

No.

---

---

**In the Supreme Court of the United States**

DANIELLE HOWARD MARTINEZ; D. P., A MINOR, BY HIS  
GUARDIAN AD LITEM ERICA WEDLOW; K. P., A MINOR, BY  
HIS GUARDIAN AD LITEM BRITTANY WILLIAMS; T. W., A  
MINOR, BY HIS GUARDIAN AD LITEM DAHL JOHNSON; P. C.,  
A MINOR, BY HER GUARDIAN AD LITEM RAVEN CAMPBELL;  
LASHONDA HUBBARD; AMBER WOOD,  
*Petitioners,*

v.

GAVIN NEWSOM, IN HIS OFFICIAL CAPACITY AS GOVERNOR  
OF CALIFORNIA; STATE OF CALIFORNIA; TONY THURMOND,  
IN HIS OFFICIAL CAPACITY AS STATE SUPERINTENDENT OF  
PUBLIC EDUCATION AND DIRECTOR OF EDUCATION;  
CALIFORNIA DEPARTMENT OF EDUCATION; STATE BOARD  
OF EDUCATION; ET AL.,  
*Respondents.*

---

**On Petition for Writ of Certiorari to the United  
States Court of Appeals for the Ninth Circuit**

---

**PETITION FOR WRIT OF CERTIORARI**

---

MAXWELL V. PRITT  
*Counsel of Record*  
BOIES SCHILLER FLEXNER LLP  
44 Montgomery Street  
41st Floor  
San Francisco, CA 94104  
(415) 293-6800  
mpritt@bsflp.com

*Counsel for Petitioners*

---

---

## QUESTIONS PRESENTED

Congress enacted the Individuals with Disabilities Education Act (“IDEA”) to ensure students with disabilities like Petitioners are not excluded from public education. 20 U.S.C. § 1400(d). The IDEA makes state educational agencies (“SEAs”) like the California Department of Education (“CDE”) responsible for general supervision of local educational agencies (“LEAs”) to ensure students with disabilities receive a free appropriate public education (“FAPE”). After the Governor of California closed schools in response to the outbreak of COVID-19, the CDE instructed LEAs that they were *not* required to reassess student’s preexisting accommodations in the new remote learning context. It then decided not to correct for ongoing FAPE deprivations across the state. In its decision below, the Ninth Circuit affirmed dismissal of Petitioners’ requests for declaratory and injunctive relief against the CDE and that agency’s executive officer, holding that the eventual return to in-person instruction mooted those claims. That decision contravenes this Court’s settled precedent that intervening events will *not* moot a case so long as “the parties have a concrete interest, however small, in the outcome of the litigation.” *Chafin v. Chafin*, 568 U.S. 165, 172 (2013). And “a meritorious claim will not be rejected for want of a prayer for appropriate relief.” *Holt Civic Club v. City of Tuscaloosa*, 439 U.S. 60, 66 (1978).

The questions presented in this petition are:

1. Whether Petitioners’ claims that the CDE Defendants violated federal law by (i)

effectively waiving LEAs' compliance with the IDEA after forced school closures and (ii) failing to correct for students' resulting FAPE deprivations presents a concrete controversy that could be addressed by a judicial declaration of the CDE's obligations under the IDEA.

2. Whether an injunction directing the CDE Defendants to order LEAs to reevaluate Petitioners' IEPs and settlement agreements to account for the months when accommodations were not provided, and to order compensatory education to account for the regression and loss of learning Petitioners suffered, could provide effective relief sufficient to survive the mootness inquiry.
3. Whether a cause of action can be dismissed as moot where some relief remains available, regardless of whether Petitioners requested that specific relief in their complaint.

**LIST OF ALL PARTIES**

| <b>PETITIONERS</b>             |   |
|--------------------------------|---|
| 1.                             | DANIELLE HOWARD MARTINEZ  |
| 2.                             | D. P., A MINOR, BY HIS GUARDIAN AD LITEM ERICA WEDLOW                     |
| 3.                             | K. P., A MINOR, BY HIS GUARDIAN AD LITEM BRITTANY WILLIAMS                |
| 4.                             | T. W., A MINOR, BY HIS GUARDIAN AD LITEM DAHL JOHNSON                     |
| 5.                             | P. C., A MINOR, BY HER GUARDIAN AD LITEM RAVEN CAMPBELL                   |
| 6.                             | LASHONDA HUBBARD  |
| 7.                             | AMBER WOOD  |
| <b>RESPONDENTS<sup>1</sup></b> |   |
| 1.                             | GAVIN NEWSOM, IN HIS OFFICIAL CAPACITY AS GOVERNOR OF CALIFORNIA          |
| 2.                             | STATE OF CALIFORNIA   |
| 3.                             | TONY THURMOND, IN HIS OFFICIAL CAPACITY AS STATE SUPERINTENDENT OF PUBLIC |

---

<sup>1</sup> Governor Newsom settled Petitioners' claims, as did Respondents State of California, State Board of Education, State Public Health Officer and Department of Public Health Director, California Health and Human Services Agency, and California Department of Public Health. Those parties were dismissed accordingly.

|    |   |
|----|---|
|    | EDUCATION AND DIRECTOR OF EDUCATION   |
| 4. | CALIFORNIA DEPARTMENT OF EDUCATION  |
| 5. | STATE BOARD OF EDUCATION  |
| 6. | SONIA ANGELL, IN HER OFFICIAL CAPACITY AS THE STATE PUBLIC HEALTH OFFICER AND DEPARTMENT OF PUBLIC HEALTH DIRECTOR <sup>2</sup>                                     |
| 7. | CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY   |
| 8. | CALIFORNIA DEPARTMENT OF PUBLIC HEALTH  |
| 9. | THE LIST OF CALIFORNIA PUBLIC SCHOOL DISTRICTS AND STATE-RUN SCHOOLS NAMED AS DEFENDANTS IN PETITIONERS' COMPLAINT STARTS ON PAGE 33 OF THIS PETITION. <sup>3</sup> |

---

<sup>2</sup> Sonia Angell was initially named as a defendant in the district court but was later replaced by her successor at the time of the parties' settlement, Erica Pan. Tomás Aragón has since replaced Dr. Pan as the current State Public Health Officer.

<sup>3</sup> Many of these parties had not yet been served when the district court dismissed Petitioners' complaint, and thus they have never appeared. The Ninth Circuit directed Petitioners' claims against them be dismissed regardless. *See* App. 26 at fn. 5.

**RELATED PROCEEDINGS**

There are no proceedings directly related to this petition.

**TABLE OF CONTENTS**

QUESTIONS PRESENTED..... i

LIST OF ALL PARTIES.....iii

RELATED PROCEEDINGS ..... v

TABLE OF CONTENTS ..... vi

TABLE OF AUTHORITIES..... ix

I. PETITION FOR WRIT OF CERTIORARI ..... 1

II. OPINIONS BELOW ..... 1

III. JURISDICTION..... 1

IV. STATUTORY PROVISIONS INVOLVED ..... 2

V. STATEMENT OF THE CASE..... 2

    A. Introduction..... 2

    B. Legal Background ..... 4

    C. Factual Background..... 7

    D. Procedural Background ..... 13

VI. REASONS FOR GRANTING THE WRIT ..... 16

    A. This Court’s Review Is Warranted to Address the Ninth Circuit’s Departure from Settled Precedent on Justiciability, Which Cut Short Judicial Review of the CDE Defendants’ Decision to Waive IEP Requirements Essential to the Provision of a FAPE..... 16

|      |  |    |
|------|--|----|
| 1.   | The court of appeals erred in treating as moot Petitioners’ request for declaratory relief when a ruling that the CDE Defendants violated the IDEA could still remedy Petitioners’ ongoing injuries.....         | 16 |
| 2.   | The court of appeals departed from clear mandates to consider whether alternative relief is available in ordering Petitioners’ claims dismissed despite available remedies.....                                  | 20 |
| B.   | Supervisory review is further warranted where the Court’s holding on mootness cut short a critical inquiry into whether the CDE Defendants violated the IDEA by waiving the statute’s provisions state-wide..... | 26 |
| C.   | This Court’s review can also avert the far-reaching consequences the Ninth Circuit’s precedential decision could have on litigants seeking declaratory and injunctive relief to protect other rights. ....       | 28 |
| VII. | CONCLUSION AND PRAYER FOR RELIEF .....   | 31 |



APPENDIX

|            |   |          |
|------------|---|----------|
| Appendix A | Opinion in the United States<br>Court of Appeals for the Ninth<br>Circuit<br>(August 24, 2022).....                                       | App. 1   |
| Appendix B | Order Granting Motion to<br>Dismiss in the United States<br>District Court, Central District of<br>California<br>(November 24, 2020)..... | App. 32  |
| Appendix C | Order Denying Rehearing in the<br>United States Court of Appeals<br>for the Ninth Circuit<br>(October 14, 2022).....                      | App. 55  |
| Appendix D | Statutory Provisions<br>Involved.....   | App. 57  |
|            | 20 U.S.C. § 1400.....   | App. 57  |
|            | 20 U.S.C. § 1401.....   | App. 65  |
|            | 20 U.S.C. § 1407.....   | App. 79  |
|            | 20 U.S.C. § 1412.....   | App. 80  |
|            | 20 U.S.C. § 1414.....   | App. 123 |
|            | 20 U.S.C. § 1415.....   | App. 156 |

## TABLE OF AUTHORITIES

### CASES

|  |           |
|--|-----------|
| <i>Adarand Constructors, Inc. v. Slater</i> ,<br>528 U.S. 216 (2000).....                                      | 29        |
| <i>Brach v. Newsom</i> ,<br>38 F.4th 6 (9th Cir. 2022) .....   | 17, 18    |
| <i>Chafin v. Chafin</i> ,<br>568 U.S. 165 (2013).....  | 16, 19    |
| <i>Church of Scientology of California v. United States</i> ,<br>506 U.S. 9 (1992).....                        | 19, 25    |
| <i>Ctr. for Biological Diversity v. Exp.-Imp. Bank of the<br/>U.S.</i> ,<br>894 F.3d 1005 (9th Cir. 2018)..... | 16        |
| <i>D.M. v. New Jersey Dep't of Educ.</i> ,<br>801 F.3d 205 (3d Cir. 2015) .....                                | 6         |
| <i>Forest Guardians v. Johanns</i> ,<br>450 F.3d 455 (9th Cir. 2006).....                                      | 19, 20    |
| <i>G. ex rel. Ssgt RG v. Fort Bragg Dependent Sch.</i> ,<br>324 F.3d 240 (4th Cir. 2003).....                  | 7, 24, 25 |
| <i>Garcia v. Lawn</i> ,<br>805 F.2d 1400 (9th Cir. 1986).....  | 25        |
| <i>Handberry v. Thompson</i> ,<br>446 F.3d 335 (2d Cir. 2006) .....  | 6         |
| <i>Hoefl v. Tucson Unified Sch. Dist.</i> ,<br>967 F.2d 1298 (9th Cir. 1992).....                              | 6, 27     |
| <i>Holt Civic Club v. Tuscaloosa</i> ,<br>439 U.S. 60 (1978).....  | 21        |

|  |                |
|--|----------------|
| <i>Honig v. Doe</i> ,<br>484 U.S. 305 (1988) .....   | 6              |
| <i>Illinois Physicians Union v. Miller</i> ,<br>675 F.2d 151 (7th Cir. 1982) .....                         | 21, 22         |
| <i>J.G. by Mrs. G. v. Bd. of Educ. of Rochester City Sch. Dist.</i> ,<br>830 F.2d 444 (2d Cir. 1987) ..... | 27             |
| <i>Jet Inv., Inc. v. Dep't of Army</i> ,<br>84 F.3d 1137 (9th Cir. 1996) .....                             | 21             |
| <i>Kerr Ctr. Parents Ass'n v. Charles</i> ,<br>897 F.2d 1463 (9th Cir. 1990) .....                         | 26             |
| <i>Knox v. Serv. Emps. Int'l Union, Loc.</i> ,<br>1000, 567 U.S. 298 (2012) .....                          | 16             |
| <i>Maine Sch. Admin. Dist. No. 35 v. Mr. R.</i> ,<br>321 F.3d 9 (1st Cir. 2003) .....                      | 7, 25          |
| <i>Martinez v. Newsom</i> ,<br>46 F.4th 965 (9th Cir. 2022) .....  | 1              |
| <i>Michael P. v. Dep't of Educ.</i> ,<br>656 F.3d 1057 (9th Cir. 2011) .....                               | 26             |
| <i>Nw. Env't Def. Ctr. v. Gordon</i> ,<br>849 F.2d 1241 (9th Cir. 1988) .....                              | 18, 25, 30, 31 |
| <i>Parents of Student W. v. Puyallup Sch. Dist., No. 3</i> ,<br>31 F.3d 1489 (9th Cir. 1994) .....         | 24             |
| <i>Park ex rel. Park v. Anaheim Union High Sch. Dist.</i> ,<br>464 F.3d 1025 (9th Cir. 2006) .....         | 24             |
| <i>School Committee of Town of Burlington</i> ,<br>Mass., 471 U.S. 359 (1985) .....                        | 5, 24, 26      |

*State of California Dep't of Soc. Servs. v. Thompson*,  
321 F.3d 835 (9th Cir. 2003)..... 22

*United States v. Marin*,  
651 F.2d 24 (1st Cir. 1981) ..... 21

*W. Dist. Council of Lumber Prod. & Indus. Workers v.  
Louisiana Pac. Corp.*,  
892 F.2d 1412 (9th Cir. 1989)..... 22

*Z Channel Ltd. v. Home Box Office, Inc.*,  
931 F.2d 1338 (1991)..... 21, 22

**STATUTES**

20 U.S.C. § 1400(d) ..... 5

20 U.S.C. § 1401(9) ..... 5

20 U.S.C. § 1401(14) ..... 5, 26

20 U.S.C. § 1407 ..... 5

20 U.S.C. § 1412(a)(1)(A)..... 5

20 U.S.C. § 1412(a)(11)..... 5, 17, 26

20 U.S.C. § 1412(a)(12)(A)..... 5, 17, 26

20 U.S.C. § 1414 ..... 5, 26

20 U.S.C. § 1415 ..... 5, 26

20 U.S.C. § 1415(a) ..... 5, 17, 26

20 U.S.C. § 1415(b)(1)..... 5, 17, 26

20 U.S.C. § 1415(i)..... 5

20 U.S.C. § 1415(i)(2)(C)..... 6, 7, 24

20 U.S.C. § 1415(l) ..... 5  
 28 U.S.C. § 1254(1) ..... 1  
 28 U.S.C. § 2202 ..... 21  
 Cal. Educ. Code §§ 33302, 33303 ..... 14

**RULES**

Fed. R. Civ. P. 54 ..... 4, 21

**OTHER AUTHORITIES**

2020 Cal. Legis. Serv. Ch. 24 (S.B. 98) ..... 9  
 Cal. Dep’t of Educ., Special Education Guidance for  
 COVID-19 (Apr. 9, 2020),  
<https://www.cde.ca.gov/ls/he/hn/specialedcovid19guidance.asp>..... 8, 23, 27  
 Cal. Dep’t of Educ., Special Education Guidance for  
 COVID-19 (Sep. 30, 2020),  
<https://www.cde.ca.gov/ls/he/hn/specialedcovid19guidance.asp>..... 10, 23, 27  
 Ricardo Cano and Elizabeth Aguilera, *Special-needs  
 children still seek help after year adrift*, CalMatters  
 (Jan. 12, 2022), <https://calmatters.org/education/k-12-education/2021/03/california-special-needs-children-pandemic-regress-one-year-later/> ..... 12  
 Heather Elliott, *The Functions of Standing*, 61 Stan.  
 L. Rev. 459 (2008) ..... 30  
 Melissa Gomez, *Remote learning is leaving disabled  
 students behind*, Los Angeles Times (Dec. 13,  
 2021), <https://www.pressreader.com/usa/los-angeles-times/20211213/281522229390801> ..... 13

Vicki C. Jackson, *Standing and the Role of Federal Courts: Triple Error Decisions in Clapper v. Amnesty International USA and City of Los Angeles v. Lyons*, 23 Wm. & Mary Bill Rts. J. 127 (2014)..... 29, 30

Sonali Kohli, *Children with disabilities are regressing. How much is distance learning to blame?*, Los Angeles Times (Aug. 7, 2020, 5:00 AM), <https://www.latimes.com/california/story/2020-08-07/covid-19-distance-learning-weakens-special-education> ..... 12, 13

Zachary Pelchat, *Re: OCR Docket No. 09-21-5901*, U.S. Dep’t of Educ. Off. for C.R., at 1-2 (Apr. 28, 2022), <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/09215901-a.pdf> ..... 13

*Speak UP Parent Survey: Distance Learning ‘Devastating’ for LAUSD Students With Disabilities*, Speak UP (Oct. 21, 2020), <https://speakupparents.org/speak-up-news-blog/2020/10/21/speak-up-parent-survey-distance-learning-devastating-for-laUSD-students-with-disabilities> ..... 12

U.S. Dep’t of Educ., Part B Implementation of IDEA Provision of Services in the Current COVID-19 Environment Q&A Document (Sep. 28, 2020), <https://sites.ed.gov/idea/files/qa-provision-of-services-idea-part-b-09-28-2020.pdf>..... 10

U.S. Dep't of Educ., Sec'y DeVos Recommended  
Waiver Authority, at 11 (Apr. 27, 2020),  
[https://www2.ed.gov/documents/coronavirus/cares-  
waiver-report.pdf](https://www2.ed.gov/documents/coronavirus/cares-waiver-report.pdf) ..... 9, 27

10 Wright & Miller § 2664 ..... 22

## I. PETITION FOR WRIT OF CERTIORARI

Danielle Martinez, Erica Wedlow, on behalf of minor D.P., Brittany Williams, on behalf of minor K.P., Dahl Johnson, on behalf of minor T.W., Raven Campbell, on behalf of minor P.C., Lashonda Hubbard, and Amber Wood (collectively, “Petitioners”) respectfully petition this Court for a writ of certiorari to review the judgment of the United States Court of Appeals for the Ninth Circuit in this case.

## II. OPINIONS BELOW

The decision of the court of appeals (App. 1-31) is published at *Martinez v. Newsom*, 46 F.4th 965 (9th Cir. 2022). The court’s denial of rehearing or rehearing en banc (App. 55-56) is not published. The decision of the United States District Court for the Central District of California granting a motion to dismiss filed by the California Department of Education (the “CDE”), State Superintendent of Public Instruction for California, Tony Thurmond (with the CDE, collectively the “CDE Defendants”), and three state-run special education schools in California (App. 32-54) is not published but is available at 2020 WL 7786543.

## III. JURISDICTION

The court of appeals entered judgment on August 24, 2022 (App. 3) and denied Petitioners’ timely petition for rehearing on October 14, 2022 (App. 55-56). On December 20, 2022, Justice Kagan extended the time to file a petition for a writ of certiorari through February 13, 2023. This Court has jurisdiction under 28 U.S.C. § 1254(1).



#### **IV. STATUTORY PROVISIONS INVOLVED**

Relevant statutory provisions are reproduced in the petition appendix. (App. 57-194).

#### **V. STATEMENT OF THE CASE**

##### **A. Introduction**

Petitioners are students with disabilities who spent nearly a year deprived of services their parents and school districts agreed were necessary for them to access their education. Those services were all negotiated in the context of in-person education. Because Petitioners' IEPs were not reassessed after California closed its schools in response to the COVID-19 outbreak to determine how Petitioners could access their education through remote instruction, Petitioners have lost years of learning—including emotional, intellectual, and behavioral supports guaranteed to them under the IDEA and settlement agreements. Since returning to in-person instruction, Petitioners have faced disproportionate regression that has rendered services that once met their needs insufficient to ensure a FAPE. Their experiences are representative of the hundreds of thousands of students with disabilities across the state of California and throughout the country who are suffering consequences of months without IEP-mandated services and necessary accommodations to receive an education.

Throughout the remote instruction period, the California agency and executive officer entrusted with ensuring school districts met their statutory obligations to provide students a FAPE failed to do so.

When students were first sent home, the CDE Defendants told school districts they were *not* required to reassess IEPs and settlement agreements that were all drafted under an assumption of in-person instruction. After effectively waiving the IDEA's IEP requirements, and despite several months of students with disabilities not receiving the educational services they needed, the CDE Defendants have since failed to mandate remedial measures to address ongoing FAPE violations upon students' return to the classroom. The agency has pursued this course of action despite the U.S. Department of Education's ("DOE") determination that it would not waive IEP requirements during COVID-19 and a directive from the Governor of California to ensure children with disabilities were protected through this difficult period.

Petitioners sued the CDE and relevant state officials and school districts throughout California on behalf of a putative class of all students with disabilities in California. Petitioners asserted that the CDE Defendants repeatedly abrogated their responsibilities to ensure school districts complied with the IDEA, including in successive policy guidance. Petitioners sought a declaratory order that the CDE Defendants' failure to order districts to reassess students after school closures and their continuing refusal to mandate reassessments violates the IDEA. Petitioners also sought an injunction requiring the CDE Defendants to amend their guidance or allow an immediate return to in-person instruction. Because of the Ninth Circuit's erroneous holding on mootness, no court ever reached the merits

of Petitioner's claims and determined whether the CDE Defendants must take corrective action to restore students' FAPE rights.

Instead, the Ninth Circuit relieved the CDE Defendants of the heavy burden of proving Petitioners' claims were moot by ignoring the ongoing injuries to Petitioners and the availability of meaningful relief to address those harms. This Court's case law makes clear that a change in circumstances—here, the rescission of the Governor of California's stay-at-home order—does not, and indeed cannot, moot a dispute over rights and obligations provided a court can still grant some effective relief. Under Fed. R. Civ. P. 54 and well-settled jurisprudence, that relief need not be identical to the relief a party requested in its original complaint. Petitioners and the CDE Defendants continue to dispute whether the CDE Defendants violated the IDEA in failing to mandate reassessments. An order resolving this dispute in Petitioners' favor could remedy the devastating learning loss and severe regressions that the CDE Defendants did not require districts to address in the first instance. The Ninth Circuit also failed to consider that a court order requiring compensatory services, for example, could restore children's FAPE rights. Instead, Petitioners and several hundred thousand other students with disabilities are left without recourse for their effective and ongoing exclusion from the classroom.

## **B. Legal Background**

This case raises crucial questions about an SEA's obligations to students with disabilities under

the IDEA when school districts shut the classroom doors on them. Congress enacted the IDEA to ensure students like Petitioners are not excluded from public education or civic participation. 20 U.S.C. § 1400(d). The Act provides students with disabilities the right to a FAPE, including educational services that will provide them educational opportunities alongside their peers. *Id.*; 1401(9); 1412(a)(1)(A). The IEP is the “*modus operandi*” of these substantive protections. *School Committee of Town of Burlington, Mass.*, 471 U.S. 359, 368 (1985). It includes a comprehensive statement identifying the educational needs of and services for each child and front-and-back-end procedures to ensure its effectiveness. 20 U.S.C. §§ 1401(14); 1414; 1415.

The IDEA makes SEAs “responsible for general supervision” to ensure students with disabilities like Petitioners receive a FAPE, including through the IEP process. *Id.* at §§ 1412(a)(11), (a)(12)(A); 1415(a), (b)(1). It further directs SEAs to “support and facilitate” LEAs to “enable children with disabilities to meet” academic achievement standards. *Id.* at § 1407. The CDE serves as the SEA for the State of California, and thus is responsible for ensuring that approximately 800,000 students with disabilities receive a FAPE. ECF No. 1, at 88.<sup>4</sup>

The IDEA provides a process for parents, guardians, and students to enforce their rights in federal court. 20 U.S.C. §§ 1415(i), (l). While these litigants generally must first exhaust their claims

---

<sup>4</sup> “ECF No. [#]” refers to documents in docket No. 5:20-cv-01796-SVW-AFM (C.D. Cal).

before the administrative agency, such exhaustion is excused in the Ninth Circuit when 1) “it is improbable that adequate relief can be obtained by pursuing administrative remedies,” 2) “it would be futile to use the due process procedures,” or 3) the plaintiff seeks structural reforms for a “policy or practice of generalized applicability.” *Hoelt v. Tucson Unified Sch. Dist.*, 967 F.2d 1298, 1303–04, 1309 (9th Cir. 1992); *see also Honig v. Doe*, 484 U.S. 305, 327 (1988) (“exhaustion should not be required in cases where such exhaustion would be futile either as a legal or practical matter”) (quoting 121 Cong. Rec. 37416 (1975) (remarks of Sen. Williams) (cleaned up)). Other circuits likewise have recognized that exhaustion may be excused when the alleged statutory violation raises issues outside the scope of the traditional administrative hearing process. *See, e.g., D.M. v. New Jersey Dep't of Educ.*, 801 F.3d 205, 212 (3d Cir. 2015) (“Exhaustion is not required in very limited circumstances, such as where exhaustion is futile or inadequate, where the question presented is purely legal, where the administrative process cannot grant relief, or where exhaustion would work a severe or irreparable harm upon a litigant.”); *Handberry v. Thompson*, 446 F.3d 335, 344 (2d Cir. 2006) (excusing exhaustion where “individual administrative remedies would be insufficient to address the defendants’ failure to provide the service required by the IDEA to all relevant inmates,” because “administrative remedies [were] effectively unavailable”).

The IDEA also authorizes courts to award compensatory education. *See* 20 U.S.C.

§ 1415(i)(2)(C). “Compensatory education involves discretionary, prospective, and injunctive relief crafted by a court to remedy what might be termed an educational deficit created by an educational agency’s failure over a given period of time to provide a FAPE to a student.” *G. ex rel. Ssgt RG v. Fort Bragg Dependent Sch.*, 324 F.3d 240, 254 (4th Cir. 2003); *see also Maine Sch. Admin. Dist. No. 35 v. Mr. R.*, 321 F.3d 9, 18 (1st Cir. 2003) (“[A] child eligible for special education services under the IDEA may be entitled to further services, in compensation for past deprivations.”).

### C. Factual Background

Petitioners are the guardians ad litem of four minor students enrolled in California public school districts. Each student has significant disabilities and was declared eligible for special education services by his or her school district, and each was receiving services under an IEP or settlement agreement prior to March 2020. For example, T.W. received assistance from an aide to complete academic, behavioral, and functional tasks, and physical and occupational therapy to address mobility issues. ECF No. 1, at 58. D.P.’s IEP provided for academic and behavior support from a one-on-one aide to address developmental disabilities and develop communication skills. *Id.* at 54-55. D.P. also received occupational therapy services, including hand-over-hand assistance. *Id.* at 55. P.C.’s settlement agreement under the IDEA recognized that P.C. needs one-on-one assistance to make education accessible. *Id.* at 60. And, finally, pursuant to her IEP, K.P. is to receive constant

prompts and redirection to address an intellectual disability. *Id.* at 56-57.

On March 13, 2020, in response to the COVID-19 pandemic, the Governor of California issued Executive Order N-26-20, requiring school districts to close their buildings physically and reassign students to remote learning. That Order directed the CDE to issue guidance to ensure students with disabilities continued to receive a FAPE, including as consistent with their IEPs. Instead, the CDE's initial guidance suggested compliance with obligations under existing IEPs was permissive, not mandatory.<sup>5</sup> The CDE's April 9, 2020 guidance transformed that earlier suggestion into an affirmative waiver of IEP requirements. The CDE instructed schools they did not need to conduct *any* reassessment to account for remote learning. In a question and answer format, the CDE told schools the following:

**1. Must all Individualized Education Programs (IEPs) be amended to reflect the change to distance learning?** No, not all IEPs will need to be amended. . . in the CDE's view it is not necessary for an LEA to convene an IEP team meeting, or propose an IEP amendment without a team meeting, for every student, solely for the purpose of discussing the need to provide services away from school, because that change

---

<sup>5</sup> Cal. Dep't of Educ., Special Education Guidance for COVID-19 (Apr. 9, 2020), <https://www.cde.ca.gov/ls/he/hn/specialedcovid19guidance.asp>, filed in Ninth Circuit as CDE-SER 101.

must necessarily occur due to the COVID-19 pandemic.<sup>6</sup>

Soon thereafter, the federal DOE made clear that federal obligations remained in effect despite school closures, “most notably [the provision of] a free appropriate public education.”<sup>7</sup> The DOE reaffirmed that LEAs and SEAs “must provide education to *all* students, including children with disabilities,” and involve parents in decision-making.<sup>8</sup> The CDE did not amend its guidance to comply with his directive.

In July of 2020, the California legislature passed SB98, amending state law to require that any LEA that offered remote learning during the 2020-2021 academic year had to provide “[a]cademic and other supports designed to address the needs of pupils who are not performing at grade level, or need support in other areas, such as . . . pupils with exceptional needs.” 2020 Cal. Legis. Serv. Ch. 24 (S.B. 98).<sup>9</sup> It further required that remote learning must include “[s]pecial education, related services, and any other services required by a pupil’s individualized education program . . . with accommodations necessary to ensure that individualized education program can be executed in a distance learning environment.” *Id.* And it required that school districts evaluate whether

---

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

<sup>7</sup> U.S. Dep’t of Educ., Sec’y DeVos Recommended Waiver Authority, at 11 (Apr. 27, 2020), <https://www2.ed.gov/documents/coronavirus/cares-waiver-report.pdf>.

<sup>8</sup> *Id.* (emphasis in original).

<sup>9</sup> The text of this bill was filed with the Ninth Circuit as ER 25-34.



a student suffered regression, or learning loss, and, if so, address it. *Id.* The DOE sent a similar message in anticipation of the 2020-21 academic year, reiterating that state agencies like the CDE must ensure a FAPE for all students, regardless of educational setting.<sup>10</sup>

But the CDE's September 2020 Guidance continued to disregard these mandates. It continued not to direct LEAs to reassess what services were required to meet IEP goals, or to order compensatory education to address the months students were deprived of necessary supports.<sup>11</sup> There is no record evidence that the CDE ever updated its guidance to instruct school districts to conduct reassessments or to provide compensatory education to account for the many months of remote schooling when students with disabilities and their teachers were not given the resources to ensure a FAPE, and the regression students faced when they returned to the classroom far behind their IEP goals.

As a result of the CDE's directives, California's LEAs were left to choose for themselves whether to conduct reassessments or provide compensatory education to address the fact that existing IEPs were built around in-person instruction. After being sent home in March of 2020, none of Petitioners received

---

<sup>10</sup> U.S. Dep't of Educ., Part B Implementation of IDEA Provision of Services in the Current COVID-19 Environment Q&A Document (Sep. 28, 2020), <https://sites.ed.gov/idea/files/qa-provision-of-services-idea-part-b-09-28-2020.pdf>.

<sup>11</sup> See Cal. Dep't of Educ., Special Education Guidance for COVID-19 (Sep. 30, 2020), <https://www.cde.ca.gov/ls/he/hn/specialedcovid19guidance.asp>, filed in Ninth Circuit as CDE-SER 111-12.

the services to which they were entitled under their IEPs in more than a token form, if at all. *See, e.g.*, ECF No. 1, at 56-59, 61. For example, Petitioners could not receive *any* physical assistance, despite their IEPs and settlement including requirements such as physical therapy (*id.* at 58); assistance holding any item that requires a two-handed grasp, (*id.*); and hand-over-hand assistance (*id.* at 55-56). In addition, Petitioners no longer received the 1:1 support they needed. *See id.* at 60. None of Petitioners were contacted by their LEAs to determine their need for appropriate accommodations under the changed circumstances of remote education (*id.* at 56-58, 60), and no new accommodations were offered even as these students struggled and regressed (*id.* at 56-59, 61). As a result of being deprived of his IEP services, D.P. began “displaying regressive behaviors.” *Id.* at 55-56. Similarly, because “environmental reinforcements [were] unavailable during distance learning,” K.P. had “no progress made toward any of her IEP goals.” *Id.* at 56. And without the accommodations required under P.C.’s settlement agreement, remote learning quickly became “an ever-increasing impossibility as more time passe[d] and her work slip[ped] further and further behind.” *Id.* at 60.

The forced remote education coupled with the absence of adequate safeguards caused immense learning loss in students with disabilities across the state. In 2021, “[m]any parents report[ed] that their special-needs students ha[d] gone backward in development during the pandemic-isolating past year,” and “[m]any of those students — whose disabilities can range from autism to deafness, and

most of whom have gone more than a year without in-person services such as speech therapy — appear to have regressed physically and academically.”<sup>12</sup> According to a 2020 survey of more than 300 parents of students with disabilities in just the Los Angeles Unified school district (“LAUSD”),

Approximately 76% of parents said their children with disabilities cannot learn and progress their skills effectively via distance learning. 74% of the parents surveyed reported their students exhibiting regressive behaviors or loss of skills while learning from home. 36% of students with Individualized Education Programs are not receiving the full set of services that LAUSD agreed to deliver in their IEPs, and 57% of parents indicated that the services they were receiving were not being delivered in a format suitable to their children’s needs. More than 12% reported receiving no services since August.<sup>13</sup>

---

<sup>12</sup> Ricardo Cano and Elizabeth Aguilera, *Special-needs children still seek help after year adrift*, CalMatters (Jan. 12, 2022), <https://calmatters.org/education/k-12-education/2021/03/california-special-needs-children-pandemic-regress-one-year-later/>.

<sup>13</sup> *Speak UP Parent Survey: Distance Learning ‘Devastating’ for LAUSD Students With Disabilities*, Speak UP (Oct. 21, 2020), <https://speakupparents.org/speak-up-news-blog/2020/10/21/speak-up-parent-survey-distance-learning-devastating-for-laUSD-students-with-disabilities>; see, e.g., Sonali Kohli, *Children with disabilities are regressing. How much is distance learning to blame?*, Los Angeles Times (Aug. 7, 2020),

The DOE investigated LAUSD's response to the COVID-19 pandemic and found it "failed to provide a FAPE to qualified students with disabilities" during remote learning.<sup>14</sup> The DOE also concluded the CDE failed to "address the needs of *all* the students with disabilities in [LAUSD] who may be entitled to compensatory education."<sup>15</sup>

#### D. Procedural Background

Petitioner guardians sued in federal district court on behalf of themselves and their minor children, as well as a proposed class of all students with disabilities in California who have been denied the services and accommodations to which they are entitled under the IDEA, the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. ECF No. 1. Respondents are the CDE, which oversees public education in the State of California; California State Superintendent of Public Instruction and Director of Education Tony

---

5:00 AM), <https://www.latimes.com/california/story/2020-08-07/covid-19-distance-learning-weakens-special-education>; Melissa Gomez, *Remote learning is leaving disabled students behind*, Los Angeles Times (Dec. 13, 2021), <https://www.pressreader.com/usa/los-angeles-times/20211213/281522229390801> ("Gabriel needs an aide to help transcribe essays and sessions with an occupational therapist — he has not had one since campuses closed in March 2020.").

<sup>14</sup> Zachary Pelchat, *Re: OCR Docket No. 09-21-5901*, U.S. Dep't of Educ. Off. for C.R., at 1-2 (Apr. 28, 2022), <https://www2.ed.gov/about/offices/list/ocr/docs/investigations/more/09215901-a.pdf> (finding LAUSD committed multiple violations of Section 504 of the Rehabilitation Act of 1973).

<sup>15</sup> *Id.* at 18-19 (emphasis in original).

Thurmond, who is the executive officer responsible for the CDE (*see* Cal. Educ. Code §§ 33302, 33303); and every school district and state-run special education school (the “Districts” or “District Defendants”) in California.<sup>16</sup> Petitioners alleged the CDE Defendants’ failure to require, and the Districts’ failure to implement, reassessments caused continuing violations of federal laws protecting students with disabilities and breached settlement agreements. ECF No. 1, at 56-61, 67.

Petitioners’ complaint detailed how the CDE’s policies and the subsequent lack of action by the District Defendants combined to cause material and procedural deprivations of Petitioners’ educational rights. Because their IEPs and settlement agreements were not amended, Petitioners could not participate in remote learning alongside peers without disabilities. *See id.* at 56-61. Petitioners detailed the consequences of being deprived FAPE rights, including “regressive behaviors” and “loss of a whole year’s worth of academic and functional skills.” *Id.* at 55-61. They emphasized that students who were

---

<sup>16</sup> A settlement was reached with several former defendants, including the State of California and its Governor. The settlement agreement called for the Governor to reiterate in a public announcement that the state’s COVID-19 emergency measures did *not* waive the IDEA, that school districts were required to continue providing the services required under students’ IEPs in the remote learning environment, and SB 98 required districts to determine what accommodations were necessary so IEP services could be delivered remotely. The CDE Defendants and Districts did not settle the claims against them and continued to refuse to mandate reassessments or otherwise ensure that students’ FAPE rights were protected with appropriate accommodations.

similarly deprived of necessary accommodations during months of remote education would return to the classroom far behind their non-disabled peers. *Id.* Petitioners sought injunctive and declaratory relief, and asked the court to order compensatory educational services for lost learning. *Id.* at 98-105.

The district court dismissed the case as to all defendants on the basis that Petitioners had not exhausted administrative remedies before filing suit. App. 39-49, 53. Before argument on appeal, the Ninth Circuit *sua sponte* ordered counsel for the parties to be prepared to address mootness and standing as to certain District Defendants.

In its opinion and order, issued August 24, 2022, the Ninth Circuit affirmed dismissal of Petitioners' claims. As to the CDE Defendants, the Ninth Circuit held that Petitioners' requests for declaratory and injunctive relief were moot, despite an ongoing controversy and the availability of *some* relief in the form of a declaratory judgment and injunction ordering compensatory education. App. 18-19. In addition, though not at issue in this petition, the court of appeals affirmed dismissal of the District Defendants, rejecting application of the juridical link doctrine to districts in which Petitioners were not enrolled in school, dismissing allegations that District Defendants had violated settlement agreements because the complaint did not explicitly say "breach of contract," and finding exhaustion was not excused as to those Districts that Petitioners attended. App. 13-16, 19-26. Petitioners timely filed a petition for rehearing or rehearing en banc, which was denied. App. 55-56.

## VI. REASONS FOR GRANTING THE WRIT

**A. This Court’s Review Is Warranted to Address the Ninth Circuit’s Departure from Settled Precedent on Justiciability, Which Cut Short Judicial Review of the CDE Defendants’ Decision to Waive IEP Requirements Essential to the Provision of a FAPE.**

**1. The court of appeals erred in treating as moot Petitioners’ request for declaratory relief when a ruling that the CDE Defendants violated the IDEA could still remedy Petitioners’ ongoing injuries.**

In holding that Petitioners’ request for declaratory relief was mooted by the return to the classroom, the Ninth Circuit contravened this Court’s settled precedent that intervening events will not—and cannot—moot a case so long as “the parties have a concrete interest, *however small*, in the outcome of the litigation.” *Chafin v. Chafin*, 568 U.S. 165, 172 (2013) (emphasis added). Only when intervening events render it “impossible for a court to grant any effectual relief whatever to the prevailing party” will a defendant meet their heavy burden of proving the case is moot. *Knox v. Serv. Emps. Int’l Union, Loc. 1000*, 567 U.S. 298, 307 (2012) (citations omitted); see also *Ctr. for Biological Diversity v. Exp.-Imp. Bank of the U.S.*, 894 F.3d 1005, 1011 (9th Cir. 2018) (holding case justiciable because the record did not “establish

that relief is *impossible*") (emphasis in original and citations omitted). Yet the Ninth Circuit did not consider Petitioners' continued interest in a judicial order finding their ongoing exclusion from federally guaranteed educational opportunities legally cognizable under the IDEA. Nor did it consider whether an order that the CDE Defendants breached their federal statutory obligations in failing to require reassessments (and continuing not to do so) could remedy Petitioners' ongoing injuries.

The IDEA makes the CDE Defendants responsible for protecting Petitioners' rights to a FAPE. As the SEA for the State of California, the CDE Defendants were "responsible for general supervision" to ensure students receive a FAPE, including through the IEP process. 20 U.S.C. §§ 1412(a)(11), (a)(12)(A); 1415(a), (b)(1). Beginning in March of 2020, the CDE told districts that they did *not* have to reassess students who were no longer receiving educational services in the setting their IEPs were designed around. ECF No. 1, at 49, 80-85. Petitioners detailed the consequences they bore from that decision, including "loss of a whole year's worth of academic and functional skills." *Id.* at 55-61. They further alleged that students who returned to in-person learning would demonstrate disproportionate regression, placing them out-of-step with their non-disabled peers and behind the goals set in their IEPs. *Id.* at 67.

The court of appeals ignored this statutory context in drawing a cursory comparison to a recent Ninth Circuit decision, *Brach v. Newsom*, 38 F.4th 6 (9th Cir. 2022). See App. 18-19. In that case,



appellants requested a declaratory order that school closures *per se* violated parents' constitutional rights to make educational decisions for their children. *Brach*, 38 F.4th at 10. In contrast to *Brach's* insistence that parents be allowed an in-person option, Petitioners focused on issues surrounding the provision of FAPE to students with disabilities. They challenged the failure to mandate a reassessment of educational services provided under existing IEPs and settlement agreements to determine how students would receive a FAPE when schools first closed, and again when the next school year began. ECF No. 1, at 54-61, 84-87. They sought a declaratory order that would address the "continuing" denial of a FAPE as students spent several months without IEP-mandated services. *Id.* at 89. After schools reopened, they retained a concrete interest in determining whether the IDEA required the CDE Defendants to order reassessments or otherwise provide accommodations to meet their educational needs after waiving IEP requirements during remote learning.

In analogous circumstances, the Ninth Circuit has applied this Court's precedent to recognize a legally cognizable interest in disputing an agency's statutory obligations when the agency has already taken the challenged course of action—here not requiring reassessments or compensatory education at any point—and that decision is causing a petitioner continuing harm. *See Nw. Env't Def. Ctr. v. Gordon*, 849 F.2d 1241–1244 (9th Cir. 1988). For their part, the CDE Defendants have taken the position that their conduct beginning in March of 2020 through the present fulfills their statutorily mandated obligations.

*See, e.g.*, CDE Answering Br. at 37-38. Thus, there is “not the slightest doubt that there continues to exist between the parties that concrete adverseness which sharpens the presentation of issues” over what the law requires. *Chafin*, 568 U.S. at 173 (quotations omitted).

The court of appeals also failed to consider whether it could provide some effectual relief to Petitioners. App. 18. This Court’s jurisprudence makes clear that Petitioners’ request for declaratory relief remains justiciable so long as an order setting forth the CDE Defendants’ obligations could provide some relief. For example, in *Church of Scientology of California v. United States*, this Court recognized that even after petitioners had turned over documents pursuant to a district court order, they continued to have a possessory and privacy interest in those documents. 506 U.S. 9, 13 (1992). Though it was “too late to prevent, or to provide a fully satisfactory remedy for, the invasion of privacy that occurred when the IRS obtained the information on the tapes,” the court’s “power to effectuate a partial remedy by ordering the Government to destroy or return any and all copies it may have in its possession” was “sufficient to prevent th[e] case from being moot.” *Id.* Applying this precedent, the Ninth Circuit has affirmed that a court retains jurisdiction to issue a declaratory order on the lawfulness of an irreversible agency action “to help to remedy the effects of the agency’s statutory violations and to ensure that similar violations would not occur in the future,” even when the agency action moots a request for injunctive relief. *Forest*

*Guardians v. Johanns*, 450 F.3d 455, 462 (9th Cir. 2006).

Here, a determination that the IDEA required the CDE Defendants to order LEAs to reassess disabled students' IEPs during remote learning or determine what additional accommodations those students required after schools reopened could help restore Petitioners' FAPE rights. There is no indication from the record that the CDE Defendants ordered reassessments in the intervening months, or that the return to in-person education replaced the need for these reassessments and for appropriate compensatory education after a year deprived of mandated services. A declaration that the CDE Defendants violated the IDEA by proclaiming statutory obligations permissive and then failing to ensure necessary accommodations thus "would provide effective relief by . . . prohibiting it from continuing to violate the law." *Id.*

**2. The court of appeals departed from clear mandates to consider whether alternative relief is available in ordering Petitioners' claims dismissed despite available remedies.**

The Ninth Circuit contravened this Court's (and its own) precedent in defining the specific request for relief in Petitioner's complaint narrowly and in constraining its inquiry to the specific relief Petitioners sought in their complaint. *See* App. 17-18.

In construing Petitioners' injunctive request as limited to an order that Petitioners receive "in-person

instruction” (App. 17), the court of appeals misread the specific request, which sought an injunction for in-person instruction *or* reassessments for all students who were assigned to remote learning. ECF No. 1, at 89. That requested injunction, pleaded in the disjunctive, has not been rendered meaningless by a return to in-person instruction, and an order requiring reassessment could provide meaningful relief.

Regardless, this Court has long held that “a meritorious claim will not be rejected for want of a prayer for appropriate relief.” *Holt Civic Club v. Tuscaloosa*, 439 U.S. 60, 66 (1978). Instead, a court issuing a final judgment may “grant the relief to which each party is entitled, *even if the party has not demanded that relief in its pleadings.*” Fed. R. Civ. P. 54(c) (emphasis added). “[A]lthough the prayer for relief may be looked to for illumination when there is doubt as to the substantive theory under which a plaintiff is proceeding, its omissions are not in and of themselves a barrier to redress of a meritorious claim.” *Holt*, 439 U.S. at 66. The Declaratory Judgment Act also does not impose a stringent pleading requirement. *See* 28 U.S.C. § 2202 (authorizing courts to grant all “necessary or proper relief”). Applying Rule 54(c), courts of appeals have affirmed that even “relief in damages is not foreclosed by plaintiff’s failure to ask for damages in prayer.” *Jet Inv., Inc. v. Dep’t of Army*, 84 F.3d 1137, 1143 (9th Cir. 1996) (citing *Z Channel Ltd. v. Home Box Office, Inc.*, 931 F.2d 1338, 1341 (1991); *see also United States v. Marin*, 651 F.2d 24, 30 (1st Cir. 1981) (affirming damages award where not expressly requested in complaint); *Illinois Physicians Union v. Miller*, 675

F.2d 151, 158 (7th Cir. 1982) (deducing from the text of the Declaratory Judgment Act and Rule 54 the “well-settled” principle that courts “may grant monetary relief in declaratory judgment proceedings, even without a specific request”); *accord*, 10 Wright & Miller § 2664.

Prior to its decision in this case, the Ninth Circuit had applied Rule 54 to affirm jurisdiction after changed circumstances rendered specific requests for relief ineffectual. So long as the parties retained a “personal stake in the outcome of the litigation,” and a favorable merits decision could entitle the plaintiff to some relief, the court had held that district courts retained jurisdiction to fashion appropriate remedies. *See W. Dist. Council of Lumber Prod. & Indus. Workers v. Louisiana Pac. Corp.*, 892 F.2d 1412, 1416–17 (9th Cir. 1989) (holding case was not moot because court could grant remedy of rescission even though plaintiff had not requested it, before finding remedy not warranted on the merits). In making that second assessment—whether a plaintiff pled a substantive theory for which relief may be granted on the merits—the court had recognized that the complaint should be “construed favorably.” *Z Channel Ltd. P’ship v. Home Box Off., Inc.*, 931 F.2d 1338, 1341 (9th Cir. 1991); *see also State of California Dep’t of Soc. Servs. v. Thompson*, 321 F.3d 835, 856–57 (9th Cir. 2003) (reversing order of dismissal on appeal brought only by intervenor in state suit against the DHHS Secretary and remanding for district court to determine appropriate relief for intervenor, who had not filed a separate pleading). Petitioners satisfied

both prongs here; the Ninth Circuit did not consider either.

First, Petitioners pled a substantive theory on which relief may be granted. Both Petitioners' request for declaratory relief and request for an injunction turned on Petitioners' claims that the CDE Defendants violated the IDEA by failing to ensure LEAs provided them and other similarly situated children with disabilities a FAPE. Petitioners alleged that the CDE instructed LEAs that they were not required to reassess students whose IEPs and settlement agreements were entered into under an assumption of in-person education, despite the CDE Defendants' statutory obligation to supervise LEA's statutory compliance with federal disability laws. ECF No. 1, at 49, 51-64, 67, 78-88; *see also* Cal. Dep't of Educ., Special Education Guidance for COVID-19, *supra* note 5 & 11. Petitioners alleged that, as a direct consequence of LEAs following the CDE's directives, they were deprived of a FAPE. If the district court agreed that the CDE breached its obligations under the IDEA, then Petitioners would be entitled to a remedy for that wrong.

Second, as addressed in Section VI(A)(1), *supra*, Petitioners maintain a personal stake in their dispute with the CDE Defendants over whether the CDE Defendants shirked their obligations under the IDEA in failing to require LEAs to take corrective action. The CDE Defendants have taken the position that the IDEA did not impose any obligation to order reassessments or otherwise provide additional accommodations. Construing the complaint favorably, Petitioners alleged that the CDE

Defendants' course of action deprived Petitioners of their right to a FAPE even after they returned to in-person instruction. ECF No. 1, at 67, 78-88. Moreover, Petitioners spent so much time without a FAPE that returning to school with unchanged IEPs that do not take into account regression in learning amounts to no relief at all.

Had the district court considered and agreed with Petitioners' substantive theory, it could have fashioned an appropriate remedy. Under the IDEA, a court is authorized to grant "such relief as the court determines is appropriate." 20 U.S.C. § 1415(i)(2)(C). This language demonstrates Congress' intent that courts exercise discretion to remedy IDEA violations, not that they can only grant the specific relief requested in a complaint. Indeed, this Court explained that "equitable considerations are relevant in fashioning relief." *Sch. Comm. of Town of Burlington Mass.*, 471 U.S. at 374. And the Ninth Circuit recognizes that one such equitable remedy is compensatory education. *See Parents of Student W. v. Puyallup Sch. Dist., No. 3*, 31 F.3d 1489, 1496 (9th Cir. 1994) (stating there was "no question that the district court had the power to order compensatory education"); *Park ex rel. Park v. Anaheim Union High Sch. Dist.*, 464 F.3d 1025, 1033 (9th Cir. 2006) ("Compensatory education services can be awarded as appropriate equitable relief."). "Compensatory education involves discretionary, prospective, and injunctive relief crafted by a court to remedy what might be termed an educational deficit created by an educational agency's failure over a given period of time to provide a FAPE to a student." *G. ex rel. Ssgt*

*RG*, 324 F.3d at 254; *see also Me. Sch. Admin. Dist. No. 35*, 321 F.3d at 18 (“[A] child eligible for special education services under the IDEA may be entitled to further services, in compensation for past deprivations, even after his or her eligibility has expired.”). The district court thus could have addressed ongoing educational deficits by ordering the CDE Defendants to mandate compensatory services.

Such an order compensating Petitioners for lost education, or requiring robust assessments with certain procedural protections, could “undo the effects of conduct that was not prevented.” *Garcia v. Lawn*, 805 F.2d 1400, 1402 (9th Cir. 1986) (quotations omitted). It could ensure students receive services they need to recover from forced learning loss. That is all that is required to maintain jurisdiction; the remaining relief need not “return the parties to the *status quo ante*.” *Church of Scientology of California*, 506 U.S. at 12–13; *see also Nw. Env’t Def. Ctr. v. Gordon* 849 F.2d 1241, 1245 (9th Cir. 1988) (emphasizing plaintiffs were “not required, however, to have asked for the precise form of relief that the district court may ultimately grant” and case remained justiciable where damage could “still be repaired or mitigated”). Thus, this Court’s, the Ninth Circuit’s, and other courts of appeals’ jurisprudence should have foreclosed the decision below on mootness. At a minimum, the case should have been remanded to the district court to assess the merits of Petitioners’ claims against the CDE Defendants.



**B. Supervisory review is further warranted where the Court's holding on mootness cut short a critical inquiry into whether the CDE Defendants violated the IDEA by waiving the statute's provisions state-wide.**

Because the challenged agency action affected hundreds of thousands of students with disabilities throughout the State of California, it is particularly important to correct course on the threshold issue of justiciability. The IDEA's statutory framework assigns SEAs like the CDE crucial responsibility in ensuring students with disabilities receive a FAPE. "The statute, regulations, and legislative history all make clear that the [SEA] . . . has the ultimate responsibility for assuring that all handicapped children have the right to a [FAPE]." *Kerr Ctr. Parents Ass'n v. Charles*, 897 F.2d 1463, 1470 (9th Cir. 1990); *see also Michael P. v. Dep't of Educ.*, 656 F.3d 1057, 1067 (9th Cir. 2011) (IDEA requires SEA to issue state regulations consistent with federal ones). This responsibility includes ensuring students receive a FAPE, including through the IEP process. 20 U.S.C. §§ 1412(a)(11)–(12)(A); 1415(a), (b)(1). The IEP is the "*modus operandi*" of the IDEA's substantive protections. *Sch. Comm. of Town of Burlington, Mass.*, 471 U.S. at 368; *see also* 20 U.S.C. §§ 1401(14); 1414; 1415. Prior to the onset of the COVID-19 pandemic and the start of remote learning in March of 2020, Petitioners and hundreds of thousands of other students across the state had entered into IEPs and settlement agreements with

their school districts under the IDEA and governing regulations. ECF No. 1, at 61.

As early as April of 2020, the DOE reaffirmed that federal statutory obligations remained in effect during the pandemic (“most notably [the provision of] a free appropriate public education”<sup>17</sup>), and therefore LEAs and SEAs were still required to “provide education to *all* students, including children with disabilities,” and involve parents in decision-making.<sup>18</sup> Yet, as addressed in Section V(C), *supra*, the CDE Defendants issued contradictory guidance. They first instructed LEAs that they did not need to conduct *any* reassessment to account for remote learning, even though all operative IEPs were created in the context of in-person learning.<sup>19</sup> They further chose *not* to direct LEAs to reassess what educational services were required to compensate for the lack of necessary supports and loss of learning from many months of remote education.<sup>20</sup> Because of the crucial function the IEP plays in ensuring students receive a FAPE, this de facto waiver of the IDEA’s IEP provisions for schools across the state implicates the “basic goals” of the IDEA “system wide.” *Hoelt*, 967 F.2d at 1305; *see also J.G. by Mrs. G. v. Bd. of Educ. of Rochester City Sch. Dist.*, 830 F.2d 444, 446 (2d Cir. 1987) (finding systemic deficiencies raised by challenge to district inaction, including failing to place

---

<sup>17</sup> U.S. Dep’t of Educ., Sec’y DeVos Recommended Waiver Authority, at 11, *supra* note 7.

<sup>18</sup> *Id.* (emphasis in original).

<sup>19</sup> Cal. Dep’t of Educ., Special Education Guidance for COVID-19, *supra* note 5.

<sup>20</sup> Cal. Dep’t of Educ., Special Education Guidance for COVID-19, *supra* note 11.

students in special education programs, provide equal opportunities, and develop IEPs with parents).

The widespread consequences of this systemic decision have become increasingly evident as disabled students suffer the foreseeable consequences of regressions after returning to the classroom. In California, 800,000 students relied on the CDE to protect their rights to a FAPE. ECF No. 1, at 77. Instead, the CDE Defendants permitted widespread deprivation of existing IEP accommodations without requiring districts to commit to new accommodations for students in the remote setting. For these hundreds of thousands of students who could no longer access educational opportunities, whether the IDEA requires the CDE to rectify this wrong, including with reassessments now and/or compensatory education, is of crucial importance. Correcting the Ninth Circuit's clearly erroneous holding on mootness could provide critical relief to these students and could provide further clarity to the CDE Defendants as to their obligations under the IDEA.

**C. This Court's review can also avert the far-reaching consequences the Ninth Circuit's precedential decision could have on litigants seeking declaratory and injunctive relief to protect other rights.**

The Ninth Circuit's erroneous opinion also should be corrected because it threatens far-reaching consequences for those who seek redress in federal courts. When individuals face imminent or actual harm, including from agency and other governmental

actors, they often turn to federal courts for declaratory or injunctive relief. While district courts may rule on their requests in short order, appealing adverse outcomes takes more time. By the time an appellate court rules on the case, the injury these individuals sought to prevent may have come to pass or may have changed with unfolding circumstances. As this case illustrates, it can be difficult for litigants to predict *ex ante* what relief will remedy their injury years into litigation.

As discussed above in Section VI(A)(2), *supra*, Rule 54 already grants district courts the authority to solve this problem. This Court's jurisprudence placing the "heavy burden" of proving that no effective relief can be granted on defendants devises an additional solution. *Adarand Constructors, Inc. v. Slater*, 528 U.S. 216, 222 (2000) (*per curiam*) (internal quotation marks omitted). Along with the Declaratory Judgment Act's permissive pleading standards, this legal framework strikes a balance between ensuring that the federal judiciary is addressing actual disputes between adverse parties, on the one hand, and on the other hand giving courts discretion to fashion a remedy that will redress an ongoing wrong in evolving circumstances. Litigants like Petitioners will continue to ask federal courts to protect and enforce their individual federal rights. By abdicating the ability to enforce those rights anytime the original request for relief no longer remedies the alleged violation, this new precedent threatens to diminish individual rights and corresponding judicial legitimacy. *See generally* Vicki C. Jackson, *Standing and the Role of Federal Courts: Triple Error Decisions*

*in Clapper v. Amnesty International USA and City of Los Angeles v. Lyons*, 23 Wm. & Mary Bill Rts. J. 127, 177 (2014) (“To the extent that justiciability decisions sweep broadly to close courthouse doors, and do not rest soundly on core principles, they can undermine both of these roles [of public access and fair response to minoritarian claims], and thus part of the political theory for their separation and independence from legislative and executive branches.”).

Where, as here, a state actor is alleged to have deprived state citizens of a federal statutory right, that diminution disrupts the balance between the state and federal government, as well as between individuals and the state. The Ninth Circuit’s opinion in this case may further affect the delicate balance of power between the respective branches of government in other cases. *See, e.g.,* Heather Elliott, *The Functions of Standing*, 61 Stan. L. Rev. 459, 500 (2008) (describing suits against executive agencies as serving “a separation-of-powers interest arguably as valid as the anticonscription function”). Take, for example, the Ninth Circuit’s rationale in *Northwest Environmental Defense Center*, which the court implicitly rejected here. 849 F.2d 1241. In that case, the plaintiffs sued various agencies for alleged violations of federal law and asked the district court to declare the agencies’ measures void and enjoin them from amending that year’s regulatory fishing schedule. While the year’s fishing season had ended by the time the case reached the court of appeals, the Ninth Circuit rejected the agency’s contention that the plaintiffs were required “to have asked for the precise form of relief that the district court may ultimately

grant.” *Id.* at 1244. Because the injury from the alleged unlawful agency action could “still be repaired or mitigated” though “obviously not by restoring the fish harvested” that year, the court of appeals retained jurisdiction to adjudicate the dispute. *Id.* at 1245. Returning to this standard will restore the balance the Ninth Circuit previously struck between the respective branches of government in future disputes with state actors.

## **VII. CONCLUSION AND PRAYER FOR RELIEF**

This case involves the immense regression and loss of learning suffered by Petitioners and approximately 800,000 other students with disabilities in the State of California as a result of the CDE Defendants’ continuing failure to order school districts across California to ensure those students receive a FAPE under the IDEA after being forced to obtain their education remotely and then transitioning back to in-person instruction. Absent review by this Court, Petitioners and hundreds of thousands of other students with disabilities will have no recourse to obtain the compensatory education necessary to restore a FAPE after being deprived of that right for years.

For the foregoing reasons, the Court should grant this petition for a writ of certiorari.

Date: February 13, 2023

Respectfully submitted,

MAXWELL V. PRITT  
*Counsel of Record*  
BOIES SCHILLER FLEXNER LLP  
44 Montgomery Street  
41st Floor  
San Francisco, CA 94104  
(415) 293-6800  
mpritt@bsfllp.com  
*Counsel for Petitioners*

**LIST OF ALL PARTIES - CONTINUED**

|     |   |
|-----|---|
| 9.  | ALAMEDA COUNTY STUDENT EXCHANGE PROG.                                       |
| 10. | ALAMEDA UNIFIED SCHOOL DISTRICT   |
| 11. | ALBANY CITY UNIFIED SCHOOL DISTRICT   |
| 12. | BERKELEY UNIFIED SCHOOL DISTRICT  |
| 13. | CALIFORNIA SCHOOL FOR THE BLIND (STATE SPECIAL SCHOOL)                      |
| 14. | CALIFORNIA SCHOOL FOR THE DEAF-FREMONT (STATE SPECIAL SCHOOL) <sup>21</sup> |
| 15. | CASTRO VALLEY UNIFIED SCHOOL DISTRICT                                       |
| 16. | DIAGNOSTIC CENTER, NORTHERN CALIFORNIA (STATE SPECIAL SCHOOL)               |
| 17. | DUBLIN UNIFIED SCHOOL DISTRICT  |

---

<sup>21</sup> The California School for the Blind, the California School for the Deaf, and the Diagnostic Centers of California directly provide services to individual students under the administration of the CDE, and thus differ from the named District Defendants, which are LEAs.



|     |  |
|-----|--|
| 18. | EMERY UNIFIED SCHOOL DISTRICT                  |
| 19. | FREMONT UNIFIED SCHOOL DISTRICT                |
| 20. | HAYWARD UNIFIED SCHOOL DISTRICT                |
| 21. | LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT |
| 22. | MOUNTAIN HOUSE ELEMENTARY SCHOOL DISTRICT      |
| 23. | NEW HAVEN UNIFIED SCHOOL DISTRICT              |
| 24. | NEWARK UNIFIED SCHOOL DISTRICT                 |
| 25. | OAKLAND UNIFIED SCHOOL DISTRICT                |
| 26. | PIEDMONT CITY UNIFIED SCHOOL DISTRICT          |
| 27. | PLEASANTON UNIFIED SCHOOL DISTRICT             |
| 28. | SAN LEANDRO UNIFIED SCHOOL DISTRICT            |
| 29. | SAN LORENZO UNIFIED SCHOOL                     |

|     |   |
|-----|---|
|     | DISTRICT  |
| 30. | SBE - LATITUDE 37.8 HIGH SCHOOL                 |
| 31. | SUNOL GLEN UNIFIED SCHOOL DISTRICT              |
| 32. | ALPINE COUNTY UNIFIED SCHOOL DISTRICT           |
| 33. | AMADOR COUNTY UNIFIED SCHOOL DISTRICT           |
| 34. | BANGOR UNION ELEMENTARY SCHOOL DISTRICT         |
| 35. | BIGGS UNIFIED SCHOOL DISTRICT                   |
| 36. | CHICO UNIFIED SCHOOL DISTRICT                   |
| 37. | DURHAM UNIFIED SCHOOL DISTRICT                  |
| 38. | GOLDEN FEATHER UNION ELEMENTARY SCHOOL DISTRICT |
| 39. | GRIDLEY UNIFIED SCHOOL DISTRICT                 |
| 40. | MANZANITA ELEMENTARY SCHOOL DISTRICT            |
| 41. | OROVILLE CITY ELEMENTARY SCHOOL DISTRICT        |

|     |   |
|-----|---|
| 42. | OROVILLE UNION HIGH SCHOOL DISTRICT         |
| 43. | PALERMO UNION ELEMENTARY SCHOOL DISTRICT    |
| 44. | PARADISE UNIFIED SCHOOL DISTRICT            |
| 45. | PIONEER UNION ELEMENTARY SCHOOL DISTRICT    |
| 46. | THERMALITO UNION ELEMENTARY SCHOOL DISTRICT |
| 47. | BRET HARTE UNION HIGH SCHOOL DISTRICT       |
| 48. | CALAVERAS UNIFIED SCHOOL DISTRICT           |
| 49. | MARK TWAIN UNION ELEMENTARY SCHOOL DISTRICT |
| 50. | VALLECITO UNION SCHOOL DISTRICT             |
| 51. | COLUSA UNIFIED SCHOOL DISTRICT              |
| 52. | MAXWELL UNIFIED SCHOOL DISTRICT             |
| 53. | PIERCE JOINT UNIFIED SCHOOL                 |

|     |  |
|-----|--|
|     | DISTRICT                                   |
| 54. | WILLIAMS UNIFIED SCHOOL DISTRICT           |
| 55. | ACALANES UNION HIGH SCHOOL DISTRICT        |
| 56. | ANTIOCH UNIFIED SCHOOL DISTRICT            |
| 57. | BRENTWOOD UNION ELEMENTARY SCHOOL DISTRICT |
| 58. | BYRON UNION ELEMENTARY SCHOOL DISTRICT     |
| 59. | CANYON ELEMENTARY SCHOOL DISTRICT          |
| 60. | CONTRA COSTA SELPA SCHOOL DISTRICT         |
| 61. | JOHN SWETT UNIFIED SCHOOL DISTRICT         |
| 62. | KNIGHTSEN ELEMENTARY SCHOOL DISTRICT       |
| 63. | LAFAYETTE ELEMENTARY SCHOOL DISTRICT       |
| 64. | LIBERTY UNION HIGH SCHOOL DISTRICT         |

|     |   |
|-----|---|
| 65. | MARTINEZ UNIFIED SCHOOL DISTRICT          |
| 66. | MORAGA ELEMENTARY SCHOOL DISTRICT         |
| 67. | MT. DIABLO UNIFIED SCHOOL DISTRICT        |
| 68. | OAKLEY UNION ELEMENTARY SCHOOL DISTRICT   |
| 69. | ORINDA UNION ELEMENTARY SCHOOL DISTRICT   |
| 70. | PITTSBURG UNIFIED SCHOOL DISTRICT         |
| 71. | SAN RAMON VALLEY UNIFIED SCHOOL DISTRICT  |
| 72. | SBE - JOHN HENRY HIGH SCHOOL DISTRICT     |
| 73. | SBE - ROCKETSHIP FUTURO ACADEMY           |
| 74. | WALNUT CREEK ELEMENTARY SCHOOL DISTRICT   |
| 75. | WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT |

|     |   |
|-----|---|
| 76. | DEL NORTE COUNTY UNIFIED SCHOOL DISTRICT        |
| 77. | BLACK OAK MINE UNIFIED SCHOOL DISTRICT          |
| 78. | BUCKEYE UNION ELEMENTARY SCHOOL DISTRICT        |
| 79. | CAMINO UNION ELEMENTARY SCHOOL DISTRICT         |
| 80. | EL DORADO UNION HIGH SCHOOL DISTRICT            |
| 81. | GOLD OAK UNION ELEMENTARY SCHOOL DISTRICT       |
| 82. | GOLD TRAIL UNION ELEMENTARY SCHOOL DISTRICT     |
| 83. | INDIAN DIGGINGS ELEMENTARY SCHOOL DISTRICT      |
| 84. | LAKE TAHOE UNIFIED SCHOOL DISTRICT              |
| 85. | LATROBE SCHOOL DISTRICT<br>SCHOOL DISTRICT      |
| 86. | MOTHER LODE UNION<br>ELEMENTARY SCHOOL DISTRICT |

|     |  |
|-----|--|
| 87. | PIONEER UNION ELEMENTARY SCHOOL DISTRICT     |
| 88. | PLACERVILLE UNION ELEMENTARY SCHOOL DISTRICT |
| 89. | POLLOCK PINES ELEMENTARY SCHOOL DISTRICT     |
| 90. | RESCUE UNION ELEMENTARY SCHOOL DISTRICT      |
| 91. | SILVER FORK ELEMENTARY SCHOOL DISTRICT       |
| 92. | ALVINA ELEMENTARY SCHOOL DISTRICT            |
| 93. | BIG CREEK ELEMENTARY SCHOOL DISTRICT         |
| 94. | BURREL UNION ELEMENTARY SCHOOL DISTRICT      |
| 95. | CARUTHERS UNIFIED SCHOOL DISTRICT            |
| 96. | CENTRAL UNIFIED SCHOOL DISTRICT              |
| 97. | CLAY JOINT ELEMENTARY SCHOOL DISTRICT        |

|      |  |
|------|--|
| 98.  | CLOVIS UNIFIED SCHOOL DISTRICT                               |
| 99.  | COALINGA-HURON UNIFIED SCHOOL DISTRICT                       |
| 100. | DIAGNOSTIC CENTER, CENTRAL CALIFORNIA (STATE SPECIAL SCHOOL) |
| 101. | FIREBAUGH-LAS DELTAS UNIFIED SCHOOL DISTRICT                 |
| 102. | FOWLER UNIFIED SCHOOL DISTRICT                               |
| 103. | FRESNO UNIFIED SCHOOL DISTRICT                               |
| 104. | GOLDEN PLAINS UNIFIED SCHOOL DISTRICT                        |
| 105. | KERMAN UNIFIED SCHOOL DISTRICT                               |
| 106. | KINGS CANYON JOINT UNIFIED SCHOOL DISTRICT                   |
| 107. | KINGSBURG ELEMENTARY CHARTER SCHOOL DISTRICT                 |
| 108. | KINGSBURG JOINT UNION HIGH SCHOOL DISTRICT                   |
| 109. | LATON JOINT UNIFIED SCHOOL                                   |



|      |  |
|------|--|
|      | DISTRICT                                     |
| 110. | MENDOTA UNIFIED SCHOOL DISTRICT              |
| 111. | MONROE ELEMENTARY SCHOOL DISTRICT            |
| 112. | ORANGE CENTER SCHOOL DISTRICT                |
| 113. | PACIFIC UNION ELEMENTARY SCHOOL DISTRICT     |
| 114. | PARLIER UNIFIED SCHOOL DISTRICT              |
| 115. | PINE RIDGE ELEMENTARY SCHOOL DISTRICT        |
| 116. | RAISIN CITY ELEMENTARY SCHOOL DISTRICT       |
| 117. | RIVERDALE JOINT UNIFIED SCHOOL DISTRICT      |
| 118. | SANGER UNIFIED SCHOOL DISTRICT               |
| 119. | SELMA UNIFIED SCHOOL DISTRICT                |
| 120. | SIERRA UNIFIED SCHOOL DISTRICT               |
| 121. | WASHINGTON COLONY ELEMENTARY SCHOOL DISTRICT |

|      |  |
|------|--|
| 122. | WASHINGTON UNIFIED SCHOOL DISTRICT           |
| 123. | WEST PARK ELEMENTARY SCHOOL DISTRICT         |
| 124. | WESTSIDE ELEMENTARY SCHOOL DISTRICT          |
| 125. | CAPAY JOINT UNION ELEMENTARY SCHOOL DISTRICT |
| 126. | HAMILTON UNIFIED SCHOOL DISTRICT             |
| 127. | LAKE ELEMENTARY SCHOOL DISTRICT              |
| 128. | ORLAND JOINT UNIFIED SCHOOL DISTRICT         |
| 129. | PLAZA ELEMENTARY SCHOOL DISTRICT             |
| 130. | PRINCETON JOINT UNIFIED SCHOOL DISTRICT      |
| 131. | STONY CREEK JOINT UNIFIED SCHOOL DISTRICT    |
| 132. | WILLOWS UNIFIED SCHOOL DISTRICT              |

|      |   |
|------|---|
| 133. | ARCATA ELEMENTARY SCHOOL DISTRICT           |
| 134. | BIG LAGOON UNION ELEMENTARY SCHOOL DISTRICT |
| 135. | BLUE LAKE UNION ELEMENTARY SCHOOL DISTRICT  |
| 136. | BRIDGEVILLE ELEMENTARY SCHOOL DISTRICT      |
| 137. | CUDDEBACK UNION ELEMENTARY SCHOOL DISTRICT  |
| 138. | CUTTEN ELEMENTARY SCHOOL DISTRICT           |
| 139. | EUREKA CITY SCHOOLS SCHOOL DISTRICT         |
| 140. | FERNDALE UNIFIED SCHOOL DISTRICT            |
| 141. | FIELDBROOK ELEMENTARY SCHOOL DISTRICT       |
| 142. | FORTUNA ELEMENTARY SCHOOL DISTRICT          |
| 143. | FORTUNA UNION HIGH SCHOOL DISTRICT          |

|      |  |
|------|--|
| 144. | FRESHWATER ELEMENTARY SCHOOL DISTRICT          |
| 145. | GARFIELD ELEMENTARY SCHOOL DISTRICT            |
| 146. | GREEN POINT ELEMENTARY SCHOOL DISTRICT         |
| 147. | HYDESVILLE ELEMENTARY SCHOOL DISTRICT          |
| 148. | JACOBY CREEK ELEMENTARY SCHOOL DISTRICT        |
| 149. | KLAMATH-TRINITY JOINT UNIFIED SCHOOL DISTRICT  |
| 150. | KNEELAND ELEMENTARY SCHOOL DISTRICT            |
| 151. | LOLETA UNION ELEMENTARY SCHOOL DISTRICT        |
| 152. | MAPLE CREEK ELEMENTARY SCHOOL DISTRICT         |
| 153. | MATTOLE UNIFIED SCHOOL DISTRICT                |
| 154. | MCKINLEYVILLE UNION ELEMENTARY SCHOOL DISTRICT |

|      |  |
|------|--|
| 155. | NORTHERN HUMBOLDT UNION<br>HIGH SCHOOL DISTRICT    |
| 156. | ORICK ELEMENTARY SCHOOL<br>DISTRICT                |
| 157. | PACIFIC UNION ELEMENTARY<br>SCHOOL DISTRICT        |
| 158. | PENINSULA UNION SCHOOL<br>DISTRICT                 |
| 159. | RIO DELL ELEMENTARY SCHOOL<br>DISTRICT             |
| 160. | SCOTIA UNION ELEMENTARY<br>SCHOOL DISTRICT         |
| 161. | SOUTH BAY UNION ELEMENTARY<br>SCHOOL DISTRICT      |
| 162. | SOUTHERN HUMBOLDT JOINT<br>UNIFIED SCHOOL DISTRICT |
| 163. | TRINIDAD UNION ELEMENTARY<br>SCHOOL DISTRICT       |
| 164. | BRAWLEY ELEMENTARY SCHOOL<br>DISTRICT              |
| 165. | BRAWLEY UNION HIGH SCHOOL<br>DISTRICT              |

|      |   |
|------|---|
| 166. | CALEXICO UNIFIED SCHOOL DISTRICT          |
| 167. | CALIPATRIA UNIFIED SCHOOL DISTRICT        |
| 168. | CENTRAL UNION HIGH SCHOOL DISTRICT        |
| 169. | EL CENTRO ELEMENTARY SCHOOL DISTRICT      |
| 170. | HEBER ELEMENTARY SCHOOL DISTRICT          |
| 171. | HOLTVILLE UNIFIED SCHOOL DISTRICT         |
| 172. | IMPERIAL UNIFIED SCHOOL DISTRICT          |
| 173. | MAGNOLIA UNION ELEMENTARY SCHOOL DISTRICT |
| 174. | MCCABE UNION ELEMENTARY SCHOOL DISTRICT   |
| 175. | MEADOWS UNION ELEMENTARY SCHOOL DISTRICT  |
| 176. | MULBERRY ELEMENTARY SCHOOL DISTRICT       |

|      |   |
|------|---|
| 177. | SAN PASQUAL VALLEY UNIFIED SCHOOL DISTRICT    |
| 178. | SEELEY UNION ELEMENTARY SCHOOL DISTRICT       |
| 179. | WESTMORLAND UNION ELEMENTARY SCHOOL DISTRICT  |
| 180. | BIG PINE UNIFIED SCHOOL DISTRICT              |
| 181. | BISHOP UNIFIED SCHOOL DISTRICT                |
| 182. | DEATH VALLEY UNIFIED SCHOOL DISTRICT          |
| 183. | INYO COUNTY CAREER TECHNICAL EDUCATION        |
| 184. | LONE PINE UNIFIED SCHOOL DISTRICT             |
| 185. | OWENS VALLEY UNIFIED SCHOOL DISTRICT          |
| 186. | ROUND VALLEY JOINT ELEMENTARY SCHOOL DISTRICT |
| 187. | ARVIN UNION SCHOOL DISTRICT                   |
| 188. | BAKERSFIELD CITY SCHOOL DISTRICT              |

|      |   |
|------|---|
| 189. | BEARDSLEY ELEMENTARY SCHOOL DISTRICT          |
| 190. | BELRIDGE ELEMENTARY SCHOOL DISTRICT           |
| 191. | BLAKE ELEMENTARY SCHOOL DISTRICT              |
| 192. | BUTTONWILLOW UNION ELEMENTARY SCHOOL DISTRICT |
| 193. | CALIENTE UNION ELEMENTARY SCHOOL DISTRICT     |
| 194. | DELANO JOINT UNION HIGH SCHOOL DISTRICT       |
| 195. | DELANO UNION ELEMENTARY SCHOOL DISTRICT       |
| 196. | DI GIORGIO ELEMENTARY SCHOOL DISTRICT         |
| 197. | EDISON ELEMENTARY SCHOOL DISTRICT             |
| 198. | EL TEJON UNIFIED SCHOOL DISTRICT              |
| 199. | ELK HILLS ELEMENTARY SCHOOL DISTRICT          |



|      |  |
|------|--|
| 200. | FAIRFAX ELEMENTARY SCHOOL DISTRICT           |
| 201. | FRUITVALE ELEMENTARY SCHOOL DISTRICT         |
| 202. | GENERAL SHAFTER ELEMENTARY SCHOOL DISTRICT   |
| 203. | GREENFIELD UNION SCHOOL DISTRICT             |
| 204. | KERN HIGH SCHOOL DISTRICT                    |
| 205. | KERNVILLE UNION ELEMENTARY SCHOOL DISTRICT   |
| 206. | LAKESIDE UNION SCHOOL DISTRICT               |
| 207. | LAMONT ELEMENTARY SCHOOL DISTRICT            |
| 208. | LINNS VALLEY-POSO FLAT UNION SCHOOL DISTRICT |
| 209. | LOST HILLS UNION ELEMENTARY SCHOOL DISTRICT  |
| 210. | MAPLE ELEMENTARY SCHOOL DISTRICT             |
| 211. | MARICOPA UNIFIED SCHOOL DISTRICT             |

|      |   |
|------|---|
| 212. | MCFARLAND UNIFIED SCHOOL DISTRICT                 |
| 213. | MCKITTRICK ELEMENTARY SCHOOL DISTRICT             |
| 214. | MIDWAY ELEMENTARY SCHOOL DISTRICT                 |
| 215. | MOJAVE UNIFIED SCHOOL DISTRICT                    |
| 216. | MUROC JOINT UNIFIED SCHOOL DISTRICT               |
| 217. | NORRIS ELEMENTARY SCHOOL DISTRICT                 |
| 218. | PANAMA-BUENA VISTA UNION SCHOOL DISTRICT          |
| 219. | POND UNION ELEMENTARY SCHOOL DISTRICT             |
| 220. | RAND JOINT ELEMENTARY SCHOOL DISTRICT             |
| 221. | RICHLAND UNION ELEMENTARY SCHOOL DISTRICT         |
| 222. | RIO BRAVOGREELEY UNION ELEMENTARY SCHOOL DISTRICT |
| 223. | ROSEDALE UNION ELEMENTARY                         |

|      |  |
|------|--|
|      | SCHOOL DISTRICT                        |
| 224. | SEMITROPIC ELEMENTARY SCHOOL DISTRICT  |
| 225. | SIERRA SANDS UNIFIED SCHOOL DISTRICT   |
| 226. | SOUTH FORK UNION SCHOOL DISTRICT       |
| 227. | SOUTHERN KERN UNIFIED SCHOOL DISTRICT  |
| 228. | STANDARD ELEMENTARY SCHOOL DISTRICT    |
| 229. | TAFT CITY SCHOOL DISTRICT              |
| 230. | TAFT UNION HIGH SCHOOL DISTRICT        |
| 231. | TEHACHAPI UNIFIED SCHOOL DISTRICT      |
| 232. | VINELAND ELEMENTARY SCHOOL DISTRICT    |
| 233. | WASCO UNION ELEMENTARY SCHOOL DISTRICT |
| 234. | WASCO UNION HIGH SCHOOL DISTRICT       |

|      |  |
|------|--|
| 235. | ARMONA UNION ELEMENTARY SCHOOL DISTRICT              |
| 236. | CENTRAL UNION ELEMENTARY SCHOOL DISTRICT             |
| 237. | CORCORAN JOINT UNIFIED SCHOOL DISTRICT               |
| 238. | HANFORD ELEMENTARY SCHOOL DISTRICT                   |
| 239. | HANFORD JOINT UNION HIGH SCHOOL DISTRICT             |
| 240. | ISLAND UNION ELEMENTARY SCHOOL DISTRICT              |
| 241. | KINGS RIVERHARDWICK UNION ELEMENTARY SCHOOL DISTRICT |
| 242. | KIT CARSON UNION ELEMENTARY SCHOOL DISTRICT          |
| 243. | LAKESIDE UNION ELEMENTARY SCHOOL DISTRICT            |
| 244. | LEMOORE UNION ELEMENTARY SCHOOL DISTRICT             |
| 245. | LEMOORE UNION HIGH SCHOOL DISTRICT                   |

|      |   |
|------|---|
| 246. | PIONEER UNION ELEMENTARY SCHOOL DISTRICT    |
| 247. | REEF-SUNSET UNIFIED SCHOOL DISTRICT         |
| 248. | KELSEYVILLE UNIFIED SCHOOL DISTRICT         |
| 249. | KONOCTI UNIFIED SCHOOL DISTRICT             |
| 250. | LAKEPORT UNIFIED SCHOOL DISTRICT            |
| 251. | LUCERNE ELEMENTARY SCHOOL DISTRICT          |
| 252. | MIDDLETOWN UNIFIED SCHOOL DISTRICT          |
| 253. | UPPER LAKE UNIFIED SCHOOL DISTRICT          |
| 254. | BIG VALLEY JOINT UNIFIED SCHOOL DISTRICT    |
| 255. | FORT SAGE UNIFIED SCHOOL DISTRICT           |
| 256. | JANESVILLE UNION ELEMENTARY SCHOOL DISTRICT |

|      |  |
|------|--|
| 257. | JOHNSTONVILLE ELEMENTARY SCHOOL DISTRICT   |
| 258. | LASSEN UNION HIGH SCHOOL DISTRICT          |
| 259. | RAVENDALE-TERMO ELEMENTARY SCHOOL DISTRICT |
| 260. | RICHMOND ELEMENTARY SCHOOL DISTRICT        |
| 261. | SHAFFER UNION ELEMENTARY SCHOOL DISTRICT   |
| 262. | SUSANVILLE ELEMENTARY SCHOOL DISTRICT      |
| 263. | WESTWOOD UNIFIED SCHOOL DISTRICT           |
| 264. | ABC UNIFIED SCHOOL DISTRICT                |
| 265. | ACTON-AGUA DULCE UNIFIED SCHOOL DISTRICT   |
| 266. | ALHAMBRA UNIFIED SCHOOL DISTRICT           |
| 267. | ANTELOPE VALLEY UNION HIGH SCHOOL DISTRICT |
| 268. | ARCADIA UNIFIED SCHOOL                     |

|      |   |
|------|---|
|      | DISTRICT                                    |
| 269. | AZUSA UNIFIED SCHOOL DISTRICT               |
| 270. | BALDWIN PARK UNIFIED SCHOOL DISTRICT        |
| 271. | BASSETT UNIFIED SCHOOL DISTRICT             |
| 272. | BELLFLOWER UNIFIED SCHOOL DISTRICT          |
| 273. | BEVERLY HILLS UNIFIED SCHOOL DISTRICT       |
| 274. | BONITA UNIFIED SCHOOL DISTRICT              |
| 275. | BURBANK UNIFIED SCHOOL DISTRICT             |
| 276. | CASTAIC UNION SCHOOL DISTRICT               |
| 277. | CENTINELA VALLEY UNION HIGH SCHOOL DISTRICT |
| 278. | CHARTER OAK UNIFIED SCHOOL DISTRICT         |
| 279. | CLAREMONT UNIFIED SCHOOL DISTRICT           |
| 280. | COMPTON UNIFIED SCHOOL DISTRICT             |

|      |   |
|------|---|
| 281. | COVINA-VALLEY UNIFIED SCHOOL DISTRICT                         |
| 282. | CULVER CITY UNIFIED SCHOOL DISTRICT                           |
| 283. | DIAGNOSTIC CENTER, SOUTHERN CALIFORNIA (STATE SPECIAL SCHOOL) |
| 284. | DOWNEY UNIFIED SCHOOL DISTRICT                                |
| 285. | DUARTE UNIFIED SCHOOL DISTRICT                                |
| 286. | EAST WHITTIER CITY ELEMENTARY SCHOOL DISTRICT                 |
| 287. | EASTSIDE UNION ELEMENTARY SCHOOL DISTRICT                     |
| 288. | EL MONTE CITY SCHOOL DISTRICT                                 |
| 289. | EL MONTE UNION HIGH SCHOOL DISTRICT                           |
| 290. | EL RANCHO UNIFIED SCHOOL DISTRICT                             |
| 291. | EL SEGUNDO UNIFIED SCHOOL DISTRICT                            |
| 292. | GARVEY ELEMENTARY SCHOOL                                      |



|      |  |
|------|--|
|      | DISTRICT   |
| 293. | GLENDALE UNIFIED SCHOOL DISTRICT                       |
| 294. | GLENDORA UNIFIED SCHOOL DISTRICT                       |
| 295. | GORMAN JOINT SCHOOL DISTRICT                           |
| 296. | HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT             |
| 297. | HAWTHORNE SCHOOL DISTRICT                              |
| 298. | HERMOSA BEACH CITY ELEMENTARY SCHOOL DISTRICT          |
| 299. | HUGHESELIZABETH LAKES UNION ELEMENTARY SCHOOL DISTRICT |
| 300. | INGLEWOOD UNIFIED SCHOOL DISTRICT                      |
| 301. | KEPPEL UNION ELEMENTARY SCHOOL DISTRICT                |
| 302. | LA CANADA UNIFIED SCHOOL DISTRICT                      |
| 303. | LANCASTER ELEMENTARY SCHOOL DISTRICT                   |
| 304. | LAS VIRGENES UNIFIED SCHOOL                            |

|      |   |
|------|---|
|      | DISTRICT                                    |
| 305. | LAWDALE ELEMENTARY SCHOOL DISTRICT          |
| 306. | LENNOX SCHOOL DISTRICT                      |
| 307. | LITTLE LAKE CITY ELEMENTARY SCHOOL DISTRICT |
| 308. | LONG BEACH UNIFIED SCHOOL DISTRICT          |
| 309. | LOS ANGELES COUNTY OFFICE OF EDUCATION      |
| 310. | LOS ANGELES UNIFIED SCHOOL DISTRICT         |
| 311. | LOS NIETOS SCHOOL DISTRICT                  |
| 312. | LOWELL JOINT SCHOOL DISTRICT                |
| 313. | LYNWOOD UNIFIED SCHOOL DISTRICT             |
| 314. | MANHATTAN BEACH UNIFIED SCHOOL DISTRICT     |
| 315. | MONROVIA UNIFIED SCHOOL DISTRICT            |
| 316. | MONTEBELLO UNIFIED SCHOOL DISTRICT          |

|      |  |
|------|--|
| 317. | MOUNTAIN VIEW ELEMENTARY SCHOOL DISTRICT       |
| 318. | NEWHALL SCHOOL DISTRICT                        |
| 319. | NORWALK-LA MIRADA UNIFIED SCHOOL DISTRICT      |
| 320. | PALMDALE ELEMENTARY SCHOOL DISTRICT            |
| 321. | PALOS VERDES PENINSULA UNIFIED SCHOOL DISTRICT |
| 322. | PARAMOUNT UNIFIED SCHOOL DISTRICT              |
| 323. | PASADENA UNIFIED SCHOOL DISTRICT               |
| 324. | POMONA UNIFIED SCHOOL DISTRICT                 |
| 325. | REDONDO BEACH UNIFIED SCHOOL DISTRICT          |
| 326. | ROSEMEAD ELEMENTARY SCHOOL DISTRICT            |
| 327. | ROWLAND UNIFIED SCHOOL DISTRICT                |
| 328. | SAN GABRIEL UNIFIED SCHOOL                     |

|      |   |
|------|---|
|      | DISTRICT                                    |
| 329. | SAN MARINO UNIFIED SCHOOL DISTRICT          |
| 330. | SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT |
| 331. | SAUGUS UNION SCHOOL DISTRICT                |
| 332. | SBE - ACADEMIA AVANCE CHARTER               |
| 333. | SBE - CELERITY HIMALIA                      |
| 334. | SBE - LOS ANGELES COLLEGE PREP ACADEMY      |
| 335. | SBE - NEW WEST CHARTER                      |
| 336. | SBE - PREPA TEC LOS ANGELES HIGH            |
| 337. | SBE – THE SCHOOL OF ARTS AND ENTERPRISE     |
| 338. | SOUTH PASADENA UNIFIED SCHOOL DISTRICT      |
| 339. | SOUTH WHITTIER ELEMENTARY SCHOOL DISTRICT   |
| 340. | SULPHUR SPRINGS UNION SCHOOL DISTRICT       |

|      |  |
|------|--|
| 341. | TEMPLE CITY UNIFIED SCHOOL DISTRICT        |
| 342. | TORRANCE UNIFIED SCHOOL DISTRICT           |
| 343. | VALLE LINDO ELEMENTARY SCHOOL DISTRICT     |
| 344. | WALNUT VALLEY UNIFIED SCHOOL DISTRICT      |
| 345. | WEST COVINA UNIFIED SCHOOL DISTRICT        |
| 346. | WESTSIDE UNION ELEMENTARY SCHOOL DISTRICT  |
| 347. | WHITTIER CITY ELEMENTARY SCHOOL DISTRICT   |
| 348. | WHITTIER UNION HIGH SCHOOL DISTRICT        |
| 349. | WILLIAM S. HART UNION HIGH SCHOOL DISTRICT |
| 350. | WILSONA ELEMENTARY SCHOOL DISTRICT         |
| 351. | WISEBURN UNIFIED SCHOOL DISTRICT           |

|      |  |
|------|--|
| 352. | ALVIEW-DAIRYLAND UNION<br>ELEMENTARY SCHOOL DISTRICT |
| 353. | BASS LAKE JOINT UNION<br>ELEMENTARY SCHOOL DISTRICT  |
| 354. | CHAWANAKEE UNIFIED SCHOOL<br>DISTRICT                |
| 355. | CHOWCHILLA ELEMENTARY<br>SCHOOL DISTRICT             |
| 356. | CHOWCHILLA UNION HIGH SCHOOL<br>DISTRICT             |
| 357. | GOLDEN VALLEY UNIFIED SCHOOL<br>DISTRICT             |
| 358. | MADERA UNIFIED SCHOOL<br>DISTRICT                    |
| 359. | RAYMOND-KNOWLES UNION<br>ELEMENTARY SCHOOL DISTRICT  |
| 360. | YOSEMITE UNIFIED SCHOOL<br>DISTRICT                  |
| 361. | BOLINAS-STINSON UNION SCHOOL<br>DISTRICT             |
| 362. | KENTFIELD ELEMENTARY SCHOOL<br>DISTRICT              |

|      |  |
|------|--|
| 363. | LAGUNA JOINT ELEMENTARY SCHOOL DISTRICT    |
| 364. | LAGUNITAS ELEMENTARY SCHOOL DISTRICT       |
| 365. | LARKSPUR-CORTE MADERA SCHOOL DISTRICT      |
| 366. | LINCOLN ELEMENTARY SCHOOL DISTRICT         |
| 367. | MILL VALLEY ELEMENTARY SCHOOL DISTRICT     |
| 368. | MILLER CREEK ELEMENTARY SCHOOL DISTRICT    |
| 369. | NICASIO SCHOOL DISTRICT                    |
| 370. | NOVATO UNIFIED SCHOOL DISTRICT             |
| 371. | REED UNION ELEMENTARY SCHOOL DISTRICT      |
| 372. | ROSS ELEMENTARY SCHOOL DISTRICT            |
| 373. | ROSS VALLEY ELEMENTARY SCHOOL DISTRICT     |
| 374. | SAN RAFAEL CITY ELEMENTARY SCHOOL DISTRICT |

|      |   |
|------|---|
| 375. | SAN RAFAEL CITY HIGH SCHOOL DISTRICT                                |
| 376. | SAUSALITO MARIN CITY SCHOOL DISTRICT                                |
| 377. | SBE - ROSS VALLEY ELEMENTARY SCHOOL DISTRICT                        |
| 378. | SHORELINE UNIFIED SCHOOL DISTRICT                                   |
| 379. | TAMALPAIS UNION HIGH SCHOOL DISTRICT                                |
| 380. | MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT                             |
| 381. | ANDERSON VALLEY UNIFIED SCHOOL DISTRICT                             |
| 382. | ARENA UNION ELEMENTARY SCHOOL DISTRICT                              |
| 383. | ARENA UNION ELEMENTARY/POINT ARENA JOINT UNION HIGH SCHOOL DISTRICT |
| 384. | FORT BRAGG UNIFIED SCHOOL DISTRICT                                  |
| 385. | LAYTONVILLE UNIFIED SCHOOL DISTRICT                                 |



|      |  |
|------|--|
| 386. | LEGGETT VALLEY UNIFIED SCHOOL DISTRICT           |
| 387. | MANCHESTER UNION ELEMENTARY SCHOOL DISTRICT      |
| 388. | MENDOCINO UNIFIED SCHOOL DISTRICT                |
| 389. | POINT ARENA JOINT UNION HIGH SCHOOL DISTRICT     |
| 390. | POTTERVALLEY COMMUNITY UNIFIED SCHOOL DISTRICT   |
| 391. | ROUND VALLEY UNIFIED SCHOOL DISTRICT             |
| 392. | UKIAH UNIFIED SCHOOL DISTRICT                    |
| 393. | WILLITS UNIFIED SCHOOL DISTRICT                  |
| 394. | ATWATER ELEMENTARY SCHOOL DISTRICT               |
| 395. | BALLICO-CRESSEY ELEMENTARY SCHOOL DISTRICT       |
| 396. | DELHI UNIFIED SCHOOL DISTRICT                    |
| 397. | DOS PALOS ORO LOMA JOINT UNIFIED SCHOOL DISTRICT |

|      |   |
|------|---|
| 398. | EL NIDO ELEMENTARY SCHOOL DISTRICT            |
| 399. | GUSTINE UNIFIED SCHOOL DISTRICT               |
| 400. | HILMAR UNIFIED SCHOOL DISTRICT                |
| 401. | LE GRAND UNION ELEMENTARY SCHOOL DISTRICT     |
| 402. | LE GRAND UNION HIGH SCHOOL DISTRICT           |
| 403. | LIVINGSTON UNION SCHOOL DISTRICT              |
| 404. | LOS BANOS UNIFIED SCHOOL DISTRICT             |
| 405. | MCSWAIN UNION ELEMENTARY SCHOOL DISTRICT      |
| 406. | MERCED CITY ELEMENTARY SCHOOL DISTRICT        |
| 407. | MERCED RIVER UNION ELEMENTARY SCHOOL DISTRICT |
| 408. | MERCED UNION HIGH SCHOOL DISTRICT             |
| 409. | PLAINSBURG UNION ELEMENTARY                   |

|      |  |
|------|--|
|      | SCHOOL DISTRICT  |
| 410. | PLANADA ELEMENTARY SCHOOL DISTRICT                     |
| 411. | SNELLING-MERCED FALLS UNION ELEMENTARY SCHOOL DISTRICT |
| 412. | WEAVER UNION SCHOOL DISTRICT                           |
| 413. | WINTON SCHOOL DISTRICT                                 |
| 414. | MODOC JOINT UNIFIED SCHOOL DISTRICT                    |
| 415. | SURPRISE VALLEY JOINT UNIFIED SCHOOL DISTRICT          |
| 416. | TULELAKE BASIN JOINT UNIFIED SCHOOL DISTRICT           |
| 417. | EASTERN SIERRA UNIFIED SCHOOL DISTRICT                 |
| 418. | MAMMOTH UNIFIED SCHOOL DISTRICT                        |
| 419. | ALISAL UNION SCHOOL DISTRICT                           |
| 420. | BIG SUR UNIFIED SCHOOL DISTRICT                        |
| 421. | BRADLEY UNION ELEMENTARY SCHOOL DISTRICT               |

|      |   |
|------|---|
| 422. | CARMEL UNIFIED SCHOOL DISTRICT                |
| 423. | CHUALAR UNION SCHOOL DISTRICT                 |
| 424. | GONZALES UNIFIED SCHOOL DISTRICT              |
| 425. | GRAVES ELEMENTARY SCHOOL DISTRICT             |
| 426. | GREENFIELD UNION ELEMENTARY SCHOOL DISTRICT   |
| 427. | KING CITY UNION SCHOOL DISTRICT               |
| 428. | LAGUNITA ELEMENTARY SCHOOL DISTRICT           |
| 429. | MISSION UNION ELEMENTARY SCHOOL DISTRICT      |
| 430. | MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT    |
| 431. | NORTH MONTEREY COUNTY UNIFIED SCHOOL DISTRICT |
| 432. | PACIFIC GROVE UNIFIED SCHOOL DISTRICT         |
| 433. | SALINAS CITY ELEMENTARY                       |

|      |  |
|------|--|
|      | SCHOOL DISTRICT  |
| 434. | SALINAS UNION HIGH SCHOOL DISTRICT                     |
| 435. | SAN ANTONIO UNION ELEMENTARY SCHOOL DISTRICT           |
| 436. | SAN ARDO UNION ELEMENTARY SCHOOL DISTRICT              |
| 437. | SAN LUCAS UNION ELEMENTARY SCHOOL DISTRICT             |
| 438. | SANTA RITA UNION ELEMENTARY SCHOOL DISTRICT            |
| 439. | SOLEDAD UNIFIED SCHOOL DISTRICT                        |
| 440. | SOUTH MONTEREY COUNTY JOINT UNION HIGH SCHOOL DISTRICT |
| 441. | SPRECKELS UNION ELEMENTARY SCHOOL DISTRICT             |
| 442. | WASHINGTON UNION ELEMENTARY SCHOOL DISTRICT            |
| 443. | CALISTOGA JOINT UNIFIED SCHOOL DISTRICT                |
| 444. | HOWELL MOUNTAIN ELEMENTARY SCHOOL DISTRICT             |

|      |   |
|------|---|
| 445. | NAPA VALLEY UNIFIED SCHOOL DISTRICT             |
| 446. | POPE VALLEY UNION ELEMENTARY SCHOOL DISTRICT    |
| 447. | SAINT HELENA UNIFIED SCHOOL DISTRICT            |
| 448. | CHICAGO PARK ELEMENTARY SCHOOL DISTRICT         |
| 449. | CLEAR CREEK ELEMENTARY SCHOOL DISTRICT          |
| 450. | GRASS VALLEY ELEMENTARY SCHOOL DISTRICT         |
| 451. | NEVADA CITY ELEMENTARY SCHOOL DISTRICT          |
| 452. | NEVADA JOINT UNION HIGH SCHOOL DISTRICT         |
| 453. | PENN VALLEY UNION ELEMENTARY SCHOOL DISTRICT    |
| 454. | PLEASANT RIDGE UNION ELEMENTARY SCHOOL DISTRICT |
| 455. | TWIN RIDGES ELEMENTARY SCHOOL DISTRICT          |

|      |  |
|------|--|
| 456. | UNION HILL ELEMENTARY SCHOOL DISTRICT      |
| 457. | ANAHEIM ELEMENTARY SCHOOL DISTRICT         |
| 458. | ANAHEIM UNION HIGH SCHOOL DISTRICT         |
| 459. | BREA-OLINDA UNIFIED SCHOOL DISTRICT        |
| 460. | BUENA PARK ELEMENTARY SCHOOL DISTRICT      |
| 461. | CAPISTRANO UNIFIED SCHOOL DISTRICT         |
| 462. | CENTRAL ORANGE COUNTY CTE PARTNERSHIP      |
| 463. | CENTRALIA ELEMENTARY SCHOOL DISTRICT       |
| 464. | COLLEGE AND CAREER ADVANTAGE               |
| 465. | CYPRESS ELEMENTARY SCHOOL DISTRICT         |
| 466. | FOUNTAIN VALLEY ELEMENTARY SCHOOL DISTRICT |
| 467. | FULLERTON ELEMENTARY SCHOOL                |

|      |  |
|------|--|
|      | DISTRICT   |
| 468. | FULLERTON JOINT UNION HIGH SCHOOL DISTRICT       |
| 469. | GARDEN GROVE UNIFIED SCHOOL DISTRICT             |
| 470. | HUNTINGTON BEACH CITY ELEMENTARY SCHOOL DISTRICT |
| 471. | HUNTINGTON BEACH UNION HIGH SCHOOL DISTRICT      |
| 472. | IRVINE UNIFIED SCHOOL DISTRICT                   |
| 473. | LA HABRA CITY ELEMENTARY SCHOOL DISTRICT         |
| 474. | LAGUNA BEACH UNIFIED SCHOOL DISTRICT             |
| 475. | LOS ALAMITOS UNIFIED SCHOOL DISTRICT             |
| 476. | MAGNOLIA ELEMENTARY SCHOOL DISTRICT              |
| 477. | NEWPORTMESA UNIFIED SCHOOL DISTRICT              |
| 478. | OCEAN VIEW SCHOOL DISTRICT                       |
| 479. | ORANGE UNIFIED SCHOOL                            |



|      |  |
|------|--|
|      | DISTRICT   |
| 480. | PLACENTIA-YORBA LINDA UNIFIED SCHOOL DISTRICT    |
| 481. | SADDLEBACK VALLEY UNIFIED SCHOOL DISTRICT        |
| 482. | SANTA ANA UNIFIED SCHOOL DISTRICT                |
| 483. | SAVANNA ELEMENTARY SCHOOL DISTRICT               |
| 484. | SBE - MAGNOLIA SCIENCE ACADEMY SANTA ANA         |
| 485. | TUSTIN UNIFIED SCHOOL DISTRICT                   |
| 486. | WESTMINSTER SCHOOL DISTRICT                      |
| 487. | ACKERMAN CHARTER SCHOOL DISTRICT                 |
| 488. | ALTA-DUTCH FLAT UNION ELEMENTARY SCHOOL DISTRICT |
| 489. | AUBURN UNION ELEMENTARY SCHOOL DISTRICT          |
| 490. | COLFAX ELEMENTARY SCHOOL DISTRICT                |
| 491. | DRY CREEK JOINT ELEMENTARY                       |

|      |   |
|------|---|
|      | SCHOOL DISTRICT                               |
| 492. | EUREKA UNION SCHOOL DISTRICT                  |
| 493. | FORESTHILL UNION ELEMENTARY SCHOOL DISTRICT   |
| 494. | LOOMIS UNION ELEMENTARY SCHOOL DISTRICT       |
| 495. | NEWCASTLE ELEMENTARY SCHOOL DISTRICT          |
| 496. | PLACER HILLS UNION ELEMENTARY SCHOOL DISTRICT |
| 497. | PLACER UNION HIGH SCHOOL DISTRICT             |
| 498. | ROCKLIN UNIFIED SCHOOL DISTRICT               |
| 499. | ROSEVILLE CITY ELEMENTARY SCHOOL DISTRICT     |
| 500. | ROSEVILLE JOINT UNION HIGH SCHOOL DISTRICT    |
| 501. | TAHOE-TRUCKEE UNIFIED SCHOOL DISTRICT         |
| 502. | WESTERN PLACER UNIFIED SCHOOL DISTRICT        |

|      |   |
|------|---|
| 503. | PLUMAS UNIFIED SCHOOL DISTRICT                                  |
| 504. | ALVORD UNIFIED SCHOOL DISTRICT                                  |
| 505. | BANNING UNIFIED SCHOOL DISTRICT                                 |
| 506. | BEAUMONT UNIFIED SCHOOL DISTRICT                                |
| 507. | CALIFORNIA SCHOOL FOR THE DEAF-RIVERSIDE (STATE SPECIAL SCHOOL) |
| 508. | COACHELLA VALLEY UNIFIED SCHOOL DISTRICT                        |
| 509. | CORONA-NORCO UNIFIED SCHOOL DISTRICT                            |
| 510. | DESERT CENTER UNIFIED SCHOOL DISTRICT                           |
| 511. | DESERT SANDS UNIFIED SCHOOL DISTRICT                            |
| 512. | HEMET UNIFIED SCHOOL DISTRICT                                   |
| 513. | JURUPA UNIFIED SCHOOL DISTRICT                                  |
| 514. | LAKE ELSINORE UNIFIED SCHOOL DISTRICT                           |

|      |  |
|------|--|
| 515. | MENIFEE UNION ELEMENTARY SCHOOL DISTRICT |
| 516. | MORENO VALLEY UNIFIED SCHOOL DISTRICT    |
| 517. | MURRIETA VALLEY UNIFIED SCHOOL DISTRICT  |
| 518. | NUVIEW UNION SCHOOL DISTRICT             |
| 519. | PALM SPRINGS UNIFIED SCHOOL DISTRICT     |
| 520. | PALO VERDE UNIFIED SCHOOL DISTRICT       |
| 521. | PERRIS ELEMENTARY SCHOOL DISTRICT        |
| 522. | PERRIS UNION HIGH SCHOOL DISTRICT        |
| 523. | RIVERSIDE UNIFIED SCHOOL DISTRICT        |
| 524. | ROMOLAND ELEMENTARY SCHOOL DISTRICT      |
| 525. | SAN JACINTO UNIFIED SCHOOL DISTRICT      |
| 526. | TEMECULA VALLEY UNIFIED                  |

|      |   |
|------|---|
|      | SCHOOL DISTRICT                             |
| 527. | VAL VERDE UNIFIED SCHOOL DISTRICT           |
| 528. | ARCOHE UNION ELEMENTARY SCHOOL DISTRICT     |
| 529. | CENTER JOINT UNIFIED SCHOOL DISTRICT        |
| 530. | ELK GROVE UNIFIED SCHOOL DISTRICT           |
| 531. | ELVERTA JOINT ELEMENTARY SCHOOL DISTRICT    |
| 532. | FOLSOM-CORDOVA UNIFIED SCHOOL DISTRICT      |
| 533. | GALT JOINT UNION ELEMENTARY SCHOOL DISTRICT |
| 534. | GALT JOINT UNION HIGH SCHOOL DISTRICT       |
| 535. | NATOMAS UNIFIED SCHOOL DISTRICT             |
| 536. | RIVER DELTA JOINT UNIFIED SCHOOL DISTRICT   |
| 537. | ROBLA ELEMENTARY SCHOOL DISTRICT            |

|      |   |
|------|---|
| 538. | SACRAMENTO CITY UNIFIED SCHOOL DISTRICT             |
| 539. | SAN JUAN UNIFIED SCHOOL DISTRICT                    |
| 540. | TWIN RIVERS UNIFIED SCHOOL DISTRICT                 |
| 541. | AROMAS - SAN JUAN UNIFIED SCHOOL DISTRICT           |
| 542. | BITTERWATER-TULLY ELEMENTARY SCHOOL DISTRICT        |
| 543. | CIENEGA UNION ELEMENTARY SCHOOL DISTRICT            |
| 544. | HOLLISTER SCHOOL DISTRICT                           |
| 545. | JEFFERSON ELEMENTARY SCHOOL DISTRICT                |
| 546. | NORTH COUNTY JOINT UNION ELEMENTARY SCHOOL DISTRICT |
| 547. | PANOCHÉ ELEMENTARY SCHOOL DISTRICT                  |
| 548. | SAN BENITO HIGH SCHOOL DISTRICT                     |
| 549. | SOUTHSIDE ELEMENTARY SCHOOL                         |

|      |   |
|------|---|
|      | DISTRICT                                      |
| 550. | TRES PINOS UNION ELEMENTARY SCHOOL DISTRICT   |
| 551. | WILLOW GROVE UNION ELEMENTARY SCHOOL DISTRICT |
| 552. | ADELANTO ELEMENTARY SCHOOL DISTRICT           |
| 553. | ALTA LOMA ELEMENTARY SCHOOL DISTRICT          |
| 554. | APPLE VALLEY UNIFIED SCHOOL DISTRICT          |
| 555. | BAKER VALLEY UNIFIED SCHOOL DISTRICT          |
| 556. | BARSTOW UNIFIED SCHOOL DISTRICT               |
| 557. | BEAR VALLEY UNIFIED SCHOOL DISTRICT           |
| 558. | CENTRAL ELEMENTARY SCHOOL DISTRICT            |
| 559. | CHAFFEY JOINT UNION HIGH SCHOOL DISTRICT      |
| 560. | CHINO VALLEY UNIFIED SCHOOL DISTRICT          |

|      |  |
|------|--|
| 561. | COLTON JOINT UNIFIED SCHOOL DISTRICT       |
| 562. | CUCAMONGA ELEMENTARY SCHOOL DISTRICT       |
| 563. | ETIWANDA ELEMENTARY SCHOOL DISTRICT        |
| 564. | FONTANA UNIFIED SCHOOL DISTRICT            |
| 565. | HELENDALE ELEMENTARY SCHOOL DISTRICT       |
| 566. | HESPERIA UNIFIED SCHOOL DISTRICT           |
| 567. | LUCERNE VALLEY UNIFIED SCHOOL DISTRICT     |
| 568. | MORONGO UNIFIED SCHOOL DISTRICT            |
| 569. | MOUNTAIN VIEW ELEMENTARY SCHOOL DISTRICT   |
| 570. | MT. BALDY JOINT ELEMENTARY SCHOOL DISTRICT |
| 571. | NEEDLES UNIFIED SCHOOL DISTRICT            |



|      |   |
|------|---|
| 572. | ONTARIO-MONTCLAIR SCHOOL DISTRICT           |
| 573. | ORO GRANDE SCHOOL DISTRICT                  |
| 574. | REDLANDS UNIFIED SCHOOL DISTRICT            |
| 575. | RIALTO UNIFIED SCHOOL DISTRICT              |
| 576. | RIM OF THE WORLD UNIFIED SCHOOL DISTRICT    |
| 577. | SAN BERNARDINO CITY UNIFIED SCHOOL DISTRICT |
| 578. | SILVER VALLEY UNIFIED SCHOOL DISTRICT       |
| 579. | SNOWLINE JOINT UNIFIED SCHOOL DISTRICT      |
| 580. | TRONA JOINT UNIFIED SCHOOL DISTRICT         |
| 581. | UPLAND UNIFIED SCHOOL DISTRICT              |
| 582. | VICTOR ELEMENTARY SCHOOL DISTRICT           |
| 583. | VICTOR VALLEY UNION HIGH SCHOOL DISTRICT    |

|      |  |
|------|--|
| 584. | YUCAIPA CALIMESA JOINT UNIFIED SCHOOL DISTRICT |
| 585. | ALPINE UNION ELEMENTARY SCHOOL DISTRICT        |
| 586. | BONSALL UNIFIED SCHOOL DISTRICT                |
| 587. | BORREGO SPRINGS UNIFIED SCHOOL DISTRICT        |
| 588. | CAJON VALLEY UNION SCHOOL DISTRICT             |
| 589. | CARDIFF ELEMENTARY SCHOOL DISTRICT             |
| 590. | CARLSBAD UNIFIED SCHOOL DISTRICT               |
| 591. | CHULA VISTA ELEMENTARY SCHOOL DISTRICT         |
| 592. | CORONADO UNIFIED SCHOOL DISTRICT               |
| 593. | DEHESA ELEMENTARY SCHOOL DISTRICT              |
| 594. | DEL MAR UNION ELEMENTARY SCHOOL DISTRICT       |

|      |  |
|------|--|
| 595. | ENCINITAS UNION ELEMENTARY SCHOOL DISTRICT     |
| 596. | ESCONDIDO UNION SCHOOL DISTRICT                |
| 597. | ESCONDIDO UNION HIGH SCHOOL DISTRICT           |
| 598. | FALLBROOK UNION ELEMENTARY SCHOOL DISTRICT     |
| 599. | FALLBROOK UNION HIGH SCHOOL DISTRICT           |
| 600. | GROSSMONT UNION HIGH SCHOOL DISTRICT           |
| 601. | JAMUL-DULZURA UNION ELEMENTARY SCHOOL DISTRICT |
| 602. | JULIAN UNION ELEMENTARY SCHOOL DISTRICT        |
| 603. | JULIAN UNION HIGH SCHOOL DISTRICT              |
| 604. | LA MESA-SPRING VALLEY SCHOOL DISTRICT          |
| 605. | LAKESIDE UNION ELEMENTARY SCHOOL DISTRICT      |

|      |  |
|------|--|
| 606. | LEMON GROVE SCHOOL DISTRICT                  |
| 607. | MOUNTAIN EMPIRE UNIFIED SCHOOL DISTRICT      |
| 608. | NATIONAL ELEMENTARY SCHOOL DISTRICT          |
| 609. | OCEANSIDE UNIFIED SCHOOL DISTRICT            |
| 610. | POWAY UNIFIED SCHOOL DISTRICT                |
| 611. | RAMONA CITY UNIFIED SCHOOL DISTRICT          |
| 612. | RANCHO SANTA FE ELEMENTARY SCHOOL DISTRICT   |
| 613. | SAN DIEGO UNIFIED SCHOOL DISTRICT            |
| 614. | SAN DIEGUITO UNION HIGH SCHOOL DISTRICT      |
| 615. | SAN MARCOS UNIFIED SCHOOL DISTRICT           |
| 616. | SAN PASQUAL UNION ELEMENTARY SCHOOL DISTRICT |
| 617. | SAN YSIDRO ELEMENTARY SCHOOL DISTRICT        |

|      |  |
|------|--|
| 618. | SANTEE SCHOOL DISTRICT                       |
| 619. | SBC – HIGH TECH HIGH SCHOOL DISTRICT         |
| 620. | SBE - AUDEO CHARTER II SCHOOL DISTRICT       |
| 621. | SBE – BAYPOINT PREPARATORY ACADEMY SAN DIEGO |
| 622. | SBE – COLLEGE PREPARATORY MIDDLE             |
| 623. | SBE - GROSSMONT SECONDARY                    |
| 624. | SBE - SWEETWATER SECONDARY                   |
| 625. | SBE - VISTA SPRINGS CHARTER                  |
| 626. | SOLANA BEACH ELEMENTARY SCHOOL DISTRICT      |
| 627. | SOUTH BAY UNION SCHOOL DISTRICT              |
| 628. | SPENCER VALLEY ELEMENTARY SCHOOL DISTRICT    |
| 629. | SWEETWATER UNION HIGH SCHOOL DISTRICT        |
| 630. | VALLECITOS ELEMENTARY SCHOOL                 |

|      |   |
|------|---|
|      | DISTRICT  |
| 631. | VALLEY CENTER-PAUMA UNIFIED SCHOOL DISTRICT           |
| 632. | VISTA UNIFIED SCHOOL DISTRICT                         |
| 633. | WARNER UNIFIED SCHOOL DISTRICT                        |
| 634. | SAN FRANCISCO UNIFIED SCHOOL DISTRICT                 |
| 635. | SBE - KIPP BAYVIEW ELEMENTARY SCHOOL DISTRICT         |
| 636. | SBE - THE NEW SCHOOL OF SAN FRANCISCO SCHOOL DISTRICT |
| 637. | BANTA ELEMENTARY SCHOOL DISTRICT                      |
| 638. | ESCALON UNIFIED SCHOOL DISTRICT                       |
| 639. | JEFFERSON ELEMENTARY SCHOOL DISTRICT                  |
| 640. | LAMMERSVILLE JOINT UNIFIED SCHOOL DISTRICT            |
| 641. | LINCOLN UNIFIED SCHOOL DISTRICT                       |

|      |   |
|------|---|
| 642. | LINDEN UNIFIED SCHOOL DISTRICT            |
| 643. | LODI UNIFIED SCHOOL DISTRICT              |
| 644. | MANTECA UNIFIED SCHOOL DISTRICT           |
| 645. | NEW HOPE ELEMENTARY SCHOOL DISTRICT       |
| 646. | NEW JERUSALEM ELEMENTARY SCHOOL DISTRICT  |
| 647. | OAK VIEW UNION ELEMENTARY SCHOOL DISTRICT |
| 648. | RIPON UNIFIED SCHOOL DISTRICT             |
| 649. | STOCKTON UNIFIED SCHOOL DISTRICT          |
| 650. | TRACY JOINT UNIFIED SCHOOL DISTRICT       |
| 651. | ATASCADERO UNIFIED SCHOOL DISTRICT        |
| 652. | CAYUCOS ELEMENTARY SCHOOL DISTRICT        |
| 653. | COAST UNIFIED SCHOOL DISTRICT             |
| 654. | LUCIA MAR UNIFIED SCHOOL                  |

|      |  |
|------|--|
|      | DISTRICT   |
| 655. | PASO ROBLES JOINT UNIFIED SCHOOL DISTRICT              |
| 656. | PLEASANT VALLEY JOINT UNION ELEMENTARY SCHOOL DISTRICT |
| 657. | SAN LUIS COASTAL UNIFIED SCHOOL DISTRICT               |
| 658. | SAN MIGUEL JOINT UNION SCHOOL DISTRICT                 |
| 659. | SHANDON JOINT UNIFIED SCHOOL DISTRICT                  |
| 660. | TEMPLETON UNIFIED SCHOOL DISTRICT                      |
| 661. | BAYSHORE ELEMENTARY SCHOOL DISTRICT                    |
| 662. | BELMONT-REDWOOD SHORES ELEMENTARY SCHOOL DISTRICT      |
| 663. | BRISBANE ELEMENTARY SCHOOL DISTRICT                    |
| 664. | BURLINGAME ELEMENTARY SCHOOL DISTRICT                  |
| 665. | CABRILLO UNIFIED SCHOOL DISTRICT                       |



|      |  |
|------|--|
| 666. | HILLSBOROUGH CITY ELEMENTARY SCHOOL DISTRICT |
| 667. | JEFFERSON ELEMENTARY SCHOOL DISTRICT         |
| 668. | JEFFERSON UNION HIGH SCHOOL DISTRICT         |
| 669. | LA HONDA-PESCADERO UNIFIED SCHOOL DISTRICT   |
| 670. | LAS LOMITAS ELEMENTARY SCHOOL DISTRICT       |
| 671. | MENLO PARK CITY ELEMENTARY SCHOOL DISTRICT   |
| 672. | MILLBRAE ELEMENTARY SCHOOL DISTRICT          |
| 673. | PACIFICA SCHOOL DISTRICT                     |
| 674. | PORTOLA VALLEY ELEMENTARY SCHOOL DISTRICT    |
| 675. | RAVENSWOOD CITY ELEMENTARY SCHOOL DISTRICT   |
| 676. | REDWOOD CITY ELEMENTARY SCHOOL DISTRICT      |
| 677. | SAN BRUNO PARK ELEMENTARY                    |

|      |   |
|------|---|
|      | SCHOOL DISTRICT                             |
| 678. | SAN CARLOS ELEMENTARY SCHOOL DISTRICT       |
| 679. | SAN MATEO UNION HIGH SCHOOL DISTRICT        |
| 680. | SAN MATEO-FOSTER CITY SCHOOL DISTRICT       |
| 681. | SEQUOIA UNION HIGH SCHOOL DISTRICT          |
| 682. | SOUTH SAN FRANCISCO UNIFIED SCHOOL DISTRICT |
| 683. | WOODSIDE ELEMENTARY SCHOOL DISTRICT         |
| 684. | BALLARD ELEMENTARY SCHOOL DISTRICT          |
| 685. | BLOCHMAN UNION ELEMENTARY SCHOOL DISTRICT   |
| 686. | BUELLTON UNION ELEMENTARY SCHOOL DISTRICT   |
| 687. | CARPINTERIA UNIFIED SCHOOL DISTRICT         |
| 688. | COLD SPRING ELEMENTARY SCHOOL DISTRICT      |

|      |  |
|------|--|
| 689. | COLLEGE ELEMENTARY SCHOOL DISTRICT           |
| 690. | CUYAMA JOINT UNIFIED SCHOOL DISTRICT         |
| 691. | GOLETA UNION ELEMENTARY SCHOOL DISTRICT      |
| 692. | GUADALUPE UNION ELEMENTARY SCHOOL DISTRICT   |
| 693. | HOPE ELEMENTARY SCHOOL DISTRICT              |
| 694. | LOMPOC UNIFIED SCHOOL DISTRICT               |
| 695. | LOS OLIVOS ELEMENTARY SCHOOL DISTRICT        |
| 696. | MONTECITO UNION ELEMENTARY SCHOOL DISTRICT   |
| 697. | ORCUTT UNION ELEMENTARY SCHOOL DISTRICT      |
| 698. | SANTA BARBARA UNIFIED SCHOOL DISTRICT        |
| 699. | SANTA MARIA JOINT UNION HIGH SCHOOL DISTRICT |

|      |  |
|------|--|
| 700. | SANTA MARIA-BONITA SCHOOL DISTRICT             |
| 701. | SANTA YNEZ VALLEY UNION HIGH SCHOOL DISTRICT   |
| 702. | SBE - OLIVE GROVE CHARTER – BUELLTON           |
| 703. | SBE - OLIVE GROVE CHARTER – LOMPOC             |
| 704. | SBE – OLIVE GROVE CHARTER - ORCUTT/SANTA MARIA |
| 705. | SBE - OLIVE GROVE CHARTER – SANTA BARBARA      |
| 706. | SOLVANG ELEMENTARY SCHOOL DISTRICT             |
| 707. | VISTA DEL MAR UNION SCHOOL DISTRICT            |
| 708. | ALUM ROCK UNION ELEMENTARY SCHOOL DISTRICT     |
| 709. | BERRYESSA UNION ELEMENTARY SCHOOL DISTRICT     |
| 710. | CAMBRIAN SCHOOL DISTRICT                       |
| 711. | CAMPBELL UNION SCHOOL                          |

|      |  |
|------|--|
|      | DISTRICT   |
| 712. | CAMPBELL UNION HIGH SCHOOL DISTRICT                |
| 713. | CUPERTINO UNION SCHOOL DISTRICT                    |
| 714. | EAST SIDE UNION HIGH SCHOOL DISTRICT               |
| 715. | EVERGREEN ELEMENTARY SCHOOL DISTRICT               |
| 716. | FRANKLINMCKINLEY ELEMENTARY SCHOOL DISTRICT        |
| 717. | FREMONT UNION HIGH SCHOOL DISTRICT                 |
| 718. | GILROY UNIFIED SCHOOL DISTRICT                     |
| 719. | LAKESIDE JOINT SCHOOL DISTRICT                     |
| 720. | LOMA PRIETA JOINT UNION ELEMENTARY SCHOOL DISTRICT |
| 721. | LOS ALTOS ELEMENTARY SCHOOL DISTRICT               |
| 722. | LOS GATOS UNION ELEMENTARY SCHOOL DISTRICT         |
| 723. | LOS GATOS - SARATOGA UNION                         |

|      |  |
|------|--|
|      | HIGH SCHOOL DISTRICT                               |
| 724. | LUTHER BURBANK SCHOOL DISTRICT                     |
| 725. | METRO EDUCATION SCHOOL DISTRICT                    |
| 726. | METROPOLITAN EDUCATION SCHOOL DISTRICT             |
| 727. | MILPITAS UNIFIED SCHOOL DISTRICT                   |
| 728. | MORELAND SCHOOL DISTRICT                           |
| 729. | MORGAN HILL UNIFIED SCHOOL DISTRICT                |
| 730. | MOUNT PLEASANT ELEMENTARY SCHOOL DISTRICT          |
| 731. | MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT              |
| 732. | MOUNTAIN VIEW-LOS ALTOS UNION HIGH SCHOOL DISTRICT |
| 733. | OAK GROVE ELEMENTARY SCHOOL DISTRICT               |
| 734. | ORCHARD ELEMENTARY SCHOOL DISTRICT                 |

|      |   |
|------|---|
| 735. | PALO ALTO UNIFIED SCHOOL DISTRICT           |
| 736. | SAN JOSE UNIFIED SCHOOL DISTRICT            |
| 737. | SANTA CLARA UNIFIED SCHOOL DISTRICT         |
| 738. | SARATOGA UNION ELEMENTARY SCHOOL DISTRICT   |
| 739. | SBE - KIPP NAVIGATE COLLEGE PREP            |
| 740. | SBE – PERSEVERANCE PREPARATORY              |
| 741. | SUNNYVALE SCHOOL DISTRICT                   |
| 742. | UNION ELEMENTARY SCHOOL DISTRICT            |
| 743. | BONNY DOON UNION ELEMENTARY SCHOOL DISTRICT |
| 744. | HAPPY VALLEY ELEMENTARY SCHOOL DISTRICT     |
| 745. | LIVE OAK ELEMENTARY SCHOOL DISTRICT         |
| 746. | MOUNTAIN ELEMENTARY SCHOOL                  |

|      |   |
|------|---|
|      | DISTRICT  |
| 747. | NORTH SANTA CRUZ COUNTY SELPA SCHOOL DISTRICT   |
| 748. | PACIFIC ELEMENTARY SCHOOL DISTRICT              |
| 749. | PAJARO VALLEY UNIFIED SCHOOL DISTRICT           |
| 750. | SAN LORENZO VALLEY UNIFIED SCHOOL DISTRICT      |
| 751. | SANTA CRUZ CITY ELEMENTARY SCHOOL DISTRICT      |
| 752. | SANTA CRUZ CITY ELEMENTARY/HIGH SCHOOL DISTRICT |
| 753. | SANTA CRUZ CITY HIGH SCHOOL DISTRICT            |
| 754. | SBE - WATSONVILLE PREP SCHOOL DISTRICT          |
| 755. | SCOTTS VALLEY UNIFIED SCHOOL DISTRICT           |
| 756. | SOQUEL UNION ELEMENTARY SCHOOL DISTRICT         |
| 757. | ANDERSON UNION HIGH SCHOOL                      |



|      |   |
|------|---|
|      | DISTRICT  |
| 758. | BELLA VISTA ELEMENTARY SCHOOL DISTRICT              |
| 759. | ELEMENTARY SCHOOL DISTRICT                          |
| 760. | CASCADE UNION ELEMENTARY SCHOOL DISTRICT            |
| 761. | CASTLE ROCK UNION ELEMENTARY SCHOOL DISTRICT        |
| 762. | COLUMBIA ELEMENTARY SCHOOL DISTRICT                 |
| 763. | COTTONWOOD UNION ELEMENTARY SCHOOL DISTRICT         |
| 764. | ENTERPRISE ELEMENTARY SCHOOL DISTRICT               |
| 765. | FALL RIVER JOINT UNIFIED SCHOOL DISTRICT            |
| 766. | FRENCH GULCH-WHISKEYTOWN ELEMENTARY SCHOOL DISTRICT |
| 767. | GATEWAY UNIFIED SCHOOL DISTRICT                     |
| 768. | GRANT ELEMENTARY SCHOOL DISTRICT                    |

|      |   |
|------|---|
| 769. | HAPPY VALLEY UNION<br>ELEMENTARY SCHOOL DISTRICT      |
| 770. | IGO, ONO, PLATINA UNION<br>ELEMENTARY SCHOOL DISTRICT |
| 771. | INDIAN SPRINGS ELEMENTARY<br>SCHOOL DISTRICT          |
| 772. | JUNCTION ELEMENTARY SCHOOL<br>DISTRICT                |
| 773. | MILLVILLE ELEMENTARY SCHOOL<br>DISTRICT               |
| 774. | UNION ELEMENTARY SCHOOL<br>DISTRICT                   |
| 775. | MOUNTAIN VALLEY SPECIAL<br>EDUCATION JPA              |
| 776. | NORTH COW CREEK ELEMENTARY<br>SCHOOL DISTRICT         |
| 777. | OAK RUN ELEMENTARY SCHOOL<br>DISTRICT                 |
| 778. | PACHECO UNION ELEMENTARY<br>SCHOOL DISTRICT           |
| 779. | REDDING ELEMENTARY SCHOOL<br>DISTRICT                 |

|      |  |
|------|--|
| 780. | SHASTA UNION ELEMENTARY SCHOOL DISTRICT      |
| 781. | SHASTA UNION HIGH SCHOOL DISTRICT            |
| 782. | WHITMORE UNION ELEMENTARY SCHOOL DISTRICT    |
| 783. | SIERRAPLUMAS JOINT UNIFIED SCHOOL DISTRICT   |
| 784. | WILLIAM (R) ROUSE ROP SCHOOL DISTRICT        |
| 785. | BIG SPRINGS UNION ELEMENTARY SCHOOL DISTRICT |
| 786. | BOGUS ELEMENTARY SCHOOL DISTRICT             |
| 787. | BUTTE VALLEY UNIFIED SCHOOL DISTRICT         |
| 788. | BUTTEVILLE UNION ELEMENTARY SCHOOL DISTRICT  |
| 789. | DELPIC ELEMENTARY SCHOOL DISTRICT            |
| 790. | DUNSMUIR ELEMENTARY SCHOOL DISTRICT          |

|      |  |
|------|--|
| 791. | DUNSMUIR JOINT UNION HIGH SCHOOL DISTRICT      |
| 792. | FORKS OF SALMON ELEMENTARY SCHOOL DISTRICT     |
| 793. | GAZELLE UNION ELEMENTARY SCHOOL DISTRICT       |
| 794. | GRENADA ELEMENTARY SCHOOL DISTRICT             |
| 795. | HAPPY CAMP UNION ELEMENTARY SCHOOL DISTRICT    |
| 796. | HORN BROOK ELEMENTARY SCHOOL DISTRICT          |
| 797. | JUNCTION ELEMENTARY SCHOOL DISTRICT            |
| 798. | KLAMATH RIVER UNION ELEMENTARY SCHOOL DISTRICT |
| 799. | LITTLE SHASTA ELEMENTARY SCHOOL DISTRICT       |
| 800. | MCCLOUD UNION ELEMENTARY SCHOOL DISTRICT       |
| 801. | MONTAGUE ELEMENTARY SCHOOL DISTRICT            |

|      |   |
|------|---|
| 802. | MT. SHASTA UNION ELEMENTARY SCHOOL DISTRICT |
| 803. | SCOTT VALLEY UNIFIED SCHOOL DISTRICT        |
| 804. | SEIAD ELEMENTARY SCHOOL DISTRICT            |
| 805. | SISKIYOU UNION HIGH SCHOOL DISTRICT         |
| 806. | WEED UNION ELEMENTARY SCHOOL DISTRICT       |
| 807. | WILLOW CREEK ELEMENTARY SCHOOL DISTRICT     |
| 808. | YREKA UNION ELEMENTARY SCHOOL DISTRICT      |
| 809. | YREKA UNION HIGH SCHOOL DISTRICT            |
| 810. | BENICIA UNIFIED SCHOOL DISTRICT             |
| 811. | DIXON UNIFIED SCHOOL DISTRICT               |
| 812. | FAIRFIELD-SUISUN UNIFIED SCHOOL DISTRICT    |
| 813. | TRAVIS UNIFIED SCHOOL DISTRICT              |

|      |   |
|------|---|
| 814. | VACAVILLE UNIFIED SCHOOL DISTRICT                 |
| 815. | VALLEJO CITY UNIFIED SCHOOL DISTRICT              |
| 816. | ALEXANDER VALLEY UNION ELEMENTARY SCHOOL DISTRICT |
| 817. | BELLEVUE UNION SCHOOL DISTRICT                    |
| 818. | BENNETT VALLEY UNION ELEMENTARY SCHOOL DISTRICT   |
| 819. | CINNABAR ELEMENTARY SCHOOL DISTRICT               |
| 820. | CLOVERDALE UNIFIED SCHOOL DISTRICT                |
| 821. | COTATI-ROHNERT PARK UNIFIED SCHOOL DISTRICT       |
| 822. | DUNHAM ELEMENTARY SCHOOL DISTRICT                 |
| 823. | FORESTVILLE UNION ELEMENTARY SCHOOL DISTRICT      |
| 824. | FORT ROSS ELEMENTARY SCHOOL DISTRICT              |

|      |  |
|------|--|
| 825. | GEYSERVILLE UNIFIED SCHOOL DISTRICT          |
| 826. | GRAVENSTEIN UNION ELEMENTARY SCHOOL DISTRICT |
| 827. | GUERNEVILLE ELEMENTARY SCHOOL DISTRICT       |
| 828. | HARMONY UNION ELEMENTARY SCHOOL DISTRICT     |
| 829. | HEALDSBURG UNIFIED SCHOOL DISTRICT           |
| 830. | HORICON ELEMENTARY SCHOOL DISTRICT           |
| 831. | KASHIA ELEMENTARY SCHOOL DISTRICT            |
| 832. | KENWOOD SCHOOL DISTRICT                      |
| 833. | LIBERTY ELEMENTARY SCHOOL DISTRICT           |
| 834. | MARK WEST UNION ELEMENTARY SCHOOL DISTRICT   |
| 835. | MONTE RIO UNION ELEMENTARY SCHOOL DISTRICT   |
| 836. | MONTGOMERY ELEMENTARY                        |

|      |   |
|------|---|
|      | SCHOOL DISTRICT   |
| 837. | OAK GROVE UNION ELEMENTARY SCHOOL DISTRICT                |
| 838. | OLD ADOBE UNION SCHOOL DISTRICT                           |
| 839. | PETALUMA CITY ELEMENTARY SCHOOL DISTRICT                  |
| 840. | PETALUMA CITY ELEMENTARY/JOINT UNION HIGH SCHOOL DISTRICT |
| 841. | PETALUMA JOINT UNION HIGH SCHOOL DISTRICT                 |
| 842. | PINER-OLIVET UNION ELEMENTARY SCHOOL DISTRICT             |
| 843. | RINCON VALLEY UNION ELEMENTARY SCHOOL DISTRICT            |
| 844. | ROSELAND SCHOOL DISTRICT                                  |
| 845. | SANTA ROSA CITY SCHOOLS                                   |
| 846. | SANTA ROSA ELEMENTARY SCHOOL DISTRICT                     |
| 847. | SANTA ROSA HIGH SCHOOL DISTRICT                           |



|      |   |
|------|---|
| 848. | SEBASTOPOL UNION ELEMENTARY SCHOOL DISTRICT   |
| 849. | SONOMA VALLEY UNIFIED SCHOOL DISTRICT         |
| 850. | TWIN HILLS UNION ELEMENTARY SCHOOL DISTRICT   |
| 851. | TWO ROCK UNION SCHOOL DISTRICT                |
| 852. | WAUGH ELEMENTARY SCHOOL DISTRICT              |
| 853. | WEST SIDE UNION ELEMENTARY SCHOOL DISTRICT    |
| 854. | WEST SONOMA COUNTY UNION HIGH SCHOOL DISTRICT |
| 855. | WILMAR UNION ELEMENTARY SCHOOL DISTRICT       |
| 856. | WINDSOR UNIFIED SCHOOL DISTRICT               |
| 857. | WRIGHT ELEMENTARY SCHOOL DISTRICT             |
| 858. | CERES UNIFIED SCHOOL DISTRICT                 |
| 859. | CHATOM UNION SCHOOL DISTRICT                  |

|      |  |
|------|--|
| 860. | DENAIR UNIFIED SCHOOL DISTRICT               |
| 861. | EMPIRE UNION ELEMENTARY SCHOOL DISTRICT      |
| 862. | GRATTON ELEMENTARY SCHOOL DISTRICT           |
| 863. | HART-RANSOM UNION ELEMENTARY SCHOOL DISTRICT |
| 864. | HICKMAN COMMUNITY CHARTER SCHOOL DISTRICT    |
| 865. | HUGHSON UNIFIED SCHOOL DISTRICT              |
| 866. | KEYES UNION SCHOOL DISTRICT                  |
| 867. | KNIGHTS FERRY ELEMENTARY SCHOOL DISTRICT     |
| 868. | MODESTO CITY ELEMENTARY SCHOOL DISTRICT      |
| 869. | MODESTO CITY HIGH SCHOOL DISTRICT            |
| 870. | MODESTO CITY SCHOOLS                         |
| 871. | NEWMAN-CROWS LANDING UNIFIED SCHOOL DISTRICT |

|      |  |
|------|--|
| 872. | OAKDALE JOINT UNIFIED SCHOOL DISTRICT          |
| 873. | PARADISE ELEMENTARY SCHOOL DISTRICT            |
| 874. | PATTERSON JOINT UNIFIED SCHOOL DISTRICT        |
| 875. | RIVERBANK UNIFIED SCHOOL DISTRICT              |
| 876. | ROBERTS FERRY UNION ELEMENTARY SCHOOL DISTRICT |
| 877. | SALIDA UNION ELEMENTARY SCHOOL DISTRICT        |
| 878. | SHILOH ELEMENTARY SCHOOL DISTRICT              |
| 879. | STANISLAUS UNION ELEMENTARY SCHOOL DISTRICT    |
| 880. | SYLVAN UNION ELEMENTARY SCHOOL DISTRICT        |
| 881. | TURLOCK UNIFIED SCHOOL DISTRICT                |
| 882. | VALLEY HOME JOINT ELEMENTARY SCHOOL DISTRICT   |

|      |  |
|------|--|
| 883. | WATERFORD UNIFIED SCHOOL DISTRICT                |
| 884. | BRITTAN ELEMENTARY SCHOOL DISTRICT               |
| 885. | BROWNS ELEMENTARY SCHOOL DISTRICT                |
| 886. | EAST NICOLAUS JOINT UNION HIGH SCHOOL DISTRICT   |
| 887. | FRANKLIN ELEMENTARY SCHOOL DISTRICT              |
| 888. | LIVE OAK UNIFIED SCHOOL DISTRICT                 |
| 889. | MARCUM-ILLINOIS UNION ELEMENTARY SCHOOL DISTRICT |
| 890. | MERIDIAN ELEMENTARY SCHOOL DISTRICT              |
| 891. | NUESTRO ELEMENTARY SCHOOL DISTRICT               |
| 892. | PLEASANT GROVE JOINT UNION SCHOOL DISTRICT       |
| 893. | SUTTER UNION HIGH SCHOOL DISTRICT                |

|      |  |
|------|--|
| 894. | WINSHIP-ROBBINS SCHOOL DISTRICT              |
| 895. | YUBA CITY UNIFIED SCHOOL DISTRICT            |
| 896. | ANTELOPE ELEMENTARY SCHOOL DISTRICT          |
| 897. | CORNING UNION ELEMENTARY SCHOOL DISTRICT     |
| 898. | CORNING UNION HIGH SCHOOL DISTRICT           |
| 899. | EVERGREEN UNION SCHOOL DISTRICT              |
| 900. | FLOURNOY UNION ELEMENTARY SCHOOL DISTRICT    |
| 901. | GERBER UNION ELEMENTARY SCHOOL DISTRICT      |
| 902. | KIRKWOOD ELEMENTARY SCHOOL DISTRICT          |
| 903. | LASSEN VIEW UNION ELEMENTARY SCHOOL DISTRICT |
| 904. | LOS MOLINOS UNIFIED SCHOOL DISTRICT          |

|      |  |
|------|--|
| 905. | RED BLUFF JOINT UNION HIGH SCHOOL DISTRICT     |
| 906. | RED BLUFF UNION ELEMENTARY SCHOOL DISTRICT     |
| 907. | REEDS CREEK ELEMENTARY SCHOOL DISTRICT         |
| 908. | RICHFIELD ELEMENTARY SCHOOL DISTRICT           |
| 909. | BURNT RANCH ELEMENTARY SCHOOL DISTRICT         |
| 910. | COFFEE CREEK ELEMENTARY SCHOOL DISTRICT        |
| 911. | DOUGLAS CITY ELEMENTARY SCHOOL DISTRICT        |
| 912. | JUNCTION CITY ELEMENTARY SCHOOL DISTRICT       |
| 913. | LEWISTON ELEMENTARY SCHOOL DISTRICT            |
| 914. | MOUNTAIN VALLEY UNIFIED SCHOOL DISTRICT        |
| 915. | SOUTHERN TRINITY JOINT UNIFIED SCHOOL DISTRICT |

|      |  |
|------|--|
| 916. | TRINITY ALPS UNIFIED SCHOOL DISTRICT       |
| 917. | TRINITY CENTER ELEMENTARY SCHOOL DISTRICT  |
| 918. | ALLENSWORTH ELEMENTARY SCHOOL DISTRICT     |
| 919. | ALPAUGH UNIFIED SCHOOL DISTRICT            |
| 920. | ALTA VISTA ELEMENTARY SCHOOL DISTRICT      |
| 921. | BUENA VISTA ELEMENTARY SCHOOL DISTRICT     |
| 922. | BURTON ELEMENTARY SCHOOL DISTRICT          |
| 923. | COLUMBINE ELEMENTARY SCHOOL DISTRICT       |
| 924. | CUTLER-OROSI JOINT UNIFIED SCHOOL DISTRICT |
| 925. | DINUBA UNIFIED SCHOOL DISTRICT             |
| 926. | DUCOR UNION ELEMENTARY SCHOOL DISTRICT     |
| 927. | EARLIMART ELEMENTARY SCHOOL                |

|      |   |
|------|---|
|      | DISTRICT  |
| 928. | EXETER UNIFIED SCHOOL DISTRICT                        |
| 929. | FARMERSVILLE UNIFIED SCHOOL DISTRICT                  |
| 930. | HOPE ELEMENTARY SCHOOL DISTRICT                       |
| 931. | HOT SPRINGS ELEMENTARY SCHOOL DISTRICT                |
| 932. | KINGS RIVER UNION ELEMENTARY SCHOOL DISTRICT          |
| 933. | LIBERTY ELEMENTARY SCHOOL DISTRICT                    |
| 934. | LINDSAY UNIFIED SCHOOL DISTRICT                       |
| 935. | MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT |
| 936. | OAK VALLEY UNION ELEMENTARY SCHOOL DISTRICT           |
| 937. | OUTSIDE CREEK ELEMENTARY SCHOOL DISTRICT              |
| 938. | PALO VERDE UNION ELEMENTARY SCHOOL DISTRICT           |



|      |  |
|------|--|
| 939. | PIXLEY UNION ELEMENTARY SCHOOL DISTRICT      |
| 940. | PLEASANT VIEW ELEMENTARY SCHOOL DISTRICT     |
| 941. | PORTERVILLE UNIFIED SCHOOL DISTRICT          |
| 942. | RICHGROVE ELEMENTARY SCHOOL DISTRICT         |
| 943. | ROCKFORD ELEMENTARY SCHOOL DISTRICT          |
| 944. | SAUCELITO ELEMENTARY SCHOOL DISTRICT         |
| 945. | SEQUOIA UNION ELEMENTARY SCHOOL DISTRICT     |
| 946. | SPRINGVILLE UNION ELEMENTARY SCHOOL DISTRICT |
| 947. | STONE CORRAL ELEMENTARY SCHOOL DISTRICT      |
| 948. | STRATHMORE UNION ELEMENTARY SCHOOL DISTRICT  |
| 949. | SUNDALE UNION ELEMENTARY SCHOOL DISTRICT     |

|      |   |
|------|---|
| 950. | SUNNYSIDE UNION ELEMENTARY SCHOOL DISTRICT    |
| 951. | TERRA BELLA UNION ELEMENTARY SCHOOL DISTRICT  |
| 952. | THREE RIVERS UNION ELEMENTARY SCHOOL DISTRICT |
| 953. | TIPTON ELEMENTARY SCHOOL DISTRICT             |
| 954. | TRAVER JOINT ELEMENTARY SCHOOL DISTRICT       |
| 955. | TULARE CITY SCHOOL DISTRICT                   |
| 956. | TULARE JOINT UNION HIGH SCHOOL DISTRICT       |
| 957. | VISALIA UNIFIED SCHOOL DISTRICT               |
| 958. | WAUKENA JOINT UNION ELEMENTARY                |
| 959. | WOODLAKE UNIFIED SCHOOL DISTRICT              |
| 960. | WOODVILLE UNION ELEMENTARY SCHOOL DISTRICT    |
| 961. | BELLEVIEW ELEMENTARY SCHOOL DISTRICT          |

|      |   |
|------|---|
| 962. | BIG OAK FLAT-GROVELAND<br>UNIFIED SCHOOL DISTRICT |
| 963. | COLUMBIA UNION SCHOOL<br>DISTRICT                 |
| 964. | CURTIS CREEK ELEMENTARY<br>SCHOOL DISTRICT        |
| 965. | JAMESTOWN ELEMENTARY SCHOOL<br>DISTRICT           |
| 966. | SONORA ELEMENTARY SCHOOL<br>DISTRICT              |
| 967. | SONORA UNION HIGH SCHOOL<br>DISTRICT              |
| 968. | SOULSBYVILLE ELEMENTARY<br>SCHOOL DISTRICT        |
| 969. | SUMMERVILLE ELEMENTARY<br>SCHOOL DISTRICT         |
| 970. | SUMMERVILLE UNION HIGH<br>SCHOOL DISTRICT         |
| 971. | TWAIN HARTE SCHOOL DISTRICT                       |
| 972. | BRIGGS ELEMENTARY SCHOOL<br>DISTRICT              |
| 973. | CONEJO VALLEY UNIFIED SCHOOL                      |

|      |                                       |
|------|---------------------------------------|
|      | DISTRICT                              |
| 974. | FILLMORE UNIFIED SCHOOL DISTRICT      |
| 975. | HUENEME ELEMENTARY SCHOOL DISTRICT    |
| 976. | MESA UNION ELEMENTARY SCHOOL DISTRICT |
| 977. | MOORPARK UNIFIED SCHOOL DISTRICT      |
| 978. | MUPU ELEMENTARY SCHOOL DISTRICT       |
| 979. | OAK PARK UNIFIED SCHOOL DISTRICT      |
| 980. | OCEAN VIEW SCHOOL DISTRICT            |
| 981. | OJAI UNIFIED SCHOOL DISTRICT          |
| 982. | OXNARD SCHOOL DISTRICT                |
| 983. | OXNARD UNION HIGH SCHOOL DISTRICT     |
| 984. | PLEASANT VALLEY SCHOOL DISTRICT       |
| 985. | RIO ELEMENTARY SCHOOL DISTRICT        |

|      |   |
|------|---|
| 986. | SANTA CLARA ELEMENTARY SCHOOL DISTRICT  |
| 987. | SANTA PAULA UNIFIED SCHOOL DISTRICT     |
| 988. | SIMI VALLEY UNIFIED SCHOOL DISTRICT     |
| 989. | SOMIS UNION SCHOOL DISTRICT             |
| 990. | VENTURA UNIFIED SCHOOL DISTRICT         |
| 991. | DAVIS JOINT UNIFIED SCHOOL DISTRICT     |
| 992. | ESPARTO UNIFIED SCHOOL DISTRICT         |
| 993. | WASHINGTON UNIFIED SCHOOL DISTRICT      |
| 994. | WINTERS JOINT UNIFIED SCHOOL DISTRICT   |
| 995. | WOODLAND JOINT UNIFIED SCHOOL DISTRICT  |
| 996. | CAMPTONVILLE ELEMENTARY SCHOOL DISTRICT |
| 997. | MARYSVILLE JOINT UNIFIED                |

|       |   |
|-------|---|
|       | SCHOOL DISTRICT                           |
| 998.  | PLUMAS LAKE ELEMENTARY<br>SCHOOL DISTRICT |
| 999.  | WHEATLAND SCHOOL DISTRICT                 |
| 1000. | WHEATLAND UNION HIGH SCHOOL<br>DISTRICT   |