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Modified Consent Decree
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Deneen Evans-Cox
Associate General Counsel I, Office of the General Counsel
Los Angeles Unified School District
333 S. Beaudry Avenue, 19th Floor
Los Angeles, CA 90017

Re: Summary of Site Visit and Debrief

Dear Ms. Cox:

As part of the monitoring effort for Outcome 7.1 and 7.2, and Section 10. Facilities, the Office of the Independent Monitor (OIM) visited schools where students with moderate to severe disabilities were transitioned from special education centers to general education campuses, as well as co-located sites. In June 2014, the OIM, staff from the Division of Special Education and Access Compliance Unit (ACU) visited these sites and found an overall lack of readiness and consideration for ensuring program access at these schools. At the conclusion of these visits, the Independent Monitor (IM) noted that the District was to provide a plan based on surveys to address immediate and medium range needs for barrier removal at these sites. It was stressed that the District was to address issues related to bus drop-off zones, and access to bathrooms and changing rooms prior to the opening of the school year. It was further communicated that the OIM would revisit these sites at the beginning of this school year to examine progress and better understand the decision making of the plans.

In preparation for these visits, several requests and follow-up emails (July 24, Aug. 4 and 11) were made for the following information:

Outcome 7.1 and 7.2

- Detailed survey reports with as-is conditions (provided 8/22/14), including relevant photographs (not provided), that were utilized for the development of the plan
- Methodology for prioritizing barrier removal and a detailed schedule for the removal (not provided)
- Relevant contract (with timelines) and funding information (not provided)
- Site map (provided 8/22/14)
- For Avalon Gardens, an explanation of how the recent plan provided differed from the plan that was being utilized during the past two years (not provided)

- Names of District staff, including those from the ACU and Division of Special Education who would attend the site visits (provided 8/22/14)

Section 10. Facilities

- A date that the District would provide a plan for completing transition plans at all District schools, including a schedule (not provided)
- The format for the transition plans (not provided)
- The specifications of the new survey (Evan Terry) and a blank sample or completed survey (not provided)

On 8/27/14, the District provided work plans for renovation at five schools where classes from special education centers were transitioned to general education campuses. The District also provided updates for renovations at two of the co-located sites that previously had three year plans which had been provided to the OIM in a scope of work for each site. These include:

- Pio Pico MS
- Irving MS
- Kennedy ES
- Edison MS
- Reseda SH
- Northridge MS
- Avalon Gardens ES (Co-located site)
- Grandview ES (Co-located site)

On 8/25/14 and 8/26/14, the OIM and ACU visited six sites to better understand the work plans and decisions to improve program accessibility. These schools include:

- Pio Pico MS
- Irving MS
- Kennedy ES
- Edison MS
- Avalon Gardens ES
- Grandview ES

On 8/27/14, a brief meeting was held with staff from the Division of Special Education, Facilities Division, and Office of the General Counsel. At this debriefing, the IM noted that the District's refusal to make staff available from the Division of Special Education limited the ability for having meaningful discussions regarding the work plans to make these schools accessible. The District also failed to identify any individual responsible for the development and oversight of the work plans, with the exception of those co-located sites. Additionally, the District failed to provide the necessary information and/or documents requested, further limiting the OIM's ability to effectively monitor Outcome 7.

At the debriefing, the IM shared several observations and/or comments. To summarize, the IM noted that:

- We were unable to understand the methodology for prioritizing the items selected for barrier removal

- There is a clear void in the leadership, management and accountability of this effort, which has an immediate impact on students accessing programs, goods and services; it also impacts students' health and safety
- One principal was aware of the ongoing and future work to be done at a particular school. The remaining principals had minimal to some knowledge of the effort to improve accessibility
- School personnel reported minimal involvement in the identification of barriers and needs of the schools and/or classrooms selected
- Barrier removal and renovations at co-located sites were inconsistent with the three-year plans (scopes of work) provided. In some instances, work had not been completed and/or had renovations that did not meet code
- Some classrooms had portable lavatories with no water supply and drainage, where students required changing, feeding and health care protocols
- A particular school had one small bathroom/changing room that was being utilized by three classrooms
- Bathrooms selected for renovations were located over 350 feet from the classrooms selected, while bathrooms were available within a reasonable proximity. Additionally, the renovations are scheduled to begin summer 2015

As a result of these visits and lack of compliance by the District with the aforementioned requests, the District is required to provide and/or complete the following actions. The District is advised that the following items are not considered a request.

Outcome 7.1 and 7.2

- By 9/15/14, identify an individual (name and position) or persons responsible for the design, management and oversight of the work plans and efforts to improve accessibility at these schools. This individual must have the authority to dedicate the necessary resources to improve the accessibility at these schools. This individual must also have the required expertise in access compliance and program accessibility.
- By 9/15/14, provide revised and updated work plans for the removal of barriers at each school with detailed information regarding the specific location of the barrier, projected dates of removal and renovation, and completion dates of each item. The work plans should include a narrative of the rationale for the removal of barriers and corresponding schedule
- On the first of each month, provide a written monthly summary on the progress of each site, including when the ACU and/or staff with expertise in ADA and Title 24 reviewed completed work and certify such work as compliant
- By 9/15/14, provide a detailed report for each school regarding the specific location of changing rooms, the number of students who will be using each changing room, and the necessary equipment and utilities (e.g., privacy locks, partitions/curtains, hot and cold water, drainage) to ensure sanitary conditions and privacy for students and staff
- By 9/15/14, provide all copies of task orders and documentation on any work done associated with these schools, including funding information and Request for Bids (RFBs). Additional documentation will be provided on an on-going basis consistent with the schedule identified in the work plans

- By 9/10/14, meet with principals and school personnel to receive feedback on barriers to be removed and issues that may be impacting program accessibility and health and safety needs, and provide a summary of these meetings to include follow-up actions
- By 9/15/14, provide a copy of the work plans to principals with quarterly updates on the progress of barrier removal. These updates shall be included in the ongoing monthly reports provided to the OIM
- By 9/10/14, provide a plan for those schools with classrooms with portable lavatories and no water supply or drainage, for the installation of the necessary plumbing. By Oct. 1, the District must ensure that students with changing and feeding needs are in classrooms with hot and cold water supply and drainage

Section 10. Facilities

- By 9/10/14, provide the format of the transition plan
- By 9/30/14, provide the specifications of the new survey, including a sample survey (partially or fully completed)
- By 9/8/14, provide a **date** for when the District will submit the plan for completing transition plans. This plan shall include:
 - Methodology for prioritizing schools based on the needs of the student population, including special education population
 - Schedule for completing transition plans, including a sizable number of sites that will have transition plans within the next 18-24 months
 - Information that identifies funding sources
 - Staffing plans for conducting surveys
 - Proposed training and professional development
 - The name and/or plan to hire or assign the District's ADA coordinator with a projected start date
 - Proposed timeline for securing a commitment to the plan from the Board of Education

If you have any questions, please feel free to contact the OIM. This will also be on the agenda for our monthly meeting on 9/3/14.

Sincerely,



David Rostetter, Ph.D.
Independent Monitor

c: Sharyn Howell
Diane Pappas, Esq.
Veronica Smith