a local control accountability plan. Cal. Educ. Code § 1622(a).

### **Parent Advisory Committee**

- \_\_\_ Failure to establish a parent advisory committee to provide advice to the governing board regarding the development, review, and implementation of the LCAP. Cal. Educ. Code § 52063(a)(1).
- \_\_\_ Failure to include parents or legal guardians of students who are low-income, English learners, and/or foster youth on the parent advisory committee. Cal. Educ. Code § 52063(a)(2).
- \_\_\_ The parent advisory committee, if one has been established, fails to include any parents of students who are:
  - \_\_\_ Low-Income
  - \_\_\_ English Learners
  - \_\_\_ Foster Youth

### **English Learner Parent Advisory Committee**

- \_\_\_ Failure to establish an English learner parent advisory committee where the District's English learner population exceeds 15% of total student enrollment and there are at least 50 students who are English learners § 52063(b)(1).
- \_\_\_ Failure to involve the the English Learner Parent Advisory Committee in the development, review, and implementation of the LCAP. Cal. Educ. Code § 52062.

### **Posting Requirements & Availability of Public Records**

- \_\_\_ Failure to post the agenda for public hearing(s) on the budget and/or LCAP at least 72 hours in advance. Cal. Educ. Code §§ 42127, 52062.

\_\_\_\_ Failure to make budget and supporting data available for public review. Cal. Educ. Code § 42127(a)(2).

\_\_\_\_ Failure to make LCAP, and any revisions or annual updates to LCAP available for public review prior to adoption by governing board. Cal. Educ. Code § 52062.

\_\_\_\_ Failure to post on the internet website for the District any LCAP approved by the governing board and any approved updates or revisions to the LCAP. Cal. Educ. Code § 52065.

### **Complaint procedures**

\_\_\_\_ Failure to establish local policies and procedures for filing complaints. Cal. Educ. Code § 52075(f).

\_\_\_\_ Failure to include information regarding the complaint policies and procedures in the annual notification to students and parents. Cal. Educ. Code § 52075(e).

### **Other**

---

---

---

---

---

---

---

---

## **II. EVIDENCE OR INFORMATION LEADING TO EVIDENCE IN SUPPORT OF THIS COMPLAINT OF NONCOMPLIANCE**

---

---

---

---

---

---

---

---

## **III. REQUEST FOR RELIEF**

I am requesting that the District investigate this matter in accordance with the uniform complaint procedures and to provide a remedy to all affected pupils, parents, and guardians that includes, but is not limited to, the following:

---

---

---

---

---

---

---

---

If you should have any questions, please do not hesitate to contact me at \_\_\_\_\_.  
I look forward to receiving a response within 60 days in compliance with the uniform complaint procedures.

Sincerely,

---

Enclosure(s)

cc: