



## Board of Education Report

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**File #:** Rep-183-22/23, **Version:** 1

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### **Define and Approve Three Accessibility Enhancement Projects, Two Barrier Removal Projects, and Amend the Facilities Services Division Strategic Execution Plan to Incorporate Therein**

**March 27, 2023**

**Facilities Services Division and Division of Special Education**

#### **Action Proposed:**

Define and approve three accessibility enhancement projects at Hubert Howe Bancroft Middle School, Broad Avenue Elementary School, and Daniel Webster Middle School, as described in Exhibit A, to support the implementation of the Board of Education (Board) approved Self-Evaluation and Transition Plan (Transition Plan) under the Americans with Disabilities Act (ADA), two ADA barrier removal projects at 95<sup>th</sup> Street Elementary School (95<sup>th</sup> St ES) and Pinewood Avenue Elementary School (Pinewood ES), as described in Exhibit B, and amend the Facilities Services Division (Facilities) Strategic Execution Plan (SEP) to incorporate therein. The total combined budget for the five proposed projects is \$49,668,421.

Authorize the Chief Procurement Officer and/or the Chief Facilities Executive and/or their designee(s) to execute all instruments necessary, as legally permissible, to implement the projects including budget modifications and the purchase of equipment and materials.

#### **Background:**

On October 10, 2017, the Board approved the Transition Plan under ADA to further Los Angeles Unified efforts to comply with ADA Title II program accessibility requirements. The Transition Plan outlined Los Angeles Unified's proposed approach to providing program accessibility, which considers the characteristics of Los Angeles Unified student population, variety of educational programs, as well as the existing level of accessibility. The Transition Plan established a specific approach and goals for achieving program accessibility within eight years through facility modifications and operational means.

Under the Transition Plan, each school is assigned to one of three levels of accessibility (Category One, Two, or Three) based on assessments of more than two dozen criteria, including school programs, matriculation options, feeder pattern, geographic location, known (or anticipated/matriculating) population of students with disabilities or parents/guardians with disabilities, type of instructional model, and public input. The assigned category reflects the level of accessibility the site needs to meet. Schools that do not yet meet the criteria for their assigned category will undergo accessibility improvements and are prioritized for project development based on the criteria mentioned above. The three categories of accessibility are as follows:

- Category One: These are “key” schools and will have the highest level of access, generally in accordance with applicable physical accessibility standards. Category 1A will provide “full accessibility” for the schools that were built to new construction standards, while Category 1B will provide “high accessibility” for schools that have been altered with some limited exceptions.
- Category Two: These will be “program-accessible” schools. The core spaces and features of these schools would be made accessible; in addition, program accessibility would be provided to all programs

and activities at the school.

- Category Three: These schools will have “core access,” which means that the core spaces (certain common spaces) would be made accessible, to ensure a basic level of access to the building. These include, for example, parking, the main entrance and main office, assembly areas, and some restrooms.

The three school sites for which an accessibility enhancement project is being proposed do not yet meet their assigned category/level of accessibility and thus require facilities improvements. The scope, schedule, and budget for each proposed project reflects the existing known conditions at each school site and the improvements necessary to meet each schools’ assigned category of accessibility. The conditions of significance include acreage, topography, building square footage, existence of multi-story buildings, age of buildings, as well as the number of schools, programs, features, and activities at a school site.

A need to accommodate students and staff with disabilities to access classroom buildings, stage in the multipurpose rooms, and restroom facilities in the nurse areas at 95<sup>th</sup> St ES and Pinewood ES has been identified. Facilities staff was previously delegated authority to execute and expend Bond Program funds for Rapid Access Program (RAP) projects in response to an individual student’s need for programmatic access. These projects require minor installments and adjustments to facilities to ensure a barrier-free learning environment, do not require Division of the State Architect (DSA) approval and thus can be completed “rapidly” and have a project budget that does not exceed \$250,000. The proposed ADA barrier removal projects at 95<sup>th</sup> St ES and Pinewood ES do not meet the parameters of the RAP due to their scope and budget. As such, staff is presenting the projects proposal to the Board for approval.

#### Bond Oversight Committee Recommendations:

This item was considered by the School Construction Bond Citizens’ Oversight Committee (BOC) at its meeting on February 23, 2023. Staff has concluded that this proposed Facilities SEP amendment is in alignment with BOC recommendations and will facilitate Los Angeles Unified’s ability to successfully complete the Facilities SEP.

#### **Expected Outcomes:**

Define and approve three accessibility enhancement projects, two ADA barrier removal projects, as detailed in Exhibits A and B, and adopt the proposed amendment to the Facilities SEP to incorporate therein. Approval will authorize staff to proceed with the implementation of the proposed projects.

#### **Board Options and Consequences:**

Adoption of the proposed action will authorize staff to proceed with the expenditure of Bond Program funds to immediately begin designing the proposed projects at five school sites.

If the Board does not approve the proposal, staff will be unable to initiate the three proposed accessibility enhancement projects, which are necessary to achieve program accessibility as outlined in the Transition Plan, and the two ADA barrier removal projects, which is required for compliance with Section 504 of the Rehabilitation Act and the ADA.

#### **Policy Implications:**

The proposal furthers implementation of the Transition Plan. As outlined in the Transition Plan, at Category One, Two and Three schools, an appropriate number of classrooms will be identified to serve as accessible learning spaces, some of which may require facility improvements to meet the criteria for their assigned

accessibility category.

Any potential future room changes by Administrators or Principals will be reviewed by the Division of Special Education, the ADA Compliance Administrator, and the Facilities Services Division to ensure that new accessibility problems are not created as a result of the classroom moves. This will be done in close coordination with school staff to ensure disruptions are minimized.

**Budget Impact:**

The total combined budget, as currently estimated, for the five proposed projects is \$ 49,668,421. The projects will be funded with Bond Program funds earmarked specifically for ADA Transition Plan Implementation.

Each project budget was prepared based on the current information known, and assumptions about the project scope, site conditions, and market conditions. Individual project budgets will be reviewed throughout the planning, design, and construction phases as new information becomes known or unforeseen conditions arise and will be adjusted accordingly to enable the successful completion of each project.

**Student Impact:**

The five proposed projects will remove barriers to program accessibility for students and qualified members of the community and ensure that all have an equal opportunity to access programs and activities at each campus.

**Equity Impact:**

Facilities works to coordinate Los Angeles Unified efforts under the ADA to ensure programs are accessible by students, parents, and community members with disabilities.

**Issues and Analysis:**

Both Title II of the ADA and Section 504 of the Rehabilitation Act of 1973 impose broad-reaching prohibitions against discrimination on the basis of disability. As to facilities, a key requirement for both the ADA and Section 504 is program accessibility: programs, benefits, services, and activities provided by public entities must be accessible to people with disabilities. This means that a qualified individual with a disability is not to be discriminated against because the entity's facilities are inaccessible; however, this does not necessarily mean that all facilities must be accessible. While both laws do require that newly constructed and altered facilities meet stringent accessibility requirements, they do not require that all existing facilities meet those standards, so long as the programs and services provided in those facilities are made accessible to people with disabilities. A program or service can be made accessible by relocating it, providing it in a different manner, or utilizing some other strategy to ensure that people with disabilities have an equal opportunity to benefit from the entity's programs and activities. These proposed projects are in alignment with Los Angeles Unified's implementation of the Board-approved Self-Evaluation and Transition Plan.

95<sup>th</sup> St ES and Pinewood ES have been assigned a Category Three accessibility level pursuant to the Transition Plan. Staff considered the possibility of reprioritizing the school on the Transition Plan list and proposing a more robust scope that would address all programmatic access requirements. However, it was determined that constructing new concrete ramps to provide students and staff with direct access to classroom buildings, adding wheelchair lifts in the multipurpose rooms, and upgrading restroom facilities in the nurse area was an immediate and pressing priority at both schools, and additional accessibility improvements could be undertaken under new projects at a later date, as anticipated under the Transition Plan.

The Office of Environmental Health and Safety (OEHS) will evaluate the proposed projects in accordance with the California Environmental Quality Act (CEQA).

**Attachments:**

Exhibit A - Define and Approve Three Accessibility Enhancement Projects

Exhibit B - Define and Approve Two Barrier Removal Projects

Exhibit C - Student Eligibility by Program at Five Schools

Exhibit D - BOC Resolution

Previously adopted Board reports referenced in the Background section:

- Adopted October 10, 2017: [Board Report No. 124-17/18](https://drive.google.com/file/d/1czLku1Hw6_9HbNot0xX7ikgNbTJFsNQd/view?usp=sharing)  
<[https://drive.google.com/file/d/1czLku1Hw6\\_9HbNot0xX7ikgNbTJFsNQd/view?usp=sharing](https://drive.google.com/file/d/1czLku1Hw6_9HbNot0xX7ikgNbTJFsNQd/view?usp=sharing)>

**Informative:**

None

**Submitted:**

02/16/2023

**RESPECTFULLY SUBMITTED,**

  
ALBERTO M. CARVALHO  
Superintendent

**APPROVED BY:**


  
PEDRO SALCIDO  
Deputy Superintendent, Business Services and Operations

**REVIEWED BY:**


  
DEVORA NAVERA REED  
General Counsel

☒ Approved as to form.

**APPROVED BY:**


  
MARK HOVATTER  
Chief Facilities Executive  
Facilities Services Division

**REVIEWED BY:**


  
TONY ATIENZA  
Director, Budget Services and Financial Planning

☒ Approved as to budget impact statement.

**APPROVED BY:**

  
ANTHONY AGUILAR  
Chief of Special Education, Equity and Access

**PRESENTED BY:**

  
AARON BRIDGEWATER  
Director of Facilities Planning and Development  
Facilities Services Division



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

### Exhibit A Three Accessibility Enhancement Projects

#### 1. Hubert Howe Bancroft Middle School Accessibility Enhancement Project

*Hollywood Community of Schools, Region West, Board District 4 (Nick Melvoin)*

Project Background and Scope: The Hubert Howe Bancroft Middle School site spans 6.40 acres and is comprised of three 6-8 schools/programs, a traditional middle school program, a Gifted STEAM Magnet program, and a Performing Arts Magnet program. The building area is approximately 204,378 square feet and includes three multi-story permanent buildings, one single-story permanent building, and eight relocatable buildings. The permanent buildings were constructed between 1929 and 1976. As of the 2022-2023 Electronic Capacity Assessment Review (E-CAR), the school served 445 students and currently 67 have been identified as having a disability.

The site has been assigned a Category Two accessibility level. In order to meet the criteria for Category Two, various upgrades to seven buildings are required, including: corrections, installation, or replacement of 13 restroom upgrades, 20 drinking fountains, 34 path of travel upgrades, four assembly seat upgrades, one elevator upgrade, other miscellaneous upgrades, and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$12,379,639

Project Schedule: Construction is anticipated to begin in Q2-2025 and be completed in Q4-2026.

#### 2. Broad Avenue Elementary School Accessibility Enhancement Project

*Wilmington Community of Schools, Region South, Board District 7 (Tanya Ortiz Franklin)*

Project Background and Scope: The Broad Avenue Elementary School site spans 5.80 acres and is comprised of two elementary school programs, a traditional elementary school program TK-5 and a dual language two-way immersion Spanish program. The building area is approximately 66,898 square feet and includes seven single-story permanent buildings, two multi-story permanent building and 11 relocatable buildings. The permanent buildings were constructed between 1969 and 1999. As of the 2022-2023 E-CAR, the school served 509 students and currently 95 have been identified as having a disability.

The site has been assigned a Category Two accessibility level. In order to meet the criteria for Category Two, various upgrades to 16 buildings are required, including: corrections, installation, or replacement of one new elevator, one new stage lift and stage adapt, 13 TMP ramps, nine restroom upgrades, 12 path of travel upgrades, six drinking fountain upgrades, one assembly seat upgrade, other miscellaneous upgrades, and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$13,555,517

Project Schedule: Construction is anticipated to begin in Q2-2025 and be completed in Q4-2026.



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

### Exhibit A Three Accessibility Enhancement Projects

#### 3. Daniel Webster Middle School Accessibility Enhancement Project

*West LA Community of Schools, Region West, Board District 4 (Nick Melvoin)*

Project Background and Scope: The Daniel Webster Middle School site spans 23.65 acres and is comprised of four schools/programs, a traditional 6-8 middle school program, a 6-8 STEAM magnet program, and two co-located charter school programs. The building area is approximately 120,993 square feet and includes 35 single-story permanent buildings, and 14 relocatable buildings. The permanent buildings were constructed between 1954 and 1968. As of the 2022-2023 E-CAR, the school served 444 students and currently 95 have been identified as having a disability.

The site has been assigned a Category Two accessibility level. In order to meet the criteria for Category Two, various upgrades to 31 buildings are required, including: corrections, installation, or replacement of two new stage lifts and two stage adapts, 22 restroom upgrades, 66 path of travel upgrades, two new concrete ramps, seven drinking fountain upgrades, two assembly seat upgrades, two locker room upgrades, other miscellaneous upgrades, and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$16,586,064

Project Schedule: Construction is anticipated to begin in Q2-2025 and be completed in Q4-2026.



# LOS ANGELES UNIFIED SCHOOL DISTRICT

## Board of Education Report

### Exhibit B

#### Two Barrier Removal Projects

#### 1. 95<sup>th</sup> Street Elementary School Barrier Removal Project

*HEET (W) Community of Schools, Region South, Board District 1 (George McKenna)*

Project Background and Scope: 95<sup>th</sup> Street Elementary School site spans 5.40 acres and is comprised of one traditional TK-5 elementary school program. The building area is approximately 94,883 square feet and includes two single-story permanent buildings, seven multi-story permanent buildings, and one relocatable building. The permanent buildings were constructed between 1922 and 1997. As of the 2022-2023 E-CAR, the school served 749 students and currently 93 have been identified as having a disability.

The site has been assigned a Category Three accessibility level. In order to meet the criteria for Category Three, various upgrades to two buildings are required, including: corrections, installation, or replacement of one new concrete ramp, one existing ramp replacement with set of stairs, one restroom upgrade, one wheelchair lift, and stage adapt.

Project Budget: \$2,398,648

Project Schedule: Construction is anticipated to begin in Q3-2024 and be completed in Q2-2025.

#### 2. Pinewood Avenue Elementary School Barrier Removal Project

*Sunland/Tujunga Community of Schools, Region North, Board District 6 (Kelly Gonez)*

Project Background and Scope: Pinewood Avenue Elementary School site spans 6.01 acres and is comprised of one traditional TK-5 elementary school program. The building area is approximately 57,145 square feet and includes 10 single-story permanent buildings and one multi-story permanent building. The permanent buildings were constructed between 1937-1969. As of the 2022-2023 E-CAR, the school served 203 students and currently 35 have been identified as having a disability.

The site has been assigned a Category Three accessibility level. In order to meet the criteria for Category Two, various upgrades to two buildings are required, including: corrections, installation, or replacement of one new concrete ramp, eight tree relocations & landscaping, one path of travel upgrade, one restroom upgrade, one wheelchair lift, and stage adapt.

Project Budget: \$4,748,553

Project Schedule: Construction is anticipated to begin in Q3-2024 and be completed in Q2-2025.



## Exhibit C

### Student Eligibility by Program at Five Schools

Disability Category	Bancroft MS	Broad ES	Webster MS	95th St ES	Pinewood ES
Orthopedic Impairment (OI)	0	0	0	<11	<11
Other Health Impairment (OHI)	13	<11	20	15	<11
Established Medical Disability (EMD)	0	0	0	0	0
Visual Impairment (VI)	0	0	<11	0	0
Autism (AUT)	17	48	18	19	22
Deaf Blindness (DB)	0	0	0	0	0
Deafness (DEAF)	0	0	<11	0	0
Emotional Disturbance (ED)	<11	0	<11	0	0
Hard of Hearing (HH)	<11	0	0	<11	<11
Intellectual Disability (ID)	<11	0	<11	0	0
Multiple Disabilities (MD)	0	0	0	0	0
Specific Learning Disability (SLD)	29	18	45	30	<11
Speech or Language Impairment (SLI)	<11	25	<11	26	<11
Traumatic Brain Injury (TBI)	<11	0	0	0	0
<b>Grand Total</b>	<b>67</b>	<b>95</b>	<b>95</b>	<b>93</b>	<b>35</b>

To ensure confidentiality of individual student results and compliance with Los Angeles Unified policy and State guidelines, data is suppressed if the number of students included in calculations is less than 11.

## LOS ANGELES UNIFIED SCHOOL DISTRICT

## SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE

**Margaret Fuentes, Chair**

LAUSD Student Parent

**D. Michael Hamner, Vice-Chair**

American Institute of Architects

**Jennifer McDowell, Secretary**

L.A. City Mayor's Office

**Susan Linschoten, Executive Committee**

L.A. Co. Auditor-Controller's Office

**Scott Pansky, Executive Committee**

L.A. Area Chamber of Commerce

**Neelura Bell**

CA Charter School Association

**Jeffrey Fischbach**

CA Tax Reform Assn.

**Chris Hannan**

L.A. Co. Federation of Labor AFL-CIO

**Hyepin Im**

L.A. City Controller's Office

**Brian Mello**

Assoc. General Contractors of CA

**Dr. Clarence Monteclaro**

Tenth District PTSA

**William O. Ross, IV**31<sup>st</sup> District PTSA**Samantha Rowles**

LAUSD Student Parent

**Araceli Sandoval-Gonzalez**

Early Education Coalition

**Dolores Sobalvarro**

AARP

**Celia Ayala (Alternate)**

Early Education Coalition

**Chad Boggio (Alternate)**

L.A. Co. Federation of Labor AFL-CIO

**Peggy Robertson (Alternate)**

Assoc. General Contractors of CA

**Connie Yee (Alternate)**

L.A. Co. Auditor-Controller's Office

**Joseph P. Buchman – Legal Counsel**

Burke, Williams &amp; Sorensen, LLP

**Lori Raineri and Keith Weaver – Oversight****Consultants**

Government Financial Strategies

**Timothy Popejoy**

Bond Oversight Administrator

**Perla Zitle**

Bond Oversight Coordinator

## RESOLUTION 2023-04

## BOARD REPORT 183-22/23

**RECOMMENDING BOARD APPROVAL TO DEFINE AND APPROVE THREE  
ACCESSIBILITY ENHANCEMENT PROJECTS, TWO BARRIER REMOVAL PROJECTS,  
AND AMEND THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN  
TO INCORPORATE THEREIN**

WHEREAS, Los Angeles Unified School District (District) Staff proposes that the Board of Education (Board) define and approve three accessibility enhancement projects at Hubert Howe Bancroft Middle School, Broad Avenue Elementary School, and Daniel Webster Middle School, to support the implementation of the Board approved Self-Evaluation and Transition Plan (Transition Plan) under the Americans with Disabilities Act (ADA), two ADA barrier removal projects at 95<sup>th</sup> Street Elementary School (95<sup>th</sup> St ES) and Pinewood Avenue Elementary School (Pinewood ES), and amend the Facilities Services Division (Facilities) Strategic Execution Plan (SEP) accordingly; and

WHEREAS, District Staff also requests that the Board authorize the Chief Procurement Officer and/or the Chief Facilities Executive and/or their designee(s) to execute all instruments necessary, as legally permissible, to implement the projects including budget modifications and the purchase of equipment and materials; and

WHEREAS, Under the Transition Plan, each school is assigned to one of three levels of accessibility (Category One, Two, or Three) based on assessments of more than two dozen criteria, including school programs, matriculation options, feeder pattern, geographic location, known (or anticipated/matriculating) population of students with disabilities or parents/guardians with disabilities, type of instructional model, and public input. The assigned category reflects the level of accessibility the site needs to meet. Schools that do not yet meet the criteria for their assigned category will undergo accessibility improvements and are prioritized for project development based on the criteria mentioned above. The three categories of accessibility are as follows:

**RESOLUTION 2023-04****RECOMMENDING BOARD APPROVAL TO DEFINE AND APPROVE THREE ACCESSIBILITY ENHANCEMENT PROJECTS, TWO BARRIER REMOVAL PROJECTS, AND AMEND THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN TO INCORPORATE THEREIN**

- Category One: These are “key” schools and will have the highest level of access, generally in accordance with applicable physical accessibility standards. Category 1A will provide “full accessibility” for the schools that were built to new construction standards, while Category 1B will provide “high accessibility” for schools that have been altered with some limited exceptions; and
- Category Two: These will be “program-accessible” schools. The core spaces and features of these schools would be made accessible; in addition, program accessibility would be provided to all programs and activities at the school; and
- Category Three: These schools will have “core access,” which means that the core spaces (certain common spaces) would be made accessible, to ensure a basic level of access to the building. These include, for example, parking, the main entrance and main office, assembly areas, and some restrooms; and

WHEREAS, The three school sites for which an accessibility enhancement project is being proposed do not yet meet their assigned category/level of accessibility and thus require facilities improvements. The scope, schedule, and budget for each proposed project reflects the existing known conditions at each school site and the improvements necessary to meet each schools’ assigned category of accessibility. The conditions of significance include acreage, topography, building square footage, existence of multi-story buildings, age of buildings, as well as the number of schools, programs, features and activities at a school site; and

WHEREAS, A need to accommodate students and staff with disabilities to access classroom buildings, stage in the multipurpose rooms, and restroom facilities in the nurse areas at 95<sup>th</sup> St ES and Pinewood ES has been identified. Facilities staff was previously delegated authority to execute and expend Bond Program funds for Rapid Access Program (RAP) projects in response to an individual student’s need for programmatic access. These projects require minor installments and adjustments to facilities to ensure a barrier-free learning environment, do not require Division of the State Architect (DSA) approval and thus can be completed “rapidly” and have a project budget that does not exceed \$250,000. The proposed ADA barrier removal projects at 95<sup>th</sup> St ES and Pinewood ES do not meet the parameters of the RAP due to their scope and budget. As such, staff is presenting the projects proposal to the Board for approval; and

WHEREAS, The total combined budget, as currently estimated, for the five proposed projects is \$49,668,421 and will be funded by Bond Program funds embarked specifically for ADA Transition Plan Implementation; and

WHEREAS, Construction of the three accessibility enhancement projects are anticipated to begin in the second quarter of 2025 and be completed in the fourth quarter of 2026. Construction of the two ADA barrier removal projects is anticipated to begin in the third quarter of 2024 and be completed in the second quarter of 2025; and

**RESOLUTION 2023-04****RECOMMENDING BOARD APPROVAL TO DEFINE AND APPROVE THREE ACCESSIBILITY ENHANCEMENT PROJECTS, TWO BARRIER REMOVAL PROJECTS, AND AMEND THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN TO INCORPORATE THEREIN**

WHEREAS, District Staff has determined that the Projects are necessary to improve student health, safety, and educational quality; and

WHEREAS, District staff has concluded that this proposed Facilities SEP amendment will facilitate Los Angeles Unified's ability to successfully complete the Facilities SEP.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The School Construction Bond Citizens' Oversight Committee recommends that the Board define and approve three accessibility enhancement projects to support the implementation of the Transition Plan, two ADA barrier removal projects, and amend the Facilities SEP accordingly, as described in Board Report No. 183-22/23, a copy of which is attached hereto in the form it was presented to the BOC and is incorporated herein by reference.
2. This resolution shall be transmitted to the Los Angeles Unified School District Board of Education and posted on the Oversight Committee's website.
3. Los Angeles Unified is directed to track the above recommendation and to report on the adoption, rejection, or pending status of the recommendations as provided in section 6.2 of the Charter and Memorandum of Understanding between the Oversight Committee and the District

ADOPTED on February 23, 2023, by the following vote:

AYES: 10

ABSTENTIONS: 1

NAYS: 0

ABSENCES: 4

/Margaret Fuentes/

Margaret Fuentes  
Chair

/Michael Hamner/

D. Michael Hamner  
Vice-Chair