

Office of the Independent Monitor
Modified Consent Decree
333 So. Beaudry Avenue, 18th Floor
Los Angeles, California 90017
Tel: (213) 241-1797
Fax: (213) 241-7551

FREDERICK J. WEINTRAUB
Independent Monitor

JAY R. ALLEMAN
Administrative Coordinator

ARUN RAMANATHAN
Research Coordinator

JAIME E. HERNANDEZ
Outreach Coordinator

July 7, 2006

Honorable Board of Education
Los Angeles Unified School District
333 S. Beaudry Avenue
Los Angeles, CA 90017

Roy Romer
Superintendent of Schools
Los Angeles Unified School District
333 S. Beaudry Avenue, 24th Floor
Los Angeles, CA 90017

Re: Report on the Progress and Effectiveness of the Los Angeles Unified School District's Implementation of the Modified Consent Decree during the 2005-06 School Year – Part 1

Dear Mr. Romer and Board of Education:

Section 13 of the Modified Consent Decree (MCD) requires the Independent Monitor (IM) to annually present a written report to the Superintendent and the Board of Education concerning the progress and effectiveness of the implementation of the terms and conditions of the MCD. This year the IM has chosen to submit the report in three parts. Part I addresses activities the District was to complete by June 30, 2006. Part II, expected in late summer 2006, will address the status of the District performance on outcomes for which data will be available at the end of June. Part III, expected in fall 2006, will report on the District's performance on the remaining outcomes.

This Report addresses the following aspects of the MCD:

1. Determination of whether the District's Least Restrictive Environment materials for parents are adequate.
2. Determination of whether the District's Office of Transition Services is adequately staffed.
3. Determination of whether the District's Annual Plan for school year 2005-2006 was adequately implemented.

4. Determination of whether requirements pertaining to the District's Complaint Response Unit have been met.
5. Determination of whether the District has established a unit within the Division of Special Education to address "on-demand" requests related to accessibility and whether that unit is staffed and functions consistent with the MCD.
6. Status of the implementation of the Integrated Student Information System.
7. Report on the Annual Hearing.
8. Amendments to the MCD and the District's Maintenance of Effort Activities Under IDEA to Implement the Modified Consent Decree (MOE).

DETERMINATION OF WHETHER THE DISTRICT'S LEAST RESTRICTIVE ENVIRONMENT MATERIALS FOR PARENTS ARE ADEQUATE

Section 3 (20) (a) of the MCD requires the Independent Monitor to determine whether the District's Least Restrictive Environment materials for parents are adequate. Section 4.13 of the MOE states:

The District shall utilize a variety of formats to inform parents about the LRE mandates in ways that meet the diverse needs of parents within the district. Content that must be included in the parent information and LRE materials are: (a) LRE legal requirements and definition; (b) current compliance activities in LRE implementation; (c) roles and responsibilities in implementing LRE mandates; (d) supports and services that can be successfully used to facilitate students education in the LRE and examples of the same; and (e) characteristics of schools that parents should find.

The materials the District submitted to the OIM for review include:

- *A Parent's Guide to Special Education (Including Procedural Rights and Safeguards):* This document is available in eight major languages and provided to parents when their child is first referred for special education, when they are given notice to participate in an IEP meeting, when their child is reassessed, and when they request mediation or a due process hearing.
- *The IEP and You:* This pocket guide available in English and Spanish is provided to parents when they are given notice of an initial IEP meeting and subsequent IEP meetings when they indicate that they previously have not received it.
- *The ITP and You:* This pocket guide available in English and Spanish is provided to parents when they given notice to participate in an IEP meeting to develop an initial transition plan and subsequent meetings when they indicate that they have not received it.
- *Least Restrictive Environment* brochure: The District provides an electronic template to schools so the brochure can include information about the school. The brochure is provided to parents at each IEP meeting.
- *The IEP and You* videotape and audiotape: These are available in nine major languages and are made available upon request. They cover and expand on the content contained in the brochure.
- *Least restrictive Environment: Information for Families* PowerPoint presentation: Material is posted on the District's special education website.

- *Determining the Least Restrictive Environment* and *Supporting Children in the Least Restrictive Environment*: These two parent training presentations are available on videotape and DVD. They are broadcast monthly on the District's television station and are available for viewing on the District's special education website. Spanish versions are in the process of being produced.

In reviewing the above materials the IM chose to eliminate *The ITP and You* because development of transition plans is not an LRE issue.

To determine if the above materials are adequate the IM posed the following questions:

1. Did the District use a variety of formats to communicate with parents?
2. Do the materials meet the diverse needs of parents in the District?
3. Do the materials communicate the legal requirements regarding LRE?
4. Do the materials provide information regarding the District's compliance and programmatic efforts to advance placement in the least restrictive environment?
5. Do the materials provide information to parents that would assist them in obtaining supports and services to facilitate their child's education in the LRE and what characteristics to look for in schools?

In conducting this assessment the IM obtained the assistance of a consultant knowledgeable of LRE requirements and large school district operations.

Beyond the scope of this requirement of the MCD, the IM notes that most if not all of the materials will need to be revised to reflect changes in Federal, State and District laws and policies. With the expectation that such changes will be made, the IM in the following analysis offers guidance relative to LRE that he expects the District to implement when making such changes. Further given the importance of LRE to the MCD, the IM expects that the District will provide the Plaintiffs with an opportunity to comment on any revisions before they are adopted.

1. The District has used a variety of formats to communicate with parents regarding LRE. These include print, video and audio tape, DVD, website, and television broadcasting.
2. The major vehicles for communicating to all parents are available in all the major languages of the District. Most of the other materials are or will be available in English and Spanish. To the degree possible the print documents are written at an appropriate level for general public understanding. While the *Parent's Guide to Special Education (Including Procedural Rights and Safeguards)*, and *The IEP and You* are compliance documents and thus are constrained by legal requirements the video and audio version of *The IEP and You* and the DVDs *Determining the Least Restrictive Environment* and *Supporting Children in Their Least Restrictive Environment* miss the opportunity to communicate in a manner that would better inform the majority of parents about LRE.
3. On the whole the materials accurately communicate the legal requirements pertaining to LRE. The IM notes that the District's LRE Guidelines state that "IEP teams, in their consideration of placement for students with disabilities, shall begin with consideration of the general education classroom...". This requirement is not discussed in the District's LRE materials.

4. The only document included that provides information regarding the District's compliance and programmatic efforts to advance placement in the LRE is the power point presentation *Least Restrictive Environment Information for Families*. While a number of the District's initiatives are imbedded in the slides, the document does not fully reflect the scope of the District's efforts, nor does the IM believe that it was the primary purpose of the power point presentation. It is recommended that the District expand its LRE section on the website to more thoroughly describe its programmatic and compliance activities.
5. The IM assumes that the parties that created the MOE intended that parents should have available to them a list of characteristics that parents should find in a school that supports students in the LRE. The District provides schools a template to create a *LRE Brochure* that is to be provided to parents at every IEP meeting. The brochure includes legal and continuum of services options presented in other products for parents, District contact information, school contact information and information on the school's vision and approach to LRE. While the brochure may be helpful to parents in understanding the school, it does not fully provide them a list of characteristics they should find. It is recommended that the District develop a list of characteristics and include them in the brochure and/or on the website.

Determination

Based on the above analysis the IM determines that the District's LRE materials minimally meet the standard of adequacy. The IM expects that when the District revises the materials to include changes in Federal, State and District laws and policies that it will improve the materials in at least the following manner and provide the Plaintiffs an opportunity to comment on the revised materials.

- When describing the legal aspect of LRE include the requirement that when considering placement for students with disability IEP teams shall begin with placement in the general education classroom.
- Include on the District's Division of Special Education's website information describing the District's programmatic and compliance activities to advance serving students in the LRE.
- Develop a list of characteristics that parents should look for in a school that supports serving students in the LRE. The IM notes that many of these characteristics are described on a power point presentation for school administrators on the Division's website. Include the list in the LRE brochure and/or the Division's website.
- The video and audio versions of *The IEP and You* and the DVDs *Determining the Least restrictive Environment* and *Supporting Children in Their Least Restrictive Environment* provide an opportunity to communicate with parents about LRE beyond legal requirements and formal tone. In revising these products the District should include what parents should know about what they should consider when participating in decisions about what is the least restrictive environment for their child, what they should expect from schools to support their child in the LRE (list of characteristics), and what they can do to support their child. The mode of presentation might also be improved by having parents do some of the presentation.

**DETERMINATION OF WHETHER THE DISTRICT'S OFFICE OF TRANSITION
SERVICES IS ADEQUATELY STAFFED**

Section 3 (20) (b) of the MCD requires that the Independent Monitor determine whether the District's Office of Transition Services is adequately staffed following the submission of a staffing study conducted by the District no later than June 30, 2005.

To determine the adequacy of the Office's staffing the IM utilized the following process of analysis:

1. On 6/30/05 the District submitted to the IM the staffing study.
2. The Office of the Independent Monitor hired two recognized experts on transition to review the staffing study and provide guidance to the IM as to the adequacy of the staffing.
3. Both experts reported to the IM that the staffing appeared to be adequate.
4. The IM compared the staffing reported in the study to what is required in Section 614 of the MOE. The staffing was consistent with the MOE with the exception that the District employed three specialists instead of the four specified in Section 6.14.04 of the MOE
5. The IM inquired of the District:
 - Whether the staffing reported for school year 2004-2005 was still the same in 2005-2006?
 - Whether the additional specialist had been hired and if not why?
 - What actions had been taken in regard to the five recommendations in the staffing study?
6. The District responded:
 - The staffing for 2005-2006 is the same as the previous year.
 - There had been a fourth specialist who did not perform adequately. The responsibilities of the specialist were assumed by the other three. Based on performance the District determined that the fourth position was unnecessary.
 - All five recommendations have been implemented.
7. The IM further inquired of the District information pertaining to the school assignments and responsibilities of the transition teachers.
8. The District provided the information requested
9. On April 25, 2006, the IM sent a letter to the parties informing them that he found the District's Office of Transition Services adequately staffed with the exception of the fourth specialist required by the MOE and that he could not determine that Section 3 (20) (b) of the MCD is met unless the parties agree to change the requirement of the MOE from four specialists to three or the District employs a fourth specialist.
10. On May 18, 2006 the parties stipulated to a revision of the MOE to require three specialists.

Determination

The District completed the staffing study required in Section 3 (20) (b) of the MCD. Transition staffing is consistent with that required in Section 6.14 of the MOE. Experts have indicated to the IM that the staffing appears to be adequate and the District has implemented the

recommendations of the study. Therefore, the IM determines that the requirements of Section 3 (20) (b) of the MCD have been met.

DETERMINATION OF WHETHER THE DISTRICT'S ANNUAL PLAN FOR SCHOOL YEAR 2005-2006 WAS ADEQUATELY IMPLEMENTED

Section 5 of the Modified Consent Decree (MCD) states that the District shall develop an Annual Plan that is designed to guide the District's progress toward the achievement of the outcomes required by the MCD. The Annual Plan is to include the following information for each outcome:

- Benchmarks to be achieved by the conclusion of the plan year when appropriate.
- Action steps to be taken to achieve the outcome.
- Responsible staff for implementing the action steps.
- The evidence that will be maintained to establish that the action step has been completed.
- The approximate date by which the action step will be completed.

In accordance with the requirements of the MCD, the *2005-2006 Schools for All Children: Modified Consent Decree Annual Plan* articulates the action steps the District will undertake to achieve the outcome measures identified in the MCD. The action steps of the 2005-2006 Annual Plan are organized by outcome and three levels of implementation: central office, local district and school site. Each level is responsible for the implementation, monitoring and accountability of the specific action steps in the Annual Plan and progress toward the outcomes of the MCD.

During the 2005-2006 school year, the Office of the Independent Monitor (OIM) conducted monitoring of the *2005-2006 Annual Plan* through a series of mechanisms including school visits, requests for evidence of completion of central office action steps and phone interviews of school administrators.

Evidence of Completion of Central Office Action Steps

To gauge the level of implementation of the 2005-2006 Annual Plan at the central level, the OIM requested evidence of completion for a sample of 27 select central office action steps. Of those items reviewed, 14 action steps had evidence of completion and 6 demonstrated evidence of partial completion. Based on this initial review, the OIM requested further clarification and evidence of completion of the remaining action steps. The District provided additional information and it was determined that it had completed all actions steps.

Two additional central level action steps were selected for review. These action steps were incorporated into the 2005-2006 Annual Plan based on a directive of the IM. The first is associated with Outcome 5: Suspensions, and requires the District to conduct a program evaluation on the effects of the elected deans on suspension rates in the top 50 highest suspending schools. This study was completed on June 16, 2006. The second action step requires the District to conduct a program evaluation of a representative sample of schools implementing the three-tiered approach to instruction for students with disabilities to ensure that it is being implemented in accordance with federal and state special education law and without violation of

the rights of students with disabilities or their parents. The Annual Plan outlined a completion date for this study by February 2006. The IM has granted the District an extension to complete the study.

Evidence of Completion of School Site Actions

The Annual Plan includes a provision for the development of a MCD review team at the central office, local district and school site level that are responsible for the implementation and oversight of the annual plan. The 2005-2006 Annual Plan defines the participants of the school level MCD Review Team as to include the minimum following staff: principal; an assistant principal with special education responsibilities; two general education teachers; special education teachers; a member of the school staff with expertise in data analysis and use of school data systems, including the Welligent system. Although the Annual Plan does not specifically define the number of times the school site review teams are to meet, several outcomes incorporate quarterly MCD review team meetings for the purpose of reviewing quarterly data.

To gauge the level of implementation by schools of the District's 2005-2006 Annual Plan, a confidential telephone survey was conducted of all school administrators whose primary responsibility is special education. The survey was conducted over a three week period beginning late May and included a minimum of three contacts for all schools. The survey sought to obtain general feedback on the implementation of the Annual Plan and whether schools were using the mechanism (MCD review team) designed for implementing and monitoring the progress of the Annual Plan and the outcomes of the MCD. Participants were asked the following questions:

1. Did your school receive a copy of the Schools for *All Children, 2005-2006 Modified Consent Decree Annual Plan*?
2. Does your school use the *Annual Plan* to guide its efforts toward achieving the outcomes of the Modified Consent Decree?
3. Does your school have a Modified Consent Decree Review Team?
4. How often has your Modified Consent Decree Review Team met during the 2005-2006 school year?

Overall Findings

Of all of the schools in the LAUSD, 86% of schools participated in the survey. Of those that participated, 86% of schools report having received a copy of the District's 2005-2006 Annual Plan. Of those schools that report having received a copy of the Annual Plan, 95% report using the plan to guide their efforts toward achieving the outcomes of the MCD. When asked if their schools had an MCD review team, 89% report having one. Of those schools that report having an MCD review team, the majority of schools (70%) report having met at least quarterly, or three or more times during the 2005-2006 school year. 43% of the schools report having met five or more times, and 10% state their MCD met once or not at all .

Findings by School Level

Elementary school administrators report having received a copy of the Annual Plan with more frequency than middle and high school administrators (88.1% vs. 79.5% Middle and 78.6% High School). High schools report not having received a copy of the Annual Plan with higher frequency (11.4%) than all other schools. Span schools (72%) and kindergarten only schools (54.6%) report having a school site MCD team with less frequency than all other school levels. When asked about the number of times their MCD teams met during the 2005-2006 school year, middle schools report having met five or more times with higher frequency (62.9%) than elementary (38.8%) and span schools (38.9%).

Findings by Local District

Schools from District's 3, 7 and 8 report having received a copy of the Annual Plan with less frequency (District 3 - 81.7%, District 7 - 78.6%, District 8 - 81.3%). Those schools that report receiving a copy of the plan, schools in District 2 (92.4%), District 4 (90.9%) and District 5 (91.8%) report using the Annual Plan to guide their efforts to achieve the outcomes with highest frequency. When asked about the school site MCD review team, schools from District 1 (94.7%) report having a team with the highest frequency. Schools from District 1 and District 2 report that the MCD review teams met five or more times (50.0% and 50.6%, respectively) during the 2005-2006 school year.

Determination

Based on the review of a sample of evidence including completion of central office action steps, and the telephone survey of school administrators on school site implementation of the Annual Plan, the District appears to have adequately implemented the action steps and requirements of the *2005-2006 Annual Plan*.

DETERMINATION OF WHETHER REQUIREMENTS PERTAINING TO THE DISTRICT'S COMPLAINT RESPONSE UNIT HAVE BEEN MET

Section 9 of the MCD requires the District to establish a Complaint Response Unit (CRU). The MCD further specifies the functions of the CRU, staffing and requires the District to establish procedures and protocols for its operation. Previously the IM determined that the District had met the requirements of this section. During this year the District revised the procedures and protocols for processing complaints. In February, Plaintiffs Counsel objected to the new procedures and protocols, at which time the District agreed to withdraw them and propose amendments to those previously approved. At the May 8, 2006 meeting of the parties, the District's proposed changes were discussed at which time Plaintiff's Counsel requested revision and clarification on the decision making process for investigating complaints. The District submitted further revisions on May 22, 2006. The IM approved the revised procedures and protocols with the following changes.

1. In the section on Investigating Complaints, paragraph two, first sentence, replace the word “resolved” to “responded to”.
2. In the section on Investigating Complaints, paragraph two, last sentence, delete the phrase “and is referred to the Independent Monitor” and replace with “upon which time the District will report to the Independent Monitor on the status of each complaint not resolved within 30 working days, at 5 working day intervals, until the complaint is resolved”.

Determination

The requirements of Section 9 of the MCD pertaining to the establishment and operation of the CRU have been met.

DETERMINATION OF WHETHER THE DISTRICT HAS ESTABLISHED A UNIT WITHIN THE DIVISION OF SPECIAL EDUCATION TO ADDRESS ON-DEMAND REQUESTS RELATED TO ACCESSIBILITY AND WHETHER THAT UNIT IS STAFFED AND FUNCTIONS CONSISTENT WITH THE MCD

Section 10 of the MCD requires that the District, within 30 days of approval of the MCD, establish within the Division of Special Education a unit to address “on demand” requests related to accessibility. The unit is to be staffed by a special education professional and a facilities professional and will have at its disposal “task order” procedures to rapidly provide minor renovations where necessary to provide access for individual students seeking placement in currently inaccessible programs.

The OIM reviewed the operation of the Unit and found the following:

1. A review of District records finds that the District established a unit within 30 days of approval of the MCD.
2. The unit is staffed by a special education and a facilities professional. The special education professional is located within the Special Education Division and the facilities professional is located within the Facilities Division. The IM raised question as to whether the location of staff within two divisions met the requirement of the MCD that the unit be within the Division of Special Education. At a meeting involving both parties, staff of the unit, and the directors of both divisions, it was concluded that the lead responsibility for the unit rested with the Division of Special Education and the location of the facilities professional within the Facilities Division expedited the process of getting the renovations completed.
3. The unit continues to be in operation.
4. The unit has a job order contracting procedure and the authority to address “on demand” requests in a timely manner.
5. Schools have been informed of the process and the ability to obtain minor renovations to provide accessibility when needed.

Determination

The District has met the requirement of Section 10 of the MCD relating to the establishment of a unit. This determination does not include the Section 10 requirement related to expenditures for task orders for requests for program accessibility.

STATUS OF THE IMPLEMENTATION OF THE INTEGRATED STUDENT INFORMATION SYSTEM (ISIS)

Section 11 of the Modified Consent Decree refers to a stipulation agreed to by the parties. In that stipulation they agreed to the development and implementation of an integrated student information system (“ISIS”) that centralizes educational records of District students and the development of a comprehensive special education management information system that is integrated into the ISIS. Time line for completion is October 30, 2006.

ISIS is an Early Childhood to Adult Education student/school management system that consolidates a number of existing student information systems. ISIS integrates all student information in a shared, centralized and secure Web-based system of student records for all schools and offices.

Currently there are more than 20,000 users at 157 middle and high schools using ISIS every day to manage attendance and grades for more than 350,000 students. School staff members have generally done well implementing the new system. As with any new system, the District and schools have experienced some challenges but through collaborative efforts these are being addressed.

Phase 2 Functionality

Phase 2 will bring the following functionality to schools:

- Health
- Ad-Hoc Reporting
- Year-End/New Year Processing
- Summer School/Intersession
- Alerts and Notifications
- Census
- Enrollment
- Programs
- Discipline
- Testing/Assessments
- Grad Standards/Transcripts
- Fees
- Special Education (Summary Screens)
- Walk-in Scheduling
- Counseling

Phase 2 Plans

June – August 2006	Pilot Phase 2 functionality in non-production environments. Subject matter experts and school personnel will walk through complete processes to ensure the system meets schools’ needs.
August 2006	Official start of Phase 2 training.
September 2006	Continuation schools pilot Phase 1 functionality. Roll out Phase 1 to new secondary schools.

October 2006	Roll out Phase 2 to all middle schools currently using Secondary SIS. Roll out Phase 1 to continuation and opportunity schools.
November 2006	Roll out Phase 2 to all high schools currently using Secondary SIS.
February 2007	Pilot the complete LAUSD MAX package at elementary schools.
July 2007	Start full rollout to elementary schools
2007	Roll out Textbook, Master Scheduling and Parent Access components.
December 2007	ISIS becomes the official LAUSD System of Record.

(Note: The implementation plan for adult education and remaining schools is still being determined.)

REPORT ON THE ANNUAL HEARING

Section 13 of the MCD requires the IM to conduct at least one hearing each year to hear from parents and other interested persons about the District’s compliance with special education laws. This year’s hearing was held on May 31, 2006. Notices inviting persons to present were made available in the eight primary languages of the District which include: English, Spanish, Tagalog, Chinese, Korean, Russian, Vietnamese and Armenian. To promote the annual hearing the following means of outreach were conducted: two direct mailings to homes of parents of students with disabilities; district-wide distribution to all schools including charter and non-public schools; direct mailings to community agencies and regional centers; distribution to Board Members; and, press release to all local media

To facilitate attendance a hearing was held in the morning and another in the evening. A total of 158 persons signed in as attending, 92 in the morning and 66 in the evening. Fifty persons presented oral testimony, 29 in the morning and 21 in the evening. An additional 15 persons provided written statements and eight email statements were received. Both hearings were broadcast live on KLCS and rebroadcast on Sunday June 4, 2006.

Individuals who presented specific complaints or problems were afforded the opportunity to meet with District staff to discuss the matter in greater depth and hopefully find resolution.

Number of referrals seen by District staff: 56

Number and percentage of referrals involving a student known to be previously or currently engaged in IEP due process or the state complaint process: (17) 30%

Number and percentage of referrals remaining in process: (35) 62.5%

Number and percentage of student-centered referrals by Local District

- Local District 1 – (7) 13.46%
- Local District 2 – (7) 13.46%
- Local District 3 – (5) 9.61%
- Local District 4 – (10) 19.23%
- Local District 5 – (4) 7.69%
- Local District 6 – (2) 3.84%
- Local District 7 – (8) 15.38%
- Local District 8 – (9) 17.30%

Number and percentage of student-centered referrals by level (elementary, middle school, high school)

- Elementary – (40) 76.92%
- Middle School – (7) 13.46%
- High School – (5) 9.61%

The OIM is conducting an analysis of the testimonies and written statements and will provide further comment in part II and III of the IM's Annual Report.

**AMENDMENTS TO THE MCD AND THE DISTRICT'S MAINTENANCE OF EFFORT
ACTIVITIES UNDER IDEA TO IMPLEMENT THE MODIFIED CONSENT DECREE (MOE)**

Amendments to IDEA in 2004 and subsequent changes to State law require that IEP meetings be held within 60 days of a signed assessment plan. Outcome 10 of the MCD required that:

- 90% of all initial evaluations shall be completed within 50 days
- 95% of all initial evaluations shall be completed within 65 days
- 98% of all initial evaluations shall be completed within 80 days

The parties agreed to change the days for completion to 60 days, 75 days and 90 days

Section 6.14.04 of the MOE required that the Office of Transition Services have four specialists' assigned regional responsibilities. The District employed three specialists and believed that a fourth was not necessary. The parties agreed to amend the MOE to require three specialists.

UTLA raised concern about Section 5.02.01 and Section 5.02.04 of the MOE pertaining to the pool of qualified substitute teachers and the assignment of long-term substitutes. The issue focused on the MOE requiring that long-term substitutes had to be replaced every 20 days. The parties agreed to the following amended sections:

5.02.01 Pool of Qualified Substitute Teachers

The District shall maintain a pool of qualified special education substitute teachers to substitute for appropriately credentialed special education teachers. All special education substitute teachers must hold a valid California credential authorizing substitute teaching. Only teachers placed in the pool will substitute for appropriately credentialed special education teachers.

5.02.04 Assignment of Long-Term Substitutes

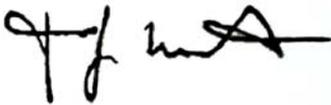
The District shall ensure that long-term substitutes fill those resource specialist program and special day class vacancies of more than 20 days where the District has received advance notification of the vacancy. In the event that a teacher with a special education credential is not available to serve as a long-term substitute, the District shall use as a long-term substitute a teacher from the substitute pool described in Section 5.02.01

Acknowledgements

The IM commends both the District and Plaintiffs for the constructive and positive manner in which they have worked together in the process of implementing the MCD. It is not to be expected in an undertaking so broad and significant that there is always agreement. However the parties have consistently demonstrated both the desire and ability to reach appropriate resolutions.

Recognition must also be given to the staff of the OIM, the graduate assistants, consultants and researchers who diligently gather and analyze data and review documents to ensure the validity of our determinations. Their professionalism and dedication is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. Weintraub', with a long horizontal flourish extending to the right.

Frederick J. Weintraub

c: Hon. Judge Ronald Lew, Robert Myers, Catherine Blakemore, Kevin Reed,
Donnalyn Jaque-Antón, Thomas Hehir