



CALIFORNIA
DEPARTMENT OF
EDUCATION

TOM TORLAKSON

STATE SUPERINTENDENT OF PUBLIC INSTRUCTION

November 17, 2014

Dear County and District Superintendents and Charter School Administrators:

LOCAL CONTROL FUNDING FORMULA AND UNIFORM COMPLAINT PROCEDURES

This letter provides information pertaining to the Uniform Complaint Procedures (UCP) as it relates to the Local Control Funding Formula (LCFF) and the Local Control and Accountability Plan (LCAP).

California *Education Code (EC)* Section 52075 authorizes the filing of complaints alleging a school district, county office of education, or charter school failed to comply with LCFF requirements related to the LCAP (Article 4.5, *EC* sections 52060 through 52076) or sections 47606.5 and 47607.3, as applicable, pursuant to the Uniform Complaint Procedures set forth in Title 5, California Code of Regulations, Chapter 5.1 (commencing with Section 4600).

In addition, as of June 30, 2014, local educational agencies (LEAs) are required to have established local policies and procedures to implement these complaint provisions. The elements which must be included in an LEA's locally adopted UCP policies and procedures, as outlined in *EC* section 52075, are as follows:

- (a) A complaint that a school district, county superintendent of schools, or charter school has not complied with the requirements of Article 4.5 (*EC* sections 52060 through 52076) or sections 47606.5 and 47607.3, as applicable, may be filed with a school district, county superintendent of schools, or charter school pursuant to the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.
- (b) A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements of this article.
- (c) A complainant not satisfied with the decision of a school district, county superintendent of schools, or charter school may appeal the decision to the Superintendent of Public Instruction (Superintendent).

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- (d) If a school district, county superintendent of schools, or charter school finds merit in a complaint, the school district, county superintendent of schools, or charter school shall provide a remedy to all affected pupils, parents, and guardians.
- (e) Information regarding the requirements of Article 4.5 (EC sections 52060 through 52076) shall be included in the annual notification distributed to pupils, parents and guardians, employees, and other interested parties pursuant to Section 4622 of Title 5 of the California Code of Regulations or any successor regulation.

As noted above, a complainant who is not satisfied with a local decision regarding an LCAP-related complaint may file an appeal with the Superintendent. Any such appeals should be directed to the Local Agency Systems Support Office (LASSO) at the CDE for processing.

For questions regarding LCAP/UCP complaints, please contact LASSO by telephone at 916-319-0809 or by e-mail at lcff@cde.ca.gov. For general questions regarding UCP monitoring requirements, please contact the Categorical Programs Complaints Management Office by phone at 916-319-0929.

Sincerely,

/s/

Cindy Kazanis, Director
Educational Data Management Division

CK:car

cc: State and Federal Program Directors
Uniform Complaint Procedures Coordinators