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**CONFIDENTIAL STUDENT DATA IN EXHIBIT 95 - DO NOT DISCLOSE**

October 31, 2019

**VIA E-MAIL (****JCIAS@CDE.CA.GOV****) AND FEDERAL EXPRESS**

California State Board of Education Members

California State Board of Education

1430 N. Street, Suite 5111

Sacramento, CA 95814

Attn: Judy Cias, Chief Counsel

Re: Glendale Unified School District’s Education Code section 35711 Appeal of Los Angeles County Committee on School District Organization’s approval of 25% Petition to Transfer the Sagebrush Area from Glendale Unified School District to La Cañada Unified School District

Dear California State Board of Education Members:

On behalf of the Glendale Unified School District (“GUSD”) as its attorneys of record and pursuant to Education Code section 35711, we hereby submit GUSD’s Appeal Based on Racial or Ethnic Integration (“Appeal”)[1](#_bookmark0) of the Los Angeles County Committee on School District Organization’s (“County Committee”) October 2, 2019 approval of a 25% Petition by “Petitioners” seeking to “Transfer” of a portion of the GUSD’s “Territory” (also known as the Sagebrush Area) located in the City of La Cañada Flintridge (“LCF”) to La Cañada Unified School District (“LCUSD”).

# INTRODUCTION.

The Territory is located within the boundaries of GUSD and falls within the municipal boundaries of LCF. See Figure 1 below. Averaging two miles long and 2,061 feet wide, the Territory is approximately 386 acres and contains approximately 879 parcels. (Exs. 9-12, Sagebrush Maps.) [2](#_bookmark1) The Territory is generally bounded on the south by Foothill Boulevard, on the west and north by

1 GUSD’s Governing Board unanimously authorized this Appeal at its meeting of September 17, 2019.

2 Exhibit numbering is out of numerical order herein to avoid duplication and to maintain the same numbering as exhibits that GUSD presented to the County Committee.

**Exhibit 311**

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the Pickens Canyon Wash, and on the east by Rosebank Drive. (Ex. 13, Transfer Area Affecting Precincts.) Approximately 360 students who live in the Territory attend GUSD schools.[3](#_bookmark2) (Ex. 14, PRA Request, p. 5.)

**Figure 1**

The three GUSD schools primarily attended by residents of the Territory— Mountain Avenue Elementary School, Rosemont Middle School, and Crescenta Valley High School—are located within the area of La Crescenta-Montrose, an unincorporated area that is also located within the Verdugos region of Los Angeles County and is a part of GUSD. (Ex. 18, La Crescenta-Montrose, Mapping L.A., p. 1.)

GUSD appeals the County Committee’s approval of the Transfer on the bases that: (1) GUSD’s Mountain Avenue Elementary School will suffer a substantial loss of 26% of its minority students; (2) GUSD’s Board Policies regarding prevention of racial discrimination and ethnic segregation are more robust than LCUSD’s; (3) The Transfer will significantly impact the

integrated educational experience at GUSD’s Mountain Avenue Elementary School; (4) The Transfer will negatively impact the academic trajectories of English Learners at LCUSD; (5) LCUSD does not promote diversity to the extent GUSD does, as exemplified by the breadth and success of GUSD’s English Learners’ Program; and (6) Backfilling of GUSD’s Mountain Avenue Elementary School is speculative.

# BACKGROUND.

There have been several unsuccessful attempts to transfer Sagebrush in the past. Of particular importance to this appeal, the California State Board of Education (“SBE”) previously heard GUSD’s former appeal of the County Committee’s prior approval of a 25% Petition to Transfer the Sagebrush Area on June 11, 1993. SBE granted GUSD’s former appeal 7-1, overturning the County Committee and prohibiting the 1993 transfer. Note that the petitioners thereafter filed a Petition for Writ of Mandate challenging this approval against SBE and GUSD in Los Angeles County Superior Court. The Territory’s Petition for Writ of Mandate was denied on June 23, 1997. The Territory Petitioners then moved for a new trial, which was granted in part on July 29, 1997 on the issue of the breadth of SBE’s review of the County Committee’s proceedings. SBE appealed and the appellate court affirmed SBE’s grant of GUSD’s appeal of the 1993 transfer.

Since there is no mechanism to prevent duplicative territory petitions, Sagebrush representatives submitted an identical request for a 25% Petition to Transfer the Territory from GUSD to LCUSD on November 23, 2015. Petitioners gathered signatures and presented them to the County

3 Enrollment figures will differ slightly based on the timeframe the data was collected.

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Committee on September 6, 2016. Public hearings were held in LCUSD on October 26, 2016 and GUSD on November 2, 2016. LCUSD supported the Petition, while GUSD opposed the Petition.

County Committee Staff recommended that the County Committee deny the Petition. (Ex. 304, County Committee Staff Report.) The County Committee Staff Report specifically found that the Petition did not substantially meet Conditions 2, 3, 5, 7, and 9. (*Id*. at p. 2.) Because the Petition failed to substantially meet all nine Conditions, Staff recommend that the County Committee deny the Petition. (*Ibid.*) However, on Condition 4, the County Committee Staff recommended finding it substantially met. (*Ibid*.) Relying on its February 10, 2017 report, the County Committee Staff noted GUSD’s overall enrollment was 55% White, 23% Hispanic, 18% Asian, and 1% African American students. (*Id*. at p. 15.) It noted that California Department of Education (“CDE”) supplied enrollment percentages of 51% White, 12% Hispanics, 29% Asian, and 1% African American. (*Ibid*.) Staff’s Conclusion and Recommendation stated:

“The potential shift of the students from the petition area within the Glendale USD to the La Cañada USD would not have a discernable impact on the ethnic or racial distribution of either district. Because there are so few students, and the districts have similar ethnic/racial makeups, percentage distribution across ethnic categories would remain very similar for both following transfer resulting from approval of this petition. Further, many of the students residing in the petition area already enroll in La Cañada USD schools. If the petition is approved, those students in the petition area who currently enroll in Glendale USD schools could choose to continue those enrollments via permit. It is concluded that the proposed petition, if approved, would not promote racial or ethnic discrimination in any of the impacted school districts. Therefore, it is recommended that the County Committee deem this condition to be substantially met.” (*Id*. at p. 16.)

On October 2, 2019, the County Committee did not discuss Condition 4 at all, and instead, found (on a vote of 6-3) that all Conditions were substantially met and approved the 25% Petition and Transfer. (See enclosed audio files of the October 2, 2019 County Committee meeting.)

# CONDITION 4 REQUIRING A TRANSFER TO NOT PROMOTE RACIAL OR ETHNIC DISCRIMINATION OR SEGREGATION IS NOT SUBSTANTIALLY MET.

## Condition 4 and Specific Factors Considered.

Condition 4 requires that “[t]he reorganization of the school districts will preserve each affected district’s ability to educate pupils in an integrated environment and will not promote racial or ethnic discrimination or segregation.” (Ed. Code, § 35753(a)(4).) In determining whether Condition 4 has been substantially met, the County Committee must consider the following factors:

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1. The current number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts, compared with the number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts if the proposal or petition were approved;
2. The trends and rates of present and possible future growth or change in the total population in the districts affected, in each racial and ethnic group within the total district, and in each school of the affected districts;
3. The school board policies regarding methods of preventing racial and ethnic segregation in the affected districts and the effect of the proposal or petition on any desegregation plan or program of the affected districts, whether voluntary or court ordered, designed to prevent or alleviate racial or ethnic discrimination or segregation;
4. The effect of factors such as distance between schools and attendance centers, terrain, and geographic features that may involve safety hazards to pupils, capacity of schools, and related conditions or circumstances that may have an effect on the feasibility of integration of the affected schools;
5. The effect of the proposal on the duty of the governing board of each of the affected districts to take steps, insofar as reasonably feasible, to alleviate segregation of minority pupils in schools regardless of its cause. (5 Cal. Code of Regs., § 18573(a)(4)(A) through (E).)
6. Additionally, the County Committee may also consider the following:
	1. Participation in extracurricular activities;
	2. Equipment of affected school districts;
	3. Condition of facilities of affected school districts;
	4. Perception of staff, administrators, and community regarding whether schools are segregated; and
	5. Racial/ethnic makeup of staff and administration.

(Ex. 8, Policies of the Los Angeles County Committee on School District Organization, Appendix 4, pp. 3-4.)

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## The Percentage of Racial and Ethnic Groups Within Mountain Avenue School Will Be Dramatically Reduced by 26%.

The County Committee Staff’s analysis of Condition 4 is incomplete. The County Committee Staff’s analysis mostly focused on a district-wide analysis. Yet, the regulations and the County Committee’s own policies require consideration of racial and ethnic effects at the affected District’s schools. The only consideration of the impact on Mountain Avenue Elementary School by the County Committee’s Staff was mentioning that not many students would be transferred. The County Committee Staff went on to conclude that the Transfer “would not promote racial or ethnic discrimination ***in any of the impacted school districts***.” (Ex. 304, County Committee Staff Report, p. 16 of the 2017 Staff Report, pdf. p. 40.) The County Committee and County Committee Staff ignored the evidence GUSD provided.

GUSD’s Mountain Avenue Elementary School will experience a significant loss of minority students. As indicated in Table 11 below, the Transfer would result in a loss of approximately 25.90% of the minority students currently attending Mountain Avenue Elementary School.[4](#_bookmark3) (*See* Table 11.)

LCUSD’s Palm Crest Elementary School would experience an approximate 19.88% increase in minority students. (*Ibid.*) The Transfer will also increase LCUSD’s Palm Crest Elementary School’s White students by 26.06%. (*Ibid.*) Due to the substantial reduction in racial and ethnic students within Mountain Avenue Elementary School, its student body will experience a dramatic shift in the racial and ethnic integration that currently exists. The substantial reduction in minorities will impact the GUSD’s ability to educate its students at Mountain Avenue Elementary School and other GUSD schools in a fully integrated environment and affect the academic trajectories of Territory students transferred away to LCUSD.

This information was presented to the County Committee by GUSD’s letter dated November 2, 2016. (Ex. 305, pp. 23-27.) Neither the County Committee Staff nor the County Committee addressed this evidence of the significant impact on GUSD’s Mountain Avenue Elementary School.

4 Enrollment figures will differ slightly based on the timeframe the data was collected.



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### **Table 11**[**5**](#_bookmark4)

|  |  |
| --- | --- |
|  |  |
| **Mountain Avenue Elementary School** | **American Indian or Alaska Native, Not Hispanic** | **African American, Not Hispanic** | **Asian, Not Hispanic** | **Filipino, Not Hispanic** | **Hispanic or Latino of Any Race** | **Pacific Islander, Not Hispanic** | **Whit****e, Not Hispanic** | **Total Students** | **Total Minority Students** | **%****Change**[**6**](#_bookmark5) **in Minority Students** | **%****Change**[**7**](#_bookmark6) **in White Students** |
| **CURRENT** | **#** | 2 | 3 | 124 | 15 | 77 | 1 | 299 | **521** | 251 | (25.90%) | (24.75%) |
| **TRANSFER** | **#** | 0 | 3 | 40 | 4 | 18 | 0 | 74 | 139 | 65 |
| **AFTER** | **#** | 2 | 0 | 84 | 11 | 59 | 1 | 225 | 382 | 186 |
| **Palm Crest Elementary School** | **American Indian or Alaska Native, Not Hispanic** | **African American, Not Hispanic** | **Asian, Not Hispanic** | **Filipino, Not Hispanic** | **Hispanic or Latino of Any Race** | **Pacific Islander, Not Hispanic** | **White, Not Hispanic** | **Total Students** | **Total Minority Students** | **%****Change in Minority Students** | **%****Change in White Students** |
| **CURRENT** | **#** | 0 | 9 | 155 | 9 | 92 | 0 | 284 | **549** | 327 | 19.88% | 26.06% |
| **TRANSFER** | **#** | 0 | 3 | 40 | 4 | 18 | 0 | 74 | 139 | 65 |
| **AFTER** | **#** | 0 | 12 | 195 | 13 | 110 | 0 | 358 | 688 | 392 |

(Exs. 93, MAES Enrollment by Ethnicity for 2015-2016; 94, Palm Crest ES Enrollment by Ethnicity for 2015-2016; 95, GUSD Students Residing in Sagebrush - Ethnicity and English Learner Status 2016-2017, pp. 4-7.)

transfer.

5 Enrollment figures will differ slightly based on the timeframe the data was collected.

6 The percent change calculations were determined for each school by comparing current total minority students and total minority students after the

7 The percent change calculations were determined for each school by comparing current total white students and total white students after the transfer.

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## GUSD’s School Board Policies Regarding Methods of Preventing Racial and Ethnic Segregation Is More Robust than LCUSD’s.

GUSD presented the following additional evidence on the Transfer impact on racial and ethnic students in its letter dated November 2, 2016. (Ex. 305, GUSD Transfer Opposition Letter, November 2, 2016, pp. 26-27.) One method of preventing racial and ethnic segregation in schools is by providing English learners with English Language Development instruction targeted to each student’s unique English proficiency and appropriate academic level. An “English Learner” is defined as “students with a primary language other than English and who lack the defined English language skills of listening comprehension, speaking, reading, and writing necessary to succeed in a school’s regular instructional programs.” (Ex. 96, GUSD KidsData Demographics, p. 7.)

As of 2015, approximately 6,268, or 24%, GUSD students were English Learners.[8](#_bookmark7) (*Ibid*.) In the interest of providing equal opportunities for all students, the GUSD School “Board is committed to a program for all students which shall reflect the contributions of all ethnic groups to the common culture and shall be designed to promote positive self-concepts and cross cultural understanding. All students must learn to respect and work cooperatively with persons of all backgrounds. Instruction shall assist students in realizing the value of individual differences, as well as the human dignity and the worth of all people. Education that recognizes the value of differences and yet emphasizes our commonalities can weld the District and community together and provide the foundation for basic understanding, trust, and effective communication.” (Ex. 97, GUSD Board Policy BP 6174, p. 1.)

As a means of enhancing district-wide instructional strategies for English Learner students, GUSD offers English Learners unique academic programs that are designed to develop English language proficiency and provide outstanding educational opportunities to all district students. (Ex. 98, GUSD Pathways to Graduation, p. 7; Ex. 97, GUSD Board Policy BP 6174, p. 1; Ex. 99, GUSD Parent Handbook 2016-2017, pp. 8, 14.) “The dual objective for [GUSD’s]… English learners is that they will develop proficiency in English rapidly and effectively and will maintain academic progress in accordance with students of the same age or grade, whose primary language is English.” (Ex. 99, GUSD Parent Handbook 2016-2017, p. 14.)

As a result, GUSD’s “English learners are provided with meaningful access to grade-level academic content via appropriate instruction to develop academic English language proficiency.” (*Ibid.*) Such programs including structured English immersion, English language academic mainstream program, and the alternative dual immersion program. (*Id.* at pp. 14-15.) In particular, nine of the 21 elementary schools in GUSD also provide a structured dual language program to GUSD students. (Ex. 100, GUSD FLAG Programs, pp. 1-2.) A selection of the dual language

8 Enrollment figures will differ slightly based on the timeframe the data was collected.

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programs offered to English learners in GUSD include 90/10 programs in French, German, Italian, and Spanish; and 50/50 programs in Armenian, Japanese, and Korean. (*Id.* at pp. 4-6.)

Approximately 159 Territory students attend GUSD’s Mountain Avenue Elementary School.[9](#_bookmark8) (Ex. 14, PRA Request, p. 3; Ex. 95, GUSD Students Residing in Sagebrush - Ethnicity and English Learner Status 2016-2017, pp. 4-7.) Of these students, 43 students speak a language other than English as their primary language. (Ex. 95, GUSD Students Residing in Sagebrush - Ethnicity and English Learner Status 2016-2017, pp. 4-7.) The English Language Learner (“ELL”) status varies for each of these 43 students, from ELL-Beginning to English Proficient. (*Ibid.*)

Approximately 42 Territory students attend GUSD’s Rosemont Middle School. (*Id.* at p. 7.) Of these students, 16 students speak a language other than English as their primary language. (*Ibid.*) The ELL status varies for each of these 16 students. (*Ibid.*)

Approximately 106 Territory students attend GUSD’s Crescenta Valley High School. (*Id.* at pp. 1-3.) Of these students, 38 students speak a language other than English as their primary language. (*Ibid.*) The ELL status varies for each of these 38 students. (*Ibid.*)

GUSD has and continues to provide excellent and award-winning language immersion programs for English learners, including for those students residing in the Territory. However, research suggests that LCUSD provides no structured dual language programs to its ELL students. Instead, pursuant to the LCUSD Board Policy, “The [LCUSD School] Board encourages staff to exchange information with staff in other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.” (Ex. 101, LCUSD Board Policy BP 6174, p. 1.)

Thus, if the Petition were affirmed, English Learners residing in the Territory would be transferred to a school environment that lacks GUSD’s robust instructional and academic support that is targeted to each student’s unique English proficiency, to ensure that those students are provided a meaningful and equal education. The lack of equal educational opportunities for English Learners residing within the Territory could lead to further racial or ethnic discrimination or segregation due to those students not having access to equal educational opportunities as their non-English Learner counterparts.

## The Transfer Will Significantly Impact the Integrated Educational Experience at GUSD’s Mountain Avenue Elementary School.

GUSD provided an analysis that the Transfer will affect GUSD’s ability to provide an integrated educational experience for its students in its letter of September 6, 2018. (Ex. 306, GUSD Supplemental Opposition Letter dated September 6, 2018, pp. 20-21.) “‘Integrated educational

9 Enrollment figures differ slightly based on the timeframe the data was collected.

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experience’ means the process of education in a racially and ethnically diverse school ***that has as its goal equal opportunities for participation and achievement among all racial and ethnic groups in the academic program and other activities of the school***, together with the development of attitudes, behavior, and friendship ***based on the recognition of dignity and value in differences as well as similarities***.” (Ex. 240, CDE School District Organization Handbook, Appendix M, p. M-7, emph. added.)

However, as discussed above, the Transfer will result in the loss of 26% of minority students currently attending GUSD’s Mountain Avenue Elementary School. The Transfer would thus result in the loss, en masse, of students from diverse racial and ethnic backgrounds, including African American students, Filipino students, White students, and Hispanic or Latino students. The Transfer would cause GUSD’s Mountain Avenue Elementary School to lose:

* 100% of African American students;
* 32% of Asian students;
* 27% of Filipino students;
* 25% of White students; and
* 23% of Hispanic or Latino students.

(Ex. 305, GUSD Transfer Opposition Letter, November 2, 2016, p. 25.) Such a dramatic loss could easily result in degrading the integrated educational experience at GUSD’s Mountain Avenue Elementary School. Yet, neither the County Committee nor its Staff addressed this evidence or impact.

## The Transfer Will Negatively Impact the Academic Trajectories of English Learners at LCUSD.

Unlike GUSD, LCUSD provides no structured dual language programs to its English Learner students. (*Id*. pp. 26-27; Ex. 101, LCUSD Board Policy BP 6174, p. 1.) Up to 27% of the Territory students attending GUSD speak a language other than English as their primary language. (Ex. 305, GUSD Transfer Opposition Letter, November 2, 2016, p. 27; Ex. 14, PRA Request, p. 3; Ex. 95, GUSD Students Residing in Sagebrush - Ethnicity and English Learner Status 2016-2017, pp. 1-7.) The ELL status varies for these students, from ELL-Beginning to English Proficient. (Ex. 305, GUSD Transfer Opposition Letter, November 2, 2016, p. 27; Ex. 95, GUSD Students Residing in Sagebrush - Ethnicity and English Learner Status 2016-2017.)

The Transfer will result in English Learners residing in the Territory being transferred to a school environment lacking academic and instructional support that has been targeted to each student’s unique English proficiency and is designed to ensure that those students are provided an equal and meaningful education. (Ex.305, GUSD Transfer Opposition Letter, November 2, 2016, p. 27*.*) Thus, these students will experience an education unequal from that of their non-English Learner

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counterparts, which may result in racial or ethnic discrimination or segregation. (*Ibid.*) As a result, the Transfer will also likely disrupt the academic trajectory of English Learners residing in the Territory. (*Ibid.*)

Unfortunately, this Transfer will promote racial discrimination or ethnic segregation within GUSD and will negatively impact students’ ability to participate in an integrated and equal learning environment.

## LCUSD Does Not Promote Diversity to the Extent GUSD Does, As Exemplified by the Breadth and Success of GUSD’s English Learners’ Program.

Petitioners acknowledged that a 2012 U.S. Department of Education (“USDOE”) study “identified both LCUSD and GUSD as among the 30 highest performing K-12 districts in California.” (Ex. 307, Petitioners’ Jan. 9, 2019 Letter, p. 15 (citing *Raising All Boats: Identifying and Profiling High-Performing California School Districts*, Appendix A, p. 26).) Of the 30 schools, GUSD was one of only six schools featured in the study; LCUSD was not. (*Id.* at p. ii.) Important to the promotion of racial and ethnic equality, the study acknowledged that “a focus on English learners has been a priority for” GUSD. (*Id.* at p. 11.) The study revealed that 30% of GUSD’s students are ELLs, compared to only 5% of LCUSD’s student body. (*Id.* at Appendix A, p. 26.)

Petitioners further contended that “English Learners are well provided for” in LCUSD. (Ex. 307, Petitioners’ Jan. 2019 Letter, p. 15.) What Petitioners cannot dispute is that GUSD does it better. Of the LCUSD students that are ELLs, only 19.9% were determined to be proficient in English in 2017-18. (Ex. 282, EdData, LCUSD District Profile.) In comparison, 31.3% of GUSD’s English learners were English proficient in 2017-18. (Ex. 283, EdData, GUSD District Profile.) The success of ELLs within GUSD is a testament to the commitment of GUSD’s Board, teachers, and staff to providing equal racial and ethnic opportunities to all GUSD students. (Ex. 97, GUSD Board Policy BP 6174, p. 1; Ex. 98, GUSD Pathways to Graduation, p. 7; Ex. 99, GUSD Parent Handbook 2016-2017, pp. 8, 14-15; Ex. 100, GUSD FLAG Programs, pp. 1-2, 4-6.) This evidence demonstrates that GUSD surpasses LCUSD when it comes to promoting racial and ethnic equality. Unfortunately, both the County Committee and its Staff remained silent on these arguments and evidence.

## Backfilling of GUSD’s Mountain Avenue Elementary School Is Speculative and Does Not Guarantee Racial or Ethnic Diversity.

Petitioners argued that GUSD schools neighboring Mountain Avenue Elementary School are overcrowded and can backfill the void at Mountain Avenue Elementary School due to the Transfer. (Ex. 308, 2016 Petitioners’ Brief, pp. 61, 64.) GUSD rebuked this argument in its letter to the County Committee dated April 26, 2017. (Ex. 309, p. 14.)

GUSD explained there was no documentation provided by Petitioners to support their argument. (*Ibid*.) To avoid overcrowding, the SBE recognizes and permits “capping” of grade levels within

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a school to ensure optimal classroom sizes. (Ex. 229, GUSD BP 5115, p. 1.) Under capping procedures, students are "reassigned by Student Support Services to the nearest school having an opening. All reassigned students will be given priority to return to their neighborhood school the following year... [and] students [that] have been reassigned [are offered] the opportunity to return to their neighborhood school as space becomes available, though such students may be encouraged to complete their school year in their assigned school to maintain continuity of instruction. " *(Ibid.)* Of the capped students in the 2016-17 academic year, only two students districtwide were temporarily transferred to Mountain Avenue. (Ex. 230, GUSD Capped Students 2016-17, p. 1.) As a result, there is no support for Petitioners' assertion that neighboring schools " would provide an option for GUSD schools choosing an intra-district transfer" to compensate for the loss of the Territory students. (Ex. 308, 2016 Petitioners' Brief, p. 61.) Petitioners' unsupported argument should be disregarded.

Further, the existing agreement between GUSD and LCUSD that allows students to attend the school of their choice is not predictive of a Territory Transfer' s impact on the two districts , because the permit and release process occurs on a rolling, per student basis. GUSD's inter-district permit and release process does not occur on a widespread basis or result in a broad swath of students leaving GUSD schools at the same time.

There was no discussion by either the County Committee or its Staff on Petitioners' argument or the District's response in the County Committee's Staff Report or at the County Committee's meeting on October 2, 2019.

1. **CONCLUSION.**

The Transfer will promote racial discrimination or ethnic segregation due to the substantial loss of 26% of minority students from GUSD' s Mountain Avenue Elementary School; LCUSD' s weaker Board Policies on racial discrimination and ethnic segregation; the Transfer's impact to GUSD's integrated educational experience ; the negative impact to the academic trajectories of transferred ELLs at LCUSD; LCUSD's inferior ELLs Program; and the speculative backfilling of GUSD' Mountain Avenue Elementary School. Accordingly , GUSD respectfully requests that SBE grant GUSD' s Education Code section 35711 Appeal and reverse the County Committee's approval of the Petition to Transfer the Territory from GUSD to LCUSD.

SMB:ml Enclosures

Very truly yours,

**ORBACH HUFF SUAREZ & HENDERSON LLP**

 Stan M. Barankiewicz II

Counsel for Glendale Unified School District

cc: Vivian Ekchian, Ed.D., GUSD Superintendent of Schools