



**CALIFORNIA DEPARTMENT  
OF EDUCATION**

**TOM TORLAKSON**  
STATE SUPERINTENDENT OF  
PUBLIC INSTRUCTION

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January 7, 2019

John Perryman  
[REDACTED]  
[REDACTED]

Dear Mr. Perryman:

Subject: Request for Appeal – Sacramento City Unified School District  
John Perryman, Appellant

The Local Agency Systems Support Office (LASSO) of the California Department of Education (CDE) is in receipt of your request for appeal received on October 5, 2018. You are appealing the Decision of the Sacramento City Unified School District (District) dated September 21, 2018.

### **I. Background**

The Local Control Funding Formula (LCFF) statute authorizes the filing of an administrative complaint pursuant to the Uniform Complaint Procedures (UCP) to resolve allegations that a local educational agency (LEA)<sup>1</sup>, such as a school district, failed to meet the requirements of Article 4.5 (Local Control and Accountability Plans and the Statewide System of Support [52059.5 – 52077]) (California *Education Code* [EC] Section 52075; *California Code of Regulations*, Title 5 (5 CCR) Section 4600 et seq.). On July 20, 2018, John Perryman (Appellant) submitted a UCP Complaint (Complaint) to the District, alleging that the District's 2018-19 Local Control and Accountability Plan (LCAP) violates the LCFF statute. The District issued its Decision on September 21, 2018. The Appellant appealed this Decision to the CDE on October 5, 2018. The Local Agency Systems Support Office (LASSO) of the CDE received the appeal on October 18, 2018.

Upon receipt of the appeal, LASSO sent a notice of appeal letter, dated October 24, 2018, to the District requesting the investigation file and other applicable documentation

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<sup>1</sup> LEA means a school district, county office of education, or charter school (5 CCR 15495(d)).

as required by 5 CCR Section 4633. The CDE received the District's documentation on October 30, 2018.

The initial Complaint submitted to the District by the Appellant alleges in part that SCUSD failed to comply with the legal requirements pertaining to its 2018-19 LCAP. The Complaint includes additional allegations outside the scope of LCFF statute. LASSO is responding only with respect to allegations of violations of LCFF statute. Other offices within the CDE may respond to other allegations outside the scope of LCFF statute, which will be processed separately.

Following receipt of this documentation from the District, the CDE reviewed all material received related to the Complaint, applicable laws, and the District's complaint procedures. 5 CCR 4633(i)(1) requires the CDE to include a finding that the LEA complied or did not comply with its complaint procedures. LASSO has reviewed the complaint procedures for the District and finds that the District fully complied with its complaint procedures in this matter.

## **II. Summary of Complaint, District Decision, and Appeal**

### **The Complaint**

The following allegations were made in the Complaint:

**Allegation 1:** Allegation 1 addresses the issue of stakeholder engagement requirements pertaining to the development of an LCAP. The Complaint alleges that "community input for LCAP decision making" is not compliant with 5 CCR sections 15494(b) or 15495 because the community input process did not include instruction to the community about the restrictions on supplemental and concentration grant funds (Complaint, Part A, p. 1). According to the Complaint, this is required by 5 CCR 15494(b).

Even if true, Allegation 1 would not constitute a violation of law. There is no requirement to provide specific instruction to stakeholders about statute or regulations during the LCAP development process. 5 CCR 15494(b) does reference requirements -that apply to LCFF funds apportioned on the basis of the number and concentration of unduplicated pupils. 5 CCR 15495 provides definitions of terms used in regulations. However, there are no statutory or regulatory requirements for an LEA to instruct or otherwise inform stakeholders and community members about the specific content of regulations pertaining to the LCAP development process. As such, this Allegation is not addressed further in this report.

**Allegation 2:** Allegation 2 addresses federal funds apportioned under Title I of the Every Student Succeeds Act. This allegation is outside the scope of LCFF statute and is not addressed further in this report.

**Allegation 3:** Allegation 3 addresses an LEA's requirement to increase or improve services for unduplicated students. The Complaint references the following six actions in the District's 2018-19 LCAP as not being adequately described as principally directed towards or effective in meeting district goals for unduplicated students.

- Goal 1, Actions 1, 4, 6, 17
- Goal 2, Actions 4, 8

The Complaint alleges that the description provided for each of these actions in the 2018-19 LCAP do not satisfy the requirement, as provided in 5 CCR Section 15496, to describe these actions as principally directed towards and effective in meeting the LEA's goals for its unduplicated students.

### **District's Decision**

**Allegation 3:** The District's response to Allegation 3 states:

"The Complaint asserts that the District's choices to use supplemental and concentration grant funds for Librarians, Counselors, School Psychologists, Assistant Principals, Nurses and Collaborative Time does not meet requirements to be principally directed to unduplicated pupils. The District describes in the LCAP Section "Demonstration of Increased and Improved Services," its justification for use of the funds for these positions and program. To date, the District's rationale has been supported by SCOE for these positions." (Decision, p. 6).

### **Appeal**

**Allegation 3:** The Appeal reiterates the main points of the Complaint and states that the District misinterprets the law in its Decision by stating that the LCAP includes sufficient justification for the use of supplemental and concentration grant funds. The Appeal claims that the District's Decision does not disagree with the Appellant's interpretation of law regarding the requirement for an LEA to demonstrate in its LCAP how it plans to increase or improve services for unduplicated students nor does the District disagree with the Appeal's characterization of services in the LCAP as a misrepresentation of fact.

### III. Legal Authorities

California *Education Code* sections 44238.01, 42238.02, 42238.07, 52059.5 – 52077  
*California Code of Regulations* sections 15494 – 15497

### IV. CDE Findings of Fact and Conclusions of Law

#### Allegation 3

The LCFF apportions additional funds to LEAs on the basis of the number and concentration of unduplicated students (low-income, English learner, and foster youth) (*EC* sections 42238.02, 42238.07). These funds are commonly referred to as “supplemental and concentration grant funds.” LEAs are required to increase or improve services for unduplicated students as compared to the services provided to all students in the fiscal year in proportion to the additional funding provided (*EC* Section 42238.07; 5 *CCR* 15496). “To improve services” means to “grow services in quality,” and “to increase services” means to “grow services in quantity” (5 *CCR* Section 15495(k) and (l)).

As such, there is no spending requirement; rather, an LEA must demonstrate in its LCAP how the services provided will meet the requirement to increase or improve services for unduplicated students over services provided for all students in the LCAP year. Regulations provide the formula for calculating the percentage by which services must be proportionally increased or improved for unduplicated students above services provided to all students in the fiscal year (5 *CCR* 15496(a)(1)–(8)).

The collective set of services described by an LEA that will contribute to meeting the required proportional increase or improvement in services for unduplicated students over services provided to all students may include two categories of services:

- Services that are limited to serving one or more unduplicated student group, and
- Services that upgrade the entire educational program of an LEA or a school site(s).

Services of the latter category are referred to as either a schoolwide or an LEA-wide (i.e., districtwide, countywide, or charterwide) service. An LEA is required to follow the LCAP Template approved by the State Board of Education (SBE) (*EC* Sections 52064, 52070). The Demonstration section requires an LEA to identify the amount of its LCFF funds in the LCAP year calculated on the basis of the number and concentration of unduplicated students, and to identify the percentage by which it must increase or improve services for unduplicated students over all students. Also in this section, the

LEA must describe how the services provided for unduplicated students are increased or improved by at least this percentage, either quantitatively or qualitatively, as compared to services provided for all students in the LCAP year (*EC* Section 42238.07; 5 *CCR* Section 15496).

The LCAP template requires an LEA to identify each action/service contributing to the increased or improved services requirement that is funded and provided on a schoolwide or LEA-wide manner, and to include the required description supporting each schoolwide or LEA-wide action/service. An LEA such as Sacramento City Unified School District, which has an unduplicated student enrollment greater than 55%, must describe in its LCAP how the actions/services are “*principally directed towards*” and “*effective in*” meeting its goals for unduplicated students in the state and any local priority areas<sup>2</sup> (*EC* Section 42238.07, 5 *CCR* Section 15496(b)).

To provide the required justification for services provided on a “wide” basis, an LEA must distinguish between services directed toward unduplicated students based on that status, and services available to all students without regard to their status as unduplicated students or not. An LEA describes how a service is principally directed to meeting the LEA’s goals for unduplicated students in any state or local priorities when it explains in its LCAP how it considered factors such as the needs, conditions, or circumstances of its unduplicated students, and how the service takes these factors into consideration (such as, for example, by the service’s design, content, methods, or location).

In addition, the description must explain how the service will be *effective* in meeting the LCAP goals for its unduplicated students. An LEA meets this requirement by providing in the LCAP an explanation of how it believes the action/service will help achieve one or more of the expected outcomes for the goal. Conclusory statements that an action/service will help achieve an expected outcome for the goal, without further explanation as to how, are not sufficient.

When an LCAP contains the necessary descriptions as described above for actions/services provided on a wide basis, it will be apparent how the LEA is acting to increase or improve services for unduplicated students, and why it has determined the services identified will be effective to achieve its goals for unduplicated students.

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<sup>2</sup> Schoolwide services at a district school with enrollment of unduplicated pupils that is 40 percent or more of its total enrollment must be supported by the same description. Schoolwide services at a school district school with less than 40 percent unduplicated pupil enrollment must be supported by the additional description of how the schoolwide use of funds is the *most effective* use of the funds to meet the LEA’s goals for its unduplicated pupils. This tripartite explanation is also required for action/services provided on an LEA-wide basis in an LEA with unduplicated pupil enrollment of less than 55%. (5 *CCR* 15496(b)).

The Complaint references six specific actions/services in the District's 2017-20 LCAP adopted for the 2018-19 year, which are included as contributing to meeting the increased or improved services requirement (i.e. Goal 1, Actions 1, 4, 6, 17; Goal 2, Actions 4, 8). The Complaint alleges that these actions/services are not sufficiently described as being principally directed towards and effective in meeting the District's LCAP goals for its unduplicated students.

Goal 1, Actions 1, 17 and Goal 2, Action 8 are indicated as LEA-wide. Goal 1, Actions 4, 6 and Goal 2, Action 4 are indicated as schoolwide. As such, the District is required to demonstrate in its LCAP how these actions/services are principally directed towards and effective in meeting the District's goals for its unduplicated students in the state and any local priorities.

***Goal 1, Action 1***

Regarding Goal 1, Action 1, the Complaint explicitly alleges that this action is not adequately justified for both the 2017-18 and 2018-19 LCAP years.

This action is indicated as LEA-wide in both LCAP years and described in the 2017-18 LCAP year as follows:

"A basic educational program is provided to all students in Sacramento City Unified School District as the foundation to developing College and Career Ready students. In order to improve student learning, close achievement gaps and ensure students are college, career, and life ready, the district will provide certificated salaries and benefits to attract teachers who are highly qualified to provide exemplary services to all students, including unduplicated counts."

"One hour weekly is provided for collaborative time professional learning activities that may focus on examining student work, analyzing school/student data, planning and developing curriculum and assessments." (2018-19 SCUSD LCAP, p. 19).

This action is described in the 2018-19 LCAP year as follows:

"A basic educational program is provided to all students in Sacramento City Unified School District as the foundation to developing College and Career Ready students. Kindergarten through third grade classes will be a maximum of 24 students per class. Maintain class size reduction at 24:1 in K-3, and maintain professional learning through collaborative time." (2018-19 SCUSD LCAP, p. 81).

In the Demonstration section for the 2017-18 LCAP year as included in the LCAP adopted for the 2018-19 year (pp. 171 – 176), the District includes the following justification for this action:

“SCUSD has allotted supplemental and concentration funds to maintain a class size reduction to a ratio of 24:1 in Kindergarten to third grade (Goal 1, Action 1). Reducing class size has been identified as an effective strategy for increasing student achievement, but especially in the primary grades, and especially for low income and minority students as stated in “Does Class Size Matter?” (Schanzenback, D.W. (2014). Boulder, CO: National Education Policy Center. Retrieved from <http://nepc.colorado.edu/publication/does-class-size-matter>.” (2018-19 SCUSD LCAP, p. 172).

“SCUSD’s spring 2017 survey of stakeholder priorities identified “teacher recruitment and retention” as the number one priority among most stakeholder groups. The district’s educational program has been adversely affected by teacher turnover, especially in schools with a high population of unduplicated students. In order to improve student learning, close achievement gaps, and ensure students are college, career and life ready, the district will maintain a competitive salary and benefit package. The district expects to see a reduction of teacher turnover and the retention of experienced classroom teachers, as well as an increased ability to recruit highly qualified candidates who will be effective in supporting the academic needs of the unduplicated students who are the majority of our district.” (2018-19 SCUSD LCAP, p. 172).

In the Demonstration section provided for the 2018-19 LCAP year (pp. 166-171), the District includes the following justification for this action:

“Action 1.1: In order to improve student learning, close achievement gaps, and ensure students have an equal opportunity to graduate with the greatest number of postsecondary choices from the widest array of options, the district will maintain a competitive salary and benefit package for the certificated staff who serve them. As a high-need urban school district, hiring challenges have been documented. With a competitive package, the district expects to see a reduction of teacher turnover and the retention of experienced classroom teachers, as well as an increased ability to recruit highly qualified candidates who will be effective in supporting the academic needs of the unduplicated students who are the majority of our district.

“Additional funding to support high quality first instruction provides certificated staff with an extra hour weekly for collaborative time to review data, assess student work, and plan instruction to meet the needs of unduplicated pupils. Teacher professional communities that are part of practice (and not an "add-on")

are an effective way to build pedagogical knowledge. (Darling-Hammond, L. [2005] Professional Development Schools: Schools for Developing a Profession). SCUSD has also allotted S/C funds to maintain class size reduction in K-3. Reducing class size has been identified as an effective strategy for increasing student achievement, but especially in the primary grades, and especially for low income and minority students as stated in “Does Class Size Matter?” (Schanzenbach, D.W. (2014). Boulder, CO: National Education Policy Center. Retrieved from <http://nepc.colorado.edu/publication/does-class-size-matter>.” (2018-19 SCUSD LCAP, pp. 166-167).

The justification provided for both years accounts for the provision of attractive teacher salaries and benefits and professional learning in terms of class size reduction for kindergarten to third grade. The District claims that class size reduction is an effective strategy for increasing student achievement for low income students. The District references a policy brief by the National Education Policy Center to support this claim. This policy brief states the following:

“Smaller classes are particularly effective at raising achievement levels of low-income and minority children.” (p. 2).<sup>3</sup>

“The payoff from class-size reduction is larger for low-income and minority children, while any increases in class size will likely be most harmful to these populations.” (p. 3).<sup>4</sup>

Thus, the justification applicable to Goal 1, Action 1 in both LCAP years does consider factors such as the needs, conditions, or circumstances of its unduplicated students, and how the actions/services takes these factors into consideration. The District presents a need to increase student achievement for low income students and provides a research supported strategy to address this need. The District has also described how it believes the action/service will help achieve one or more of the expected annual measurable outcomes for the goal by directly relating the action to student achievement. Expected Annual Measurable Outcomes for Goal 1 include metrics of student achievement such as scores on state assessments with specific outcomes indicated for the low income student group. As such, it is clear how the District intended that this action provide increased or improved services for unduplicated students as compared to the services provided to all students.

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<sup>3</sup> Schanzenbach, D.W. (2014). Does Class Size Matter? Boulder, CO: National Education Policy Center. Retrieved November 30, 2018, from <http://nepc.colorado.edu/publication/does-class-size-matter>

<sup>4</sup> Schanzenbach, D.W. (2014). Does Class Size Matter? Boulder, CO: National Education Policy Center. Retrieved November 30, 2018, from <http://nepc.colorado.edu/publication/does-class-size-matter>



### **Goal 1, Action 4**

Goal 1, Action 4 is indicated as schoolwide and described in the 2018-19 LCAP as follows:

“District librarians assist with research and project-based learning. Low income, English learner and foster youth have access to instructional technology resources to enhance instruction and provide college and career readiness activities.” (2018-19 SCUSD LCAP, p. 21).

In the Demonstration section of the 2018-19 LCAP, the District includes the following justification for this action:

“Action 1.4: District librarians at the secondary level are included in S/C funding in order to ensure that unduplicated students have access to instructional resources. Research shows that school librarians and access to effective school library programs positively impacts student achievement, digital literacy, and school climate/culture. School librarians will provide personalized, rigorous learning experiences supported by technology, offering instruction and equitable access to print and digital resources to ensure a well-rounded education for unduplicated pupils. SCUSD believes that staffing libraries with certified librarians can help close achievement and opportunity gaps.” (2018-19 SCUSD LCAP, pp. 167-168).

This justification applicable to Goal 1, Action 4 does not describe how the District considered factors such as the needs, conditions, or circumstances of its unduplicated students, nor how the actions/services take these factors into consideration. Without additional clarification, Goal 1, Action 4 describes services that benefit all students on an equal basis. A “well-rounded education” is expected for all students and cannot be included as an increase or improvement in services for unduplicated students above what all students receive. References to unduplicated students such as “in particular unduplicated students” are conclusory and do not meet the standard. As such, it is not clear how the District intended that this action provide increased or improved services for unduplicated students as compared to the services provided to all students.

### **Goal 1, Action 6**

Goal 1, Action 6 is indicated as schoolwide and described in the 2018-19 LCAP as follows:

“Provide academic and career counseling to support students. Provide targeted assistance to low income, English learner, foster youth and students with disabilities in college and career readiness activities and guidance. Counselors at

every high school and .5 FTE at middle schools plus John Still and Rosa Parks K-8, for a total of 47 FTE districtwide.

“Action is modified [for the 2018-19 LCAP year] by the addition of funds for professional learning for counselors.” (2018-19 SCUSD LCAP, p. 89).

In Demonstration section of the 2018-19 LCAP, the District includes the following justification for this action:

“Action 1.6: Robust and predictable academic counseling services are needed at the secondary level so that unduplicated students receive guidance navigating the path to college and career. Additional academic counselors funded by S/C (approximately \$5 million) will reach out regularly to unduplicated pupils for targeted attention. The district continues to prioritize hiring counseling staff with bilingual capability, and is making every effort to recruit bilingual counselors to facilitate home-school conversation. Counselors will receive professional learning in the 2018-19 school year on supporting college readiness.” (2018-19 SCUSD LCAP, p. 168).

This justification applicable to Goal 1, Action 6 does consider factors such as the needs, conditions, or circumstances of its unduplicated students, and how the actions/services takes these factors into consideration. The District states a need to support college access for unduplicated students and the provision of academic counselors to “reach out regularly to unduplicated pupils for targeted attention” indicates how this action/service considers the stated need. The District has also described how it believes the action/service will help achieve one or more of the expected annual measurable outcomes for the goal by directly relating it to the graduation rate. As such, it is clear how the District intended that this action provide increased or improved services for unduplicated students as compared to the services provided to all students.

### **Goal 1, Action 17**

Goal 1, Action 17 is indicated as LEA-wide and described in the LCAP for the 2018-19 year as follows:

School Psychologists provide screening and early identification of learning disabilities and other challenges students face. Attend student study team meetings and recommend appropriate interventions or modifications as needed, especially for low income, English learner, foster youth and homeless students. (2018-19 SCUSD LCAP, p. 109).

In the Demonstration section of the 2018-19 LCAP, the District includes the following justification for this action:

“Action 1.17: School Psychologists funded above formula will target unduplicated students with evaluations that can connect student needs and intervention support. Learning disabilities can be mitigated with early identification.” (2018-19 SCUSD LCAP, p. 168).

This justification applicable to Goal 1, Action 17 does consider factors such as the needs, conditions, or circumstances of its unduplicated students, and how the actions/services takes these factors into consideration. This action provides school psychologists to evaluate unduplicated students in order to connect them with intervention support based on their needs. The District is substantially compliant with the requirement to describe how the action/service will help achieve one or more of the expected annual measurable outcomes for the goal because the goal includes specific expected annual measurable outcomes for unduplicated student groups in the areas of academic performance, which is promoted by the “early identification of learning disabilities and other challenges students face.”

#### **Goal 2, Action 4**

Goal 2, Action 4 is indicated as schoolwide and described in the LCAP for the 2017-18 year as follows:

“Assignment of Assistant Principals at the secondary level includes additional administrators above formula to provide assistance to their sites in developing and maintaining safe school plans, and sustaining relationships with students and staff to facilitate safer, more positive school climates.” (2018-19 SCUSD LCAP, p. 123).

In the Demonstration section of the 2018-19 LCAP, the District includes the following justification for this action:

“Action 2.4: Assistant Principals above the staffing formula in middle and high schools oversee School Safety Plans and supervise campus climate and discipline. The district expects to see a reduction in suspension rate and increased positive responses to future School Climate surveys at the secondary level as assistant principals help to build a positive and supportive culture. Assistant principals provide support for restorative practices and nurture positive relationships with unduplicated pupils.” (2018-19 SCUSD LCAP, p. 169).

This justification applicable to Goal 2, Action 4 does not describe how the District considered factors such as the needs, conditions, or circumstances of its unduplicated students, nor how the actions/services takes these factors into consideration. Without additional clarification, Goal 2, Action 4 describes services that appear to benefit all students on an equal basis. The provision of additional assistant principals, based on

information available in the LCAP, does not appear to be based on needs specific to unduplicated students. School Safety Plans address the needs of the whole school site. As such, it is not clear how the District intended that this action provide increased or improved services for unduplicated students as compared to the services provided to all students.

### **Goal 2, Action 8**

Goal 2, Action 8 is indicated as LEA-wide and described in the 2018-19 LCAP as follows:

“Wraparound health and mental health supports are provided by district nurses and social workers.” (2018-19 SCUSD LCAP, p. 131).

In the Demonstration section of the 2018-19 LCAP, the District includes the following justification for this action:

“Actions 2.8 and 2.10: Nurses, social workers and the centralized Connect Center are partially funded by S/C dollars. Sacramento County youth suffer a higher-than-average rate of chronic diseases such as asthma and diabetes; health and dental care is unavailable for many. School nurses manage these conditions so that students can attend school consistently. Social workers assigned to high-need schools and the Connect Center are a vital connection to counseling and other mental health services, as many SCUSD students have had exposure to trauma, are homeless or come from excessively mobile households.” (2018-19 SCUSD LCAP, p. 169).

In the justification provided for Goal 2, Action 8, the District references the following groups of students:

- Youth who suffer a higher-than-average rate of chronic diseases;
- Students who have been exposed to trauma;
- Homeless students;
- Students from excessively mobile households.

Acknowledging that many homeless and other low income students will also fall within the other groups referenced by the District, these other groups of students are not necessarily coextensive with unduplicated students. For example, many students who are not low income, English learners, or are a foster youth suffer from chronic diseases such as asthma and diabetes. As such, there is no explicit indication that the full range of services included in the justification and description of the action were initiated as the result of the consideration of needs, conditions, or circumstances specific to unduplicated students.

Had the District stated that its low income students particularly suffer chronic diseases, are exposed to trauma, may be homeless, or suffer the effects of excessively mobile households, and attributed the provision of the services in question to these factors, then it would have been clear that the District considered the needs, conditions, or circumstances specific to its unduplicated students. As described in the LCAP, the services provided for in Goal 2, Action 8 appear to be services intended to equally benefit students irrespective of unduplicated status.

The District has failed to describe how Goal 1, Action 4; and Goal 2, Actions 4 and 8 are principally directed towards and effective in meeting the District's goals for unduplicated students in any state or local priorities. As a result, the District has failed to provide the necessary justification for districtwide and schoolwide actions/services included as contributing to meeting the increased or improved services requirement.

On another matter, the Complaint references *EC* Section 52852.5(c) as evidence that rules prohibiting supplanting apply to supplemental and concentration grant funds. *EC* Section 52852.5 applies only to school districts and schools which participate in school-based coordinated categorical programs pursuant to *EC* sections 52850-52863). As such, this statute does not apply to LCFF funds, including supplemental and concentration grant funds.

The appeal of the District Decision regarding Allegation 3 is sustained with respect to Goal 1, Action 4; and Goal 2, Actions 4 and 8.

## **V. Conclusions**

The CDE sustains the Appeal of Allegation 3 with respect to Goal 1, Action 4; and Goal 2, Actions 4 and 8.

## **VI. Corrective Actions**

With respect to the 2017-20 LCAP adopted for the 2018-19 LCAP year considered in its entirety, the District is required to work with the Sacramento County Office of Education, with the support of the California Department of Education, to ensure that all LEA-wide and school-wide actions included as contributing to meeting the increased or improved services requirement in the 2018-19 LCAP year and 2019-20 LCAP year are adequately justified as principally directed towards, and effective in, meeting the District's goals for its unduplicated students. Adequate justification for such actions must be provided for in the 2017-20 LCAP adopted for the 2019-20 LCAP year. If adequate justification for a particular LEA-wide or school-wide action is not forthcoming, the District shall not

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include that action as contributing to meeting the increased or improved services requirement.

As described in 5 *CCR* Section 4665, within 35 days of receipt of this report, either party may request reconsideration by the Superintendent. The request for reconsideration shall designate the finding(s), conclusion(s), or corrective action(s) in the Department's report to be reconsidered and state the specific basis for reconsidering the designated finding(s), conclusion(s), or corrective action(s). The request for reconsideration shall also state whether the findings of fact are incorrect and/or the law is misapplied.

I may be reached in the Local Agency Systems Support Office by phone at 916-319-0809 or by email at [jbreshears@cde.ca.gov](mailto:jbreshears@cde.ca.gov).

Sincerely,

Jeff Breshears, Director  
Local Agency Systems Support Office

JB:jf

cc: Jorge A. Aguilar, Superintendent, Sacramento City Unified School District  
Vincent Harris, Chief of Continuous Improvement and Accountability,  
Sacramento City Unified School District  
Raoul Bozio, In-House Counsel, Sacramento City Unified School District