



Los Angeles Unified School District

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August 29, 2015

Dr. David Rostetter, Independent Monitor
Office of the Independent Monitor
Modified Consent Decree
333 South Beaudry Avenue, 18th Floor
Los Angeles, California 90017

Re: District's Annual Report on Substantial Compliance

Dear Dr. Rostetter

I am in receipt of your August 27, 2015 letter in which you state, "We had scheduled a meeting for September 1 to discuss the annual report. However, until there is a more thorough version of this report, I see no reason to have a discussion about it." In our communications following your request that the District remove its Annual Report on Substantial Compliance which was posted on August 15, 2015, I requested the District have an opportunity to meet with you to discuss your expectations. I strongly feel such a discussion remains necessary. Absent clarification as to what your expectations are regarding the content of the District's Annual Report, any attempt to submit a revised version to you will be futile.

The District submitted the draft framework for the Annual Report on Substantial Compliance to you on November 1, 2014 in accordance with the timeline set forth in your July 28, 2014 letter. Although, the District had discussions with you before submitting the draft framework and following receipt of your July 28, 2014 letter, we have not received any definitive written feedback from you either approving or disapproving the draft framework.

When we met in Long Beach on June 11, 2014 to discuss drafting the District's Substantial Compliance Framework, we specifically discussed what indicators the District would include in its Annual Report. During that discussion, you stated that the items the District chose to include should be based upon those issues that arise "at the building level" which are meaningful to the District as these are items that will be monitored following disengagement from the Modified Consent Decree. I asked you during that meeting whether you expected the District to include the 18 MCD Outcomes in its designated indicators. You responded that you did not expect the 18 Outcomes to be included and again reiterated that the items chosen should be meaningful to the District. The District agreed and further stated that it would not make much

sense for the District to report on the 18 Outcomes especially during the same time that the Office of the Independent Monitor is monitoring the District's progress on the same Outcomes. Despite those discussions and the District's inclusion of the designated 10 key performance indicators in the November 1, 2014 Draft Framework, you stated in your communication to me on August 18, 2015 that a problem with the Report is that all of the 18 Outcome are not dealt with.

Also in your August 18, 2015 communications to me, you state that "Translation seem to be missing" and "I also do not recall agreeing that translations should not be in the report." During the November 5, 2014 conference call the District had with you and your staff, you indicated that you did not see translations on the list of indicators in the District's draft framework. At that time, Sharyn Howell and I explained that the District would continue to ensure and monitor that IEP translations are completed but that translations was purposely not included as one of the designated 10 key performance indicators.

You have stated several times, including in your August 20, 2015 and August 27, 2015 letters that the "criteria" you provided in your February 18, 2015 letter provides sufficient detail for the District to draft its Annual Report on Substantial Compliance in accordance with your expectation. The District's Annual Report, which was timely posted on the Division of Special Education website on August 15, 2015 as required by your July 28, 2014 letter was completed according to the District's understandings based upon the meetings and discussions that have taken place with you and your staff. In addition to the process for monitoring the identified key performance indicators, the District's Framework included information detailing its processes for monitoring special education compliance and performance as well as its systems for ensuring accountability of District administrators, staff and teachers. The actual processes for monitoring compliance, performance, and accountability were submitted to you to provide a comprehensive explanation of how the District will ensure substantial compliance. However, it is not appropriate for that level of information to be included in an Annual Report which will be made publically available.

It appears that you have expectations that are not at all clear to the District. Following receipt of your August 18, 2015 request to remove the Annual Report from the Division's website, the District has again reviewed the November 1, 2014 Framework for the Annual Report on Substantial Compliance submitted to you; your February 18, 2014 letter which as I previously stated to you appears to address a process or plan for substantial compliance but not specific items that would necessarily be included in an Annual Report; your August 20, 2015 letter; as well as notes from the numerous discussions we have had.

For all of the reasons stated above, a meeting on September 1, 2015 or some other mutually agreed upon time is necessary in order for the District to gain a thorough understanding of your expectations and to receive clarification as to what you intended to convey in your February 18, 2015 and August 20, 2015 letters. I realize you are not imposing a timeline here, but the District is very interested in moving forward with completing this aspect of the District's Substantial Compliance framework. It will be very difficult, if not impossible to do so without

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having the necessary discussions with you so that there is at least an understanding and/or meeting of the minds regarding what you are expecting as the Independent Monitor.

Sincerely,



D. Deneen Evans Cox
Associate General Counsel I

c: Sharyn Howell
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