

***Office of the Independent Monitor***  
Modified Consent Decree  
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**Re: Approval of Amended Targeted Strategy Plan for Outcome 13**

Dear Mrs. Howell, Mr. Myers and Ms. Blakemore:

On July 1, 2011 the District submitted an amended Targeted Strategy Plan (TSP) for MCD Outcome 13. Outcome 13 pertains to ensuring that students with disabilities (SWD) receive the services specified in their individualized education program (IEP). On August 3, 2011, the Office of the Independent Monitor (OIM) met with the District to discuss the TSP. The Plaintiffs submitted an objection to the proposed amendments to the TSP on August 22, 2011. The District responded to the Plaintiffs on September 1, 2011.

The Plaintiffs objection focused on revised Strategy 13-6.10, which states “Monitor to determine if any speech and language compensatory time is owed to students. Compensatory time will be delivered by Speech Language Pathology Assistants.” Their concern was the elimination of speech language pathologists as was previously included in this strategy. The District responded by revising the strategy to again include speech language pathologists.

The Independent Monitor is concerned that the wording of the District’s proposed revision

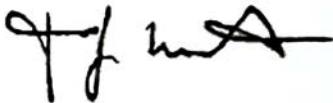
implies that speech language pathologists (SLP) and speech language pathology assistants (SLPA) have equal authority to provide services. Under California regulations a SLPA may only provide services under the supervision of a SLP.

### **Determination**

The IM approves the proposed amended TSP for Outcomes 13 with the following stipulations:

1. The District shall revise Strategy 13-6.10 to read: “Monitor to determine if any speech and language compensatory time is owed to students. Compensatory time will be delivered by speech language pathologists who may utilize speech language assistants in performing this responsibility.”
2. The District shall provide to the OIM all notices to cure sent to charter schools under Strategy 13-1.2.
3. The District shall provide to the OIM for review and comment a draft of the directions for resource specialist and related services providers under Strategy 13-1.6.
4. The District shall provide the Office of the Independent Monitor and the Plaintiffs with a copy of the approved TSP by September 20, 2011.

Respectfully Submitted,



Frederick J. Weintraub

c: Diane Pappas, Esq.  
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