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August 9, 2016

*Sent via email*

Diann Kitamura  
Superintendent  
Santa Rosa High School District  
211 Ridgway Avenue  
Santa Rosa, CA 95401

RE: UCP Complaint re: SRHSD's 2016-2019 LCAP

Dear Superintendent Kitamura:

Public Advocates has been deeply engaged in ensuring that the Local Control Funding Formula (LCFF) is implemented in a way that makes real the promise of increased and improved resources for high-need students, and greater transparency and meaningful engagement for the school community. In particular, we are working hard to ensure that Districts spend supplemental funds to proportionally increase and improve services for the high-need students who generate those funds.

We examined Santa Rosa High School District's (SRHSD) Local Control Accountability Plan ("LCAP") as part of a report issued in May 2016, "Keeping the Promise of LCFF in Districts Serving Less than 55% High-Need Students," which featured 15 non-concentrated districts where high-need students are unevenly distributed (segregated) across the district.<sup>1</sup> We reexamined SRHSD this summer after it adopted its 2016-2019 LCAP, and now submit this UCP regarding two issues:

- I. Equity: 100% of the District's proposed actions are designated as districtwide, but the District fails to properly justify this spending of supplemental funds in accordance with LCFF regulations.
- II. Transparency and Accountability Regarding Supplemental Funds: the LCAP does not disaggregate supplemental funds from other sources, making it impossible to verify whether the district has allocated all the funds generated by high-need students.

We urge the district to promptly revise its LCAP to comply with the LCFF regulations and to meet equity promise of the law. We have separately written to the County, urging it to work with the district to remedy this issue before it approves the SRHSD LCAP.

<sup>1</sup> [http://www.publicadvocates.org/wp-content/uploads/non-concentrated\\_district\\_report.pdf](http://www.publicadvocates.org/wp-content/uploads/non-concentrated_district_report.pdf).

These changes are critical given the demographics and disparate student achievements in the district. was chosen for our report in part because in March 2015, the Public Policy Institute of California found SRHSD to have a much higher school-to-district difference than the state average, meaning that high-need students are relatively segregated (as oppose to integrated) across the district.<sup>2</sup> This disparity is best illustrated through contrasting SRHSD's Maria Carrillo High School with Elsie Allen High School.

One of the best performing schools in Santa Rosa High School District is Maria Carrillo High School. According to CDE Enrollment Reports, non-Hispanic Whites make up the majority of students and based on data from the 2015-2016 CDE report on "Student Poverty FRPM," only 16.8% of students are classified as economically disadvantaged. Student achievement in the school is above statewide average, with 69% of students meeting or exceeding the standards for English Language Arts, and 52% of students meeting or exceeding the standards for Mathematics, based on testing through the California Assessment of Student Performance and Progress (CAASPP).

Contrastingly, at Elsie Allen High School Latinos make up 78.1% of enrolled students and 65.4% of students were economically disadvantaged. Only 44% of students meeting or exceeding the English Language Arts standards and 15% of students meeting or exceeding the Mathematics standards. In other words, students at Maria Carrillo are over 1.5 and nearly 3 times more likely to meet state ELA and Math standards than their peers at Elsie Allen. This disparity between school achievement within the same district is exactly why district-wide spending of supplemental funds can be problematic, because it threatens to dilute the promised benefits of the funds which were generated by, and supposed to benefit, high-need students.

## **I. Districtwide Spending Requires Legal Justification**

Under the new funding formula, school districts receive three types of grants: a base grant per student and additional supplemental and concentration grants based on the numbers and percentage of high-need (i.e., low-income, English learner and/or foster youth) students.<sup>3</sup> Recognizing that local educators, parents, and students often understand their needs better than the state legislature, the LCFF gives districts more flexibility to spend their monies on needs specific to their district.

### **A. Legal Requirements**

There is an important caveat to the new flexibility: supplemental and concentration grants must be used to provide increased or improved services to high-need students as compared to the services provided to all students in proportion to the additional funds high-need students generate.<sup>4</sup> Under the regulations, an increase or improvement is defined as a

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<sup>2</sup> Public Policy Institute of California, Implementing California's School Funding Formula: Will High-Need Students Benefit? (March 2015) at [http://ppic.org/main/publication\\_quick.asp?i=1127](http://ppic.org/main/publication_quick.asp?i=1127), and the Technical Appendix, Tables A2 and A3, at [http://www.ppic.org/content/pubs/other/315LHR\\_appendix.pdf](http://www.ppic.org/content/pubs/other/315LHR_appendix.pdf).

<sup>3</sup> The law defines high-need students, also known as unduplicated pupils under the regulations, as low-income students, foster youth, and English language learner students. 5 C.C.R. § 15495(m) (2015).

<sup>4</sup> 5 C.C.R. § 15496(a) (2015).



growth in quantity or quality of service.<sup>5</sup> Under 5 C.C.R. § 15496(b)(2), a school district with unduplicated enrollment under 55% must do three things:

- Identify the services being funded and provided on a districtwide basis;
- Describe how the services are principally directed toward and effective in meeting the district's goals for high-need students; and
- Explain how the services are the most effective use of the funds to meet the goals, as well as provide a basis for this determination by listing any alternatives considered and any research, experience, or educational theory that supports the decision.<sup>6</sup>

Santa Rosa High's use of supplemental funds in its 2016-19 LCAP does not appear to meet these requirements.

B. SRHSD Does Not Properly Justify its Districtwide Expenditures of Supplemental Funds

As the SRHSD LCAP states in Section 3A, 44% of the district's student population is unduplicated low income, English learner, RFEP or foster youth students. This means that the District is required to meet the higher standard and to specifically show the "most effective use" of the supplemental funds. Unfortunately, the SRHSD LCAP does not provide the "most effective use" or "principally directed" justification for its districtwide spending.

To the district's credit, the LCAP does state that services will be proportional to the number of unduplicated students. The District provides the example of counseling, where services would be increased districtwide, but where a school with a large concentration of high needs students might receive counseling services 5-days per week, while a school with a low concentration might receive counseling services 1-day per week. However, this is not clearly reflected in the district's action items in Section 2. For example, H113 in Section 2 captures the action plan to increase counseling services districtwide for all students, however it makes no mention of proportional spending.

In addition, proportional spending does not intuitively make sense for all action items where supplemental funds are used. For instance, H106 states "Use a data system of formative, interim & summative assessments as well as to inform the MTSS in the area of student learning and achievement. Train staff on systems, provide collaboration time for data analysis, provide time of development and implementation of intervention and acceleration," using more than \$170,000 in supplemental funds. While one might guess proportionality could mean some staff receive more collaboration time, or time for development, it is not immediately transparent what

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<sup>5</sup> 5 C.C.R. §§ 15495(k) & (l) (2015). In our extensive reviews of LCAPs over the past two years, our organization has found that many LEAs are confused by Section 3 of the LCAP. Public Advocates teamed up with the Sacramento County Office of Education to provide training and best practices on the proper uses and reporting of supplemental and concentration funds at a joint gathering of more than 40 counties across the state, including the Los Angeles County Office of Education. For your information, those training materials are available at [http://bit.ly/PA\\_Sec3\\_Training](http://bit.ly/PA_Sec3_Training) and the Sacramento County Office of Education website at <https://www.scoe.net/lcap/training/Pages/default.aspx>. See also One-Pager on Section 3 Requirements at [http://bit.ly/LCAP3A\\_3B\\_1-pager](http://bit.ly/LCAP3A_3B_1-pager) and Guiding Questions on the Use of Supplemental & Concentration Funds at [http://bit.ly/5\\_Questions\\_on\\_SC\\_Funds](http://bit.ly/5_Questions_on_SC_Funds).

<sup>6</sup> *Id.*

proportionality means in every instance and how supplemental funds are being “principally directed” to high needs students.

Despite the district’s promise that services will be delivered proportionally to the number of high-need students, it does provide the legally required justifications for its districtwide spending. This is particularly problematic because 100% of the Budgeted Expenditures in the 2016-17 LCAP are districtwide expenditures. Unjustified districtwide spending is especially troubling considering how student achievement in the District varies greatly by zip code, with the more affluent communities performing notably better than the low-income communities of color.

While SRHSD is permitted to spend its supplemental funds districtwide, it must justify spending supplemental funds (generated only by high-need students) when these are allocated in a way that benefits all students. We therefore urge the District to at minimum amend its Section 3 to properly justify its districtwide spending, and if some of these expenditures cannot be justified as the “most effective use” of its supplemental funds, we suggest the District reconsider some of its districtwide spending.

## **II. Transparency and Accountability Regarding Outcomes and Supplemental Funds**

The source of some of the LCAP’s expenditures are not disaggregated, making it unclear whether the District is allocating all the supplemental funds it expects to receive during the 2016-2017 school year. There are over \$5.9 million dollars in Budgeted Expenditures which include supplemental funding along with at least one other funding source. Consequently, of the \$8,137,581.00 the District expects to receive in supplemental grant funds, only \$4,374,689 are clearly allocated in the 2016-17 LCAP. Without disaggregating the data, it is impossible to determine how supplemental funds are being distributed and or whether they are being spent on programs and services serving the district’s high-need students. While the District does disaggregate this data in the Annual Update, the same level of transparency is needed in Section 2 in order for the public to understand how supplement funds are being used to address the district’s inequities in student achievement.

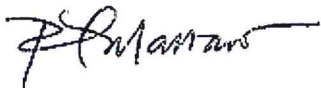
## **III. Remedy Requested**

We are concerned that the District has not properly justified its reasons for allotting all of its supplemental grants to support districtwide services. SRHSD’s LCAP fails to justify how its supplemental funds are being used on programs and services that are principally directed toward, and most effective in, serving the district’s goals for its high-need students. As a non-concentrated District with widely varying distributions of high-need students among its schools, SRHSD must be vigilant to ensure that its supplemental funds reach the high-need students that generate them in order to fulfill the purpose of LCFF.

For the reasons described in this UCP complaint, we urge the District to amend its LCAP. Given the real and significant impact on the future opportunities of high-need students, the district must comply with the LCFF statute and expenditure regulations to keep the equity promise of LCFF alive for SRHSD students.

Please contact us if with any questions regarding our analysis, or for any assistance in making SRHSD's 2016-19 LCAP consistent with legal and statutory requirements.

Respectfully,

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

CC: Members of the SRHSD Board of Education, *via email*