



LOS ANGELES UNIFIED SCHOOL DISTRICT

REPORT ON IMPROVING STUDENT OUTCOMES AND ENSURING RIGHTS



COMPLIANCE AND PERFORMANCE MONITORING LEGAL SERVICES
OFFICE OF THE GENERAL COUNSEL

July 1, 2020

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SUPERINTENDENT AUSTIN BEUTNER AND THE LAUSD SCHOOL COMMUNITY



DISTRICT FOCUS

In February 2020, Superintendent Austin Beutner discussed the focus for the District and stated,

“ Ultimately it’s about the outcomes for the students, ”
that’s our focus. Our North Star.

This statement aligns with the stated purpose of the IDEA which obligates the District to:

- Ensure that all children with disabilities have available to them a free appropriate public education (FAPE);
- Ensure that the rights of children with disabilities and parents of such children are protected;
- Ensure that educators and parents have the necessary tools to improve educational results for children with disabilities; and
- Assess and ensure the effectiveness of efforts to educate children with disabilities.

MISSION AND VISION

District's Mission

Embracing our diversity to educate L.A.'s youth, ensure academic achievement and empower tomorrow's leaders. We are L.A. Unified.

District's Vision

L.A. Unified will be a progressive global leader in education, providing a dynamic and inspiring learning experience where all students graduate ready for success.

Division of Special Education's Mission

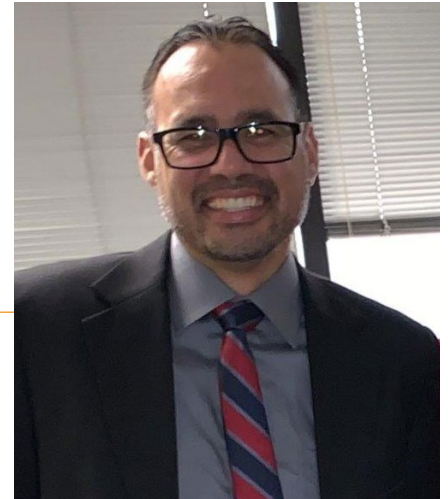
Provide leadership, guidance, and support to the school community in order to maximize learning for all students within an inclusive environment so that each student will contribute to and benefit from our diverse society.

Division of Special Education's Vision

Inspire all students to reach their maximum potential as productive and responsible citizens.

MESSAGE FROM CHIEF OF SPECIAL EDUCATION, EQUITY AND ACCESS, ANTHONY AGUILAR

“ We are in this together, your support and input is integral to our work. ”



Dear LAUSD Special Education Community,

I want to begin by recognizing the impact the COVID-19 global pandemic has had on our students with disabilities and our school community. Since the announcement of LA Unified school facility closures, the Division of Special Education has worked diligently to create a Distance Learning plan in collaboration with the Division of Instruction. We continue our commitment to providing a consistent robust system of service delivery models in an effort to best meet the needs of our students.

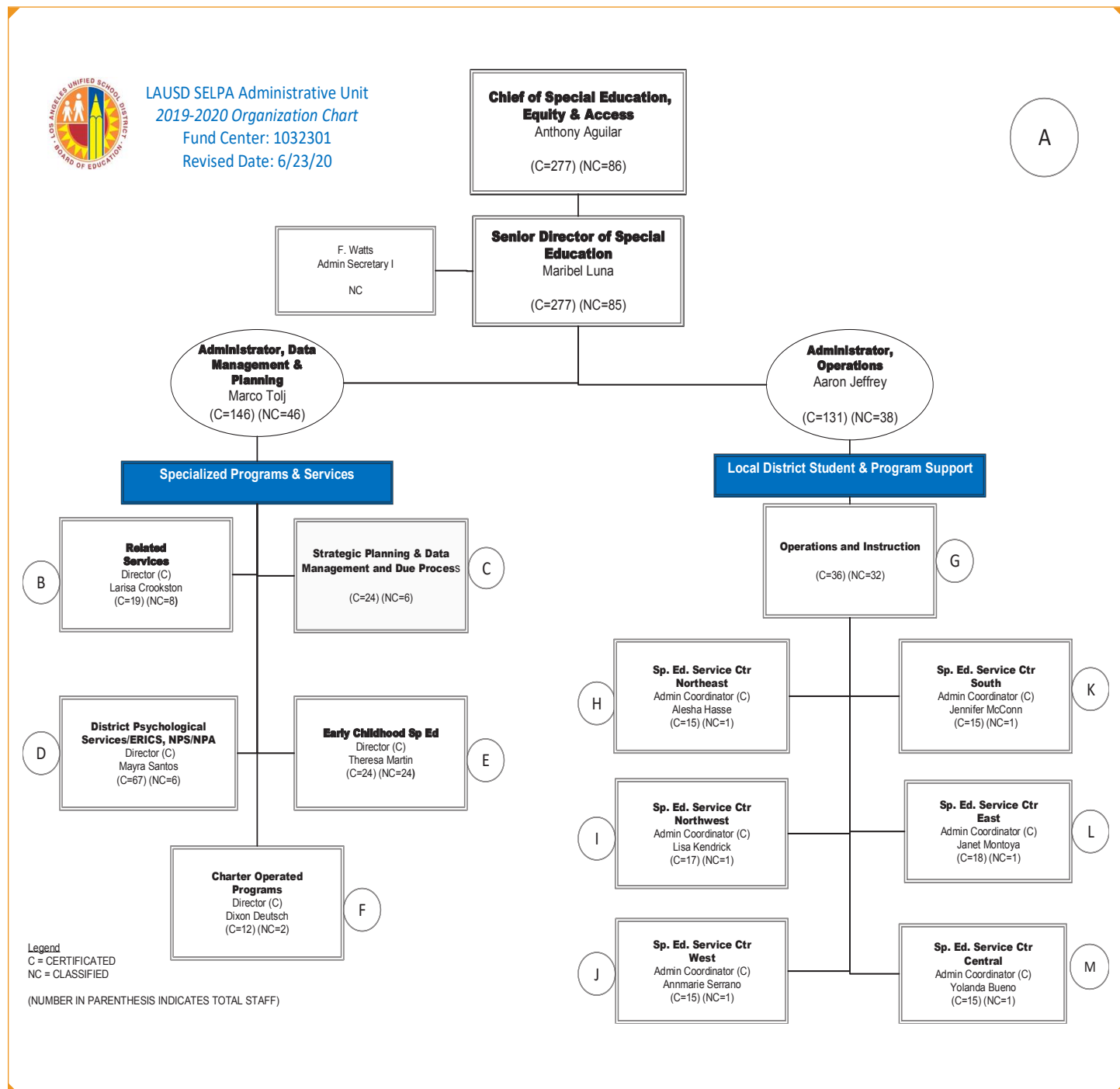
As a District, we have overcome hurdles of connectivity and devices for students and staff. The 2019-2020 school year will soon be in our rearview mirror as we begin to transition into Extended School Year (ESY) and the opening of school in the fall of 2020. Whereas we know that we will be conducting virtual instruction during ESY, we continue to be optimistic about returning to our physical campus for the 2020 -2021 school year. Nonetheless, I want to assure you that the Division of Special Education is committed to serving our students and families, as such; we will continue to work on providing a robust service delivery to the best extent possible for our students with disabilities.

Lastly, I want to thank all of you who have reached out to share positive stories about your children as well as providing us with feedback. We are in this together, your support and input is integral to our work. Please know that you can contact us at (213) 241-6701 between the hours of 8:00 a.m. - 4:00 p.m. where we have dedicated staff to provide assistance with any questions you might have.

DIVISION OF SPECIAL EDUCATION ORGANIZATIONAL CHART

SPECIAL EDUCATION LOCAL PLAN AREA (SELPA) ADMINISTRATIVE UNIT 2019-2020 ORGANIZATIONAL CHART

This organization is under the direction of Anthony Aguilar, Chief of Special Education, Equity and Access.



“ We recognize that our ultimate clients are the students of the District and their families, and work to support the District’s vision. ”



As part of the commitment I made to the Superintendent and the Board as the District approached the conclusion and termination of the 26-year special education consent decree litigation, I established the Compliance and Performance Monitoring Legal Services team (CPM) to assist the District with maintaining substantial compliance levels. While the conclusion and termination of the Modified Consent Decree marked a great milestone for LA Unified’s progress in markedly improving outcomes for students with disabilities, as Superintendent Beutner has stated, “LA Unified remains ever focused on its ongoing commitment to increasing student outcomes, particularly for students with disabilities. The District has built a strong foundation and infrastructure for operating its special education program in a manner that ensures and promotes program accessibility, equity, student success, parent engagement and support for its teachers and staff.” This Report represents the District’s work and internal oversight mechanisms which are designed to ensure that its organizational practices align the District’s work on behalf of students with relevant laws and regulations addressing students’ civil rights and lead to improved educational outcomes.

The CPM team provides guidance and advisement in the prevention of noncompliance and the identification and resolution of issues of noncompliance.

To that end and in recognition of the crucial role parents play in their children’s education, the District works to steadily improve its objective and neutral complaint investigation mechanisms that have the authority to cease noncompliant behavior and ensure remedies. The CPM team will continue to monitor the processes and trends of complaints addressed by the District and/or the State, and will collaborate with District Departments and Divisions in reviewing the implemented complaint management processes to determine next steps, as warranted.

While the Office of the General Counsel utilizes our skills to advise and counsel schools and administrative offices, we recognize that our ultimate clients are the students of the District and their families, and work to support the District’s vision that L.A. Unified will be a progressive global leader in education, providing a dynamic and inspiring learning experience where all students graduate ready for success.

STUDENTS WITH DISABILITIES DEMOGRAPHIC INFORMATION

The LAUSD educates 67,6671 students with disabilities. The two charts below are broken down by race and ethnicity and also by disability type.

| STUDENTS WITH DISABILITIES - RACE AND ETHNICITY | | |
|---|--------|-------|
| Latino | 50,872 | 75.2% |
| African-American | 6,131 | 9.1% |
| Caucasian | 5,676 | 8.4% |
| Mixed/Unknown | 2,789 | 4.1% |
| Asian | 1,241 | 1.8% |
| Filipino | 789 | 1.2% |
| Native American | 93 | 0.1% |
| Pacific Islander | 76 | 0.1% |
| GRAND TOTAL | 67,667 | 100% |

| DISABILITY TYPE | | |
|-------------------------------------|--------|-------|
| Specific Learning Disability (SLD) | 25,589 | 37.8% |
| Autism (AUT) | 14,307 | 21.1% |
| Speech or Language Impairment (SLI) | 11,114 | 16.4% |
| Other Health Impairment (OHI) | 8,279 | 12.2% |
| Intellectual Disability (ID) | 3,798 | 5.6% |
| Orthopedic Impairment (OI) | 1,656 | 2.4% |
| Emotional Disturbance (ED) | 1,266 | 1.9% |
| Hearing Impairment (HH/HI) | 1,017 | 1.5% |
| Visual Impairment (VI) | 297 | 0.4% |
| Deafness (DEAF) | 262 | 0.4% |
| Traumatic Brain Injury (TBI) | 74 | 0.1% |
| Other | 15 | 0.0% |
| Deaf-Blindness (DB) | 3 | 0.0% |
| GRAND TOTAL | 67,667 | 100% |

¹ (Source of Data: CALPADS - Count Day: October 2, 2019. The data is rounded to the nearest decimal. Data excludes Independent Charters and Private Schools.)

REPORT ON IMPROVING STUDENT OUTCOMES AND ENSURING RIGHTS - EXECUTIVE SUMMARY

PURPOSE OF THE REPORT:

This report focuses on the Los Angeles Unified School District's (LAUSD or District) efforts during the 2019-20 school year toward improving outcomes and ensuring rights for students, including students with disabilities, and its ongoing compliance with the Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA).

DISTRICT FOCUS:

In February 2020, Superintendent Austin Beutner discussed the focus for the District and stated, "Ultimately it's about the outcomes for the students, that's our focus. Our North Star." This statement aligns with the stated purpose of the IDEA which obligates the District to ensure the rights of children with disabilities in receiving a public education.

IMPACT OF COVID-19 PANDEMIC:

In response to the COVID-19 pandemic, school districts in the State of California and across the country were required to close school buildings in order to protect the health and safety of students and staff. After the March 13, 2020 announcement of school facility closures, students began distance learning. As of this writing, school facilities remain closed and students continue distance learning via @Home Continuity of Learning Plans. In an effort to provide continuity of learning for all students, including students with disabilities, the District has developed and implemented remote delivery of education, including special education and related services.

It is likely that all students (with and without disabilities) will require some additional supports upon their return to school facilities following the COVID-19 closures. Yet, while the circumstances within which all children, in the general and special education populations, are educated changed virtually overnight, there has been no corresponding legislative or regulatory change in what it means to comply with an IEP or provide a free appropriate public education (FAPE). Local Education Agencies (LEAs) have been placed into an untenable situation, because of being forced, through no fault of their own, to change the manner of Individualized Education Program (IEP) service delivery and face the predicament that notwithstanding its equitable, good faith actions to deliver services to students with disabilities, it may be unable to provide the services as described in student's IEPs and expose themselves to expensive, burdensome, and resource-consuming litigation, and attendant fee shifting, once the dust settles.

As the U.S. Department of Education (USDOE) wrote, "the IDEA, Section 504, and Title II of the ADA do not specifically address a situation in which elementary and secondary schools are closed for an extended period of time (generally more than 10 consecutive days) because of exceptional circumstances, such as an outbreak of a particular disease." In guidance dated March 12, 2020 and March 21, 2020, the USDOE did acknowledge that FAPE may need to be provided in a different manner and that services may not be delivered as they typically would in a school building. The guidance states: "an IEP Team and, as appropriate to an individual student with a disability, the personnel responsible for ensuring FAPE to a student for the purposes of Section 504, would be required to make an individualized determination as to whether and to what extent compensatory services are needed under applicable standards and requirements." The critical concern is that some would seek to impose a presumption that school districts are expected to provide "compensatory services" due to a global pandemic resulting in the closure of school buildings. Compensatory services have traditionally been required only when a school district has failed to offer an appropriate education to a student with disabilities. Under the extraordinary and unprecedented circumstances of COVID-19, the ability to educate all students and for educating students with disabilities in particular changed dramatically and suddenly. The unique circumstances of an unsafe school environment must be considered when evaluating a

school district's offer of education generally, and good faith effort to implement a student's IEP or Section 504 plan. Reasonably, compensatory services should be applicable only when services were not offered when school personnel could have reasonably done so through distance learning under stay-at-home orders.

APRIL 27, 2020 GUIDANCE - U.S. DEPARTMENT OF EDUCATION SECRETARY DEVOS:

The Department is not requesting waiver authority for any of the core tenets of the IDEA or Section 504 of the Rehabilitation Act of 1973, most notably a free appropriate public (FAPE) in the least restrictive environment (LRE). The Department's position is based on the principle that: Schools can, and must provide education to all students, including children with disabilities.

LAUSD RETURN TO SCHOOL FACILITIES EFFORTS:

On June 3, 2020, Superintendent Beutner indicated that the following three priorities need to be considered prior to a return to school facilities: (1) The health and safety of all in the school community; (2) The impact of pandemic on jobs and families; (3) The educational needs of students.

CALIFORNIA STATE SUPERINTENDENT OF PUBLIC INSTRUCTION SAFE REOPENING GUIDANCE:

On June 8, 2020, California State Superintendent of Public Instruction Tony Thurmond released a guidance document on the safe reopening of California's Public Schools. The document entitled, *Stronger Together: A Guidebook For the Safe Reopening of California Public Schools, June 2020*, is intended to be a guide for local discussion on reopening schools. In addressing special education, the Guidebook addresses the following: (1) Personal Protective Equipment (PPE)/Essential Protective Gear (EPG); (2) Planning for Students who are Medically Fragile and/or Immune Compromised; (3) Physical Distancing; (4) Ensuring a Free Appropriate Public Education (FAPE) under the Individuals with Disabilities Education Act; (5) Utilize and Update Individualized Education Programs (IEPs); (6) Communicate Openly and Often with Families.

CONSENT DECREE LITIGATION CONCLUSION AND TERMINATION:

From 1993 through 2019, the District was under the federal court oversight of an external monitor for the implementation of a federal consent decree regarding LAUSD's compliance with the IDEA and ADA. The consent decree, which consisted of student-focused outcomes and other requirements, was concluded and terminated on December 31, 2019. The District continues to be responsible for complying with the IDEA and is subject to the California Department of Education's special education monitoring activities.

COMPLIANCE AND PERFORMANCE MONITORING LEGAL SERVICES:

The Compliance and Performance Monitoring (CPM) Legal Services Team, Office of the General Counsel was established on July 1, 2019. CPM values the District's achievement of measurable and meaningful outcomes for students through performance and compliance and fosters the maxim that *Compliance ensures that students have the necessary tools to succeed*.

CALIFORNIA DEPARTMENT OF EDUCATION (CDE) SPECIAL EDUCATION MONITORING ACTIVITIES:

The CDE monitoring activities were updated beginning the 2019-20 school year and now fall within three levels of monitoring; Universal, Targeted, and Intensive.

DISTRICT VALIDATION REVIEW:

The Special Education District Validation Review (DVR) is an on-going internal monitoring process for special education programs. It is designed to measure compliance with federal and state laws and the District's special education policies and procedures in all District and Independent Charter schools. Approximately 250 schools engage in the DVR process each year and each school participates a minimum of one time every four years.

STUDENT LEVEL DATA REVIEWS:

Student level data reviews are available via multiple web-based software systems that serve as a reporting tool which provide data to teachers, administrators, and support staff to monitor special education compliance and student performance. The Division of Special Education utilizes the Welligent Integrated System, Focus Dashboard and Reporting, and Whole Child Integrated Data. Each data system serves a purpose by providing student and classroom-level data to service providers and teachers, school-level data to school site administrators, and District-level data to local district and central office staff.

STATE PERFORMANCE PLAN (SPP) INDICATORS AND DASHBOARD INDICATORS:

Indicator Status - Data Year 2018-19

- SPP (Performance) Indicator 1/Dashboard - Graduation Rate
 - Dashboard - Red
- SPP (Performance) Indicator 2 - Dropout Rate
 - SPP Indicator 2 - Did not meet target
- SPP (Performance) Indicator 3b - Statewide Assessment - Participation
 - SPP Indicator 3b - English Language Arts - Met target
 - SPP Indicator 3b - Math - Did not meet target
- SPP (Performance) Indicator 3c/Dashboard - Statewide Assessment - Achievement
 - Dashboard - English Language Arts Achievement - Orange
 - Dashboard - Math Achievement - Orange
- SPP (Performance) Indicator/Dashboard 4a - Discipline Rate: Overall
 - Dashboard - Suspension - Blue
- SPP (Compliance) Indicator 4b - Discipline Rate by Race/Ethnicity²
- SPP (Performance) Indicator 5 - Least Restrictive Environment (LRE)
 - SPP Indicator 5a - LRE Regular Class 80% or more - Met target
 - SPP Indicator 5b - LRE Regular Class 40% or less - Met target
 - SPP Indicator 5c - LRE Separate School - Did not meet target
- SPP (Performance) Indicator 6 - Preschool Least Restrictive Environment
 - SPP Indicator 6a - Regular Class - Met target
 - SPP Indicator 6b - Separate Schools - Did not meet target
- SPP 7 - (Performance) Preschool Outcomes³
- SPP 8 - (Performance) Parent Involvement
 - SPP Indicator 8 - Met target
- SPP (Compliance) Indicator 9 - Disproportionate Representation
- SPP (Compliance) Indicator 10 - Disproportionate Representation by Disability
- SPP (Compliance) Indicator 11 - Timely Eligibility Evaluation
- SPP (Compliance) Indicator 12 - Timely Part C to Part B
- SPP (Compliance) Indicator 13 - Secondary Transition Goals and Services
- SPP (Compliance) Indicator 14 - Post School Outcomes
 - SPP Indicator 14a - Higher Education - Did not meet target
 - SPP Indicator 14b - Higher Education or Competitive Employment - Did not meet target
 - SPP Indicator 14c - Any Post-Secondary Education/Employment - Did not meet target

CDE SPECIAL EDUCATION MONITORING FINDINGS AND DISTRICT FOLLOW-UP:

In Spring 2019, CDE required the District to submit Performance Improvement Plans for implementation during the 2019-20 SY for State Performance Plan (SPP) Indicators and/or California School Dashboard Indicators as listed:

- Drop Out 4 Year Rate (SPP)
- Assessment: Participation Rate (SPP) and Achievement (Dashboard)
- Least Restrictive Environment (SPP)
- Preschool Least Restrictive Environment (SPP)

In Spring 2020, CDE selected the District to participate in upcoming Targeted Reviews for SPP and/or California School Dashboard Indicators as listed:

- Graduation Rate (Dashboard)
- Drop Out Rate (SPP)
- Assessment: Math Participation Rate (SPP)
- Assessment: ELA and Math Achievement (Dashboard)
- LRE: Separate School (SPP)
- Preschool LRE: Separate special education class, separate school, or residential facility (SPP)
- Post-School Outcomes (SPP)

Significant Disproportionality: African American Students: CDE found the District to be significantly disproportionate for the identification of African American students with an eligibility of emotional disturbance, and the suspension of African American students with disabilities.

- The Division of Special Education submitted the required Assurance of Compliance to the CDE and will be required to reserve 15% of its IDEA funds for the coordination and implementation of Coordinated Early Intervening Services (CEIS).
- A Special Education Plan is required to be submitted by December 15, 2020 to address the District's disproportionality issues.

² The California Department of Education did not report on the District's status on Indicators 4b, 9, 10, 11, 12, and 13 for the 2018-19 data year.

³ For the 2018-2019 school year data, the CDE did not establish a target for each preschool outcome indicator. Instead, they ranked the District's performance and determined whether or not the District's overall performance required it to participate in a review process. It was determined that participation in a review process was not required.

IEP TIMELINES, SERVICE DELIVERY, AND ADDITIONAL INFORMATION

IEP TIMELINES:

The beginning of the 2019-2020 school year commenced with approximately 2% of IEPs overdue Districtwide, and fluctuated between 2-3% until the mandatory school closures on March 13, 2020. In March 2020, 5.24% of IEPs were overdue. In April 2020, there were 14.32% IEPs overdue and 15.27% in May 2020. The school year concluded with 9.15% of IEPs overdue Districtwide. Due to the COVID-19 school facility closures, timely completion of IEP team meetings have been affected. However, the Division of Special Education has provided guidance to IEP teams and school support personnel in conducting virtual IEP team meetings. As of June 12, 2020, over 2,400 employees have accessed the Virtual IEP team meeting training through MyPLN. In April 2020, live synchronous trainings were delivered via Zoom to over 2,000 District employees including teachers, administrators, office technicians, administrative designees, and school support staff on the process of conducting virtual IEP team meetings.

SERVICE DELIVERY:

The provision of related services and resource specialist program services is based on the frequency and duration of each service offered on the student's IEP. The District documents the provision of service in the Welligent Service Tracking system.⁴ This allows service providers and their supervisors to monitor the percent of services delivered. If the data leads to a concern regarding provision of service, a more detailed look into potential issues and any barriers to service provision needing to be addressed is conducted. Upon documentation of service provision in the Welligent Service Tracking system, the SER300 report series includes a tiered data category that reports the percentage of services delivered toward the student's target service minutes as required per their IEP.

The chart below displays service provision percentages broken down by tiers.

| Tier | Percent of Service Provision |
|------|------------------------------|
| 1 | 100% (+) |
| 2 | 90-99.9% |
| 3 | 70-89.9% |
| 4 | 40-69.9% |
| 5 | 0.1-39.9% |
| 6 | 0% |

During the week prior to the COVID-19 school facility closures, service provision within Tier 1- 3 (70-100+%) was 94.99%. Provision within Tier 4 (40-69.9%) was 2.61%, Tier 5 (0.1-39.9%) was 0.92% and Tier 6 (0%) was 1.47%.

In Spring 2020, the Division of Special Education began a thorough data review of all students who were identified as receiving no service to determine the root causes. Since the March 16, 2020 closing of school facilities due to COVID-19, related services and resource specialist program services have been delivered through distance instruction methods in alignment with @Home Learning Continuity Plan. Information regarding contacts between the service provider and the student/family is being documented in Welligent. However, service provision documentation during distance instruction methods are not being reported in the tiered manner during school closures.

CHILD FIND:

Absent waivers from the USDOE or the CDE, the District is still obligated to disseminate child find notices and communicate with teachers and parents to make referrals. The obligation also applies to other entities, such as private schools and health care providers. Teachers should be reminded to look for and document the following occurrences: (1) a student does not log in or complete assignments; (2) a parent expresses concerns or requests accessibility accommodations for provided materials in hard copy or electronic formats; (3) a student begins to fall behind or exhibits slow progress; or (4) a student is having trouble understanding assignments.

SCHOOL CHOICE - MAGNET AND INDEPENDENT CHARTER

MAGNET:

Prior to 2011, magnet guidelines stated that all magnet students must spend at least 50% of their day in magnet classes. This was problematic for students with IEPs that stated the student was to spend greater than 50% of the day in a special day program (SDP). In addition, if the magnet program did not have the exact program per an IEP, the student was not allowed to attend the magnet. Finally, there was little evidence that the magnet office made an effort to recruit students with disabilities. In 2011, there were only 2,236 SWDs participating in magnet programs. Over the course of six years, the magnet office has been intentional in eliminating barriers and providing support for students with disabilities by changing its guidelines to avoid conflict with the IDEA. Students are able to spend less than 50% of the day in magnet classes if the IEP requires the majority of the day be spent in an SDP. If a magnet program does not currently offer a program in alignment with a student's IEP, the magnet program is required to convene an IEP within 30 days to discuss how the magnet program can provide support for the student. In addition, two practices were introduced to increase SWD participation rates. First, the magnet office began actively recruiting SWDs. In every brochure and on all websites, the magnet office states, "[we] encourage all students with disabilities to apply." This has led to the opening of special day programs (SDPs) at magnet schools. Second, the magnet office continually collaborates with representatives from the Division of Special Education on a bimonthly basis to ensure that students are appropriately placed. The above changes in policies and practices has resulted in a 173% increase in participation rate (6,108 students). The magnet office will continue its commitment to increasing the participation rate and advocating for inclusion.

INDEPENDENT CHARTER:

There are two primary LAUSD Divisions that work with charter schools to provide oversight and support. The Charter Schools Division provides an oversight function of independent charter schools. The Division of Special Education, Charter Operated Programs provides support to charter schools regarding students with disabilities and special education. Both Divisions view this as a partnership, which is critical to ensure that charter schools are supported and held accountable as it relates to serving students with disabilities. The Division of Special Education, Charter Operated Programs provides a variety of supports, including general technical assistance, professional development, compliance monitoring and support, fee-for-service structures, and in-depth mental health and behavior supports. Fall 2019 data reveal 217 independent charter schools in the LAUSD Special Education Local Plan Area (SELPA) with a total enrollment of 108,623 students, 13,072 (12%) of which are students with disabilities. Independent charter schools are located across the LAUSD Local District geographic areas: LD Central area, 60 independent charter schools serving 2,903 students with disabilities; LD East area, 36 independent charter schools serving 1,912 students with disabilities; LD Northeast area, 28 independent charter schools serving 1,940 students with disabilities; LD Northwest area, 19 independent charter schools serving 2,006 students with disabilities; LD South area, 26 independent charter schools serving 1,463 students with disabilities; and LD West area, 48 independent charter schools serving 2,848 students with disabilities. Of the 14,774 IEP team meetings conducted, 2,32% were overdue. Regarding provision of related services and/or resource specialist services, 93% of the services were provided at 70% or more of the IEP required duration of minutes.

⁴ This procedure temporarily changed during the COVID-19 school facility closures.

PROGRAM ACCESSIBILITY:

In October 2017, the LAUSD Board of Education approved the District's Self-Evaluation and Transition Plan (Transition Plan), which was designed to bring LAUSD into compliance with the requirements of the ADA and Section 504 of the Rehabilitation Act. This civil rights law is intended to ensure that people with physical and mental disabilities are able to participate in and enjoy the benefits of the services and activities of state and local governments (such as those offered by the District) without experiencing discrimination. Program Accessibility is when a qualified individual with a disability can access our programs, services, and activities when viewed in their entirety. This does not mean that every facility at every site must be accessible or that complete parity of services must be achieved at each facility. Rather, people with mobility, vision, and hearing disabilities who are impacted by inaccessible facilities - including students, parents, and community members - must have available a wide range of choices similar to those available to people who do not have disabilities. The goal is to provide an equal opportunity to benefit from the District's programs and offerings, not necessarily to ensure access to each unique class or program. Many schools have accessibility concerns that may need to be resolved due to student needs prior to an ADA Barrier Removal project being approved and executed. It is for this reason that School Administrators can request a Rapid Access Program (RAP) Project to eliminate minor barriers that can ensure the student has program accessibility. RAP projects are intended to be executed within 21 days from the day of the original request, but never to exceed 30 days. The Facilities Services Division has continued to stockpile certain equipment that can be transported to a facility on short notice, created task orders with manufacturers, and have communicated the high priorities that these projects require so District staff can help to expedite any work that internal resources can resolve quickly. Due to the COVID-19 shutdown, there have been a few projects that were delayed resulting from the closure of District school facilities. Maintenance and Operations staff are back at school sites and will execute these projects prior to August 2020. There have been no new requests made since March 13, 2020. The ADA Compliance (ADAC) Office modified the ADA Title II Communication, Technology and Web training module to emphasize the roles and responsibilities of those creating and maintaining District and/or school-based webpages for accessibility. In addition, ADAC updated its webpage to include links and printable instructions for developing an accessible webpage.

COMPLAINTS MANAGEMENT:

The following complaint management processes are available for those who wish to file a complaint alleging the District has violated special education state and/or federal laws and regulations. (1) Uniform Complaint Procedures - District Internal Investigations⁵; (2) CDE Special Education Compliance Complaint; (3) OCR Discrimination Complaints; (4) Alternative Dispute Resolutions; and (5) School and Family Support Services. The purpose of these processes is to ensure the rights of students and parents.

Title IX of the Education Amendments of 1972 is a federal civil rights statute enacted to hold schools accountable for all forms of sex discrimination, including sexual harassment and violence that denies students equal access to education. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

In November 2018, the U.S. Department of Education (USDOE) issued proposed changes to Title IX of the Education Amendments of 1972 (Title IX) regulations, proposing to rewrite guidance on the way K-12 schools handle allegations of sexual harassment and assault. The USDOE has now issued the updated regulations after significant public comment with an implementation date in August 2020. On June 4, 2020, California Attorney General Xavier Becerra, Pennsylvania Attorney General Josh Shapiro, and New Jersey Attorney General Gurbir Grewal led a coalition of 18 Attorneys General in a lawsuit challenging the Trump Administration's final rule weakening protections under Title IX. Title IX prohibits discrimination based on sex in education programs and activities receiving federal funding. In the complaint, the coalition seeks to block the rule's implementation, which undermines Title IX's requirements that students be able to learn in

an environment free from discrimination based on sex, including sexual violence and harassment. In filing the lawsuit, Attorney General Becerra joined by the Attorneys General of Pennsylvania, New Jersey, Colorado, Delaware, Illinois, Massachusetts, Michigan, Minnesota, New Mexico, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington, Wisconsin, and the District of Columbia. In the lawsuit, filed with the U.S. District Court for the District of Columbia, the coalition argues that the rule undermines the purpose of Title IX in several ways as discussed in the contents of the report.

The School and Family Support Services (SFSS) office in the Division of Special Education is a contact for those with inquiries and concerns. It is also an option for those who want to file a complaint for resolution with the District. Staff from the SFSS Call Center document the complaint as explained by the complainant and route the complaint to District certificated staff to investigate the complaint and work with the parent to address the matter.

PARENT ENGAGEMENT:

- The Board of Education Committee for Special Education is chaired by Board Member Scott Schmerelson. In addition, the Board of Education Committee for Parent Engagement, also chaired by Board Member Scott Schmerelson, greatly assisted to further parent engagement activities.
- During the 2019-20 school year parent trainings were publicized in the Parent Resources for Engagement and Student Success (PRESS) Calendar. The District has been engaged in a five-year grant that has been extended into the year 2020-21 school year. The CDE-issued grant focused on alternative dispute resolution practices and positive interaction and collaboration among parents and educators. This grant addresses the use of conflict resolution between parents and educational agencies. In addition to addressing complaints, resources developed through this grant include trainings for parents and District staff that include methods for improved communication and collaboration at IEP team meetings
- The District collaborates annually on a conference conducted by Fiesta Educativa Inc. which “provides information and training to Latino families on how to obtain services for all persons with disabilities.” Topics covered include resources, patient and client rights, as well as educational and vocational programs.
- The District participates in the Very Special Arts Festival which is an annual inclusive event celebrating the artistic achievements of students with all abilities. The festival features student and professional performances on two stages, visual and performing arts workshops, and a student art exhibit created around a specific theme. This Festival is presented in partnership with the Los Angeles County Office of Education and the Music Center.
- Protecting the rights of parents includes providing them information regarding procedural rights and safeguards and ensuring parents’ meaningful participation in the IEP and special education process.

EDUCATORS - UNSUNG HEROES:

Superintendent Austin Beutner has made a point of highlighting the work of District personnel who work in schools. School-site administrators, teachers, and related services personnel shared information regarding providing instruction for students with disabilities. Some were among several District staff featured in the Superintendent’s *Update to the School Community* addresses.

⁵ The CDE issued Final Regulations effective 7/1/2020 found at <https://www.cde.ca.gov/re/lr/rr/ucp-2019.asp>. Section 3080(a) of the new regulations which is amended to conform with AB 1808 (2018), Section 23, adding new Education Code Section 33315(a) (2) relating to special education complaints. The amendment clarifies that such complaints are no longer subject to the UCP, and that additional provisions that go beyond the federal regulations relating to special education complaints are addressed in proposed sections 3200 through 3204.

RECOMMENDATIONS

By November 18, 2020

1. *Monitoring*: Incorporate an analysis of District performance in the District's internal monitoring process.
2. *Messaging*: Focus messaging around complying with the IDEA and ADA on the effectiveness of efforts to educate students with disabilities.
3. *Governance*: Routinely incorporate the effectiveness of efforts to educate students with disabilities on the District's senior leadership agenda.

By January 15, 2021

4. *Policies and Procedures*: Engage in cross-divisional development and implementation monitoring of policies, procedures, and practices for improving outcomes for students with disabilities.
5. *Training*: Enhance toolbox of resources, including guidance documents and training.

INTRODUCTION

PURPOSE OF THIS REPORT

The purpose of this report is to review the status of the Los Angeles Unified School District's (LAUSD or District) efforts during the 2019-20 school year toward improving outcomes and ensuring rights for students, including students with disabilities, and its ongoing compliance with the Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA). Recommendations are provided for continued efforts towards improving student outcomes and ensuring rights in alignment with the IDEA.

The LAUSD is a diverse school community comprised of students, parents, and educators. The impact of the COVID-19 pandemic and the school facility closures has provided significant challenges to the school community and the instructional program.

The District covers an area totaling 710 square miles which includes most of the city of Los Angeles, along with all or portions of 26 cities and unincorporated areas of Los Angeles County. As the second largest school district in the nation, LAUSD's 2019-20 student enrollment was 487,134. October 2019 norm day data revealed that the District served 67,667 students with disabilities. Fall 2019 data revealed that an additional 13,072 students with disabilities were served by independent charter schools within the LAUSD Special Education Local Plan Area (SELPA).

Improving student outcomes and ensuring the rights of students and parents is key to achieving the District's mission of "Embracing our diversity to educate L.A.'s youth, ensure academic achievement, and empower tomorrow's leaders. We are L.A. Unified."

Also of importance is having District policies, procedures, and practices in place that allow for compliance with federal and state legal requirements, in particular requirements addressing the education and rights of students with disabilities and their parents. The District's work in this area encompasses ensuring that students with disabilities receive a free appropriate public education, that the rights of children with disabilities and parents of such children are protected, that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities, and to assess, and ensure the effectiveness of, efforts to educate children with disabilities. The California Department of Education (CDE) - Special Education Division conducts special education monitoring activities to ensure that the District is implementing the IDEA provisions and that the improvement of student outcomes is going in a positive direction.



As part of LAUSD's efforts to improve outcomes and ensure rights of students with disabilities, the District has focused on the developing internal monitoring processes, analyzing and addressing CDE monitoring findings, ensuring barriers are eliminated for students with disabilities applying to enroll in magnet and charter schools, removing barriers to program accessibility, having a complaint management system in place to assist in ensuring the rights of students and parents and to respond to those who wish to file a complaint alleging the District has violated special education state and/or federal laws and regulations. The District is also focused on providing parents of students with disabilities with information, training, and opportunities for input and feedback. Parents and educators lead the charge in the education of students. The work of educators face challenges during typical situations, even more so in the midst of school facility closures due to the pandemic. District leadership and educators have worked together to ensure principals, teachers, related services providers, and support personnel have the tools they need to provide distance instruction to students.

The District's Compliance and Performance Monitoring (CPM) Legal Services team, Office of the General Counsel is issuing this report as an overview of the District's efforts in these areas and a look at the District's performance in meeting State special education performance and compliance indicators and other measures. Additionally, CPM provides recommendations for increased IDEA compliance and achievement of improving student outcomes and ensuring rights for students with disabilities and their parents.



SIGNIFICANT EVENTS IMPACTING THE DISTRICT DURING THE 2019-20 SCHOOL YEAR:

There were two significant events during the 2019-20 school year that impacted the District's efforts to improve outcomes for students.

IMPACT OF COVID-19 PANDEMIC

SCHOOL FACILITY CLOSURES

In response to the COVID-19 pandemic, school districts in the State of California and across the country were required to close school buildings in order to protect the health and safety of students and staff. After the March 13, 2020 announcement of school facility closures, LAUSD facilities closed and students began distance learning. As of this writing, school facilities remain closed and students continue distance learning via @Home Continuity of Learning Plans. However, consistent with State of California Executive Order N-26-20, Local Education Agencies (LEAs) are continuing to receive Average Daily Attendance funding during school site closures so they will continue to provide services to all students, including students with disabilities. In an effort to provide continuity of learning for all students, including students with disabilities, the District has developed and implemented remote delivery of education, including special education and related services.

COUNCIL OF THE GREAT CITY SCHOOLS - IDEA BEST PRACTICES DURING THE COVID-19 CRISIS

The mandatory conversion due to the COVID-19 pandemic from traditional learning at school facilities to distance education at home has created a major disruption in the delivery of all education, including special education supports and services. COVID-19 disruptions have also highlighted divides in access to technological resources that are available to families and districts as we all respond to the situation. In other words, no students (students with and without disabilities) are receiving the same level of educational experience as before COVID-closures. Moreover, it is likely that all students (with and without disabilities) will require some additional supports upon their return to school facilities following the COVID-19 closures.

Yet, while the circumstances within which all children, in the general and special education populations, are educated changed virtually overnight, there has been no corresponding legislative or regulatory change in what it means to comply with an IEP or provide a FAPE. While the range of circumstances and individualized needs is vast, the delivery of remote learning opportunities and student and staff interaction are limited by factors such as teacher and parent availability, health and safety concerns, parent willingness to participate in their child's education, and capabilities, as much as by technology access and other at-home circumstances.

Thus LEAs have been placed into an untenable situation, because of being forced, through no fault of their own, to change the manner of IEP service delivery and face the predicament that notwithstanding its equitable, good faith actions to deliver services to students with disabilities, it may be unable to provide the services as described in student's IEPs and expose themselves to expensive, burdensome, and resource-consuming litigation, and attendant fee shifting, once the dust settles.



As the U.S. Department of Education (USDOE) wrote, “the IDEA, Section 504, and Title II of the ADA do not specifically address a situation in which elementary and secondary schools are closed for an extended period of time (generally more than 10 consecutive days) because of exceptional circumstances, such as an outbreak of a particular disease.” In guidance dated March 12, 2020 and March 21, 2020, the USDOE did acknowledge that FAPE may need to be provided in a different manner and that services may not be delivered as they typically would in a school building. The guidance states: “an IEP Team and, as appropriate to an individual student with a disability, the personnel responsible for ensuring FAPE to a student for the purposes of Section 504, would be required to make an individualized determination as to whether and to what extent compensatory services are needed under applicable standards and requirements.” The critical concern is that some would seek to impose a presumption that school districts are expected to provide “compensatory services” due to a global pandemic resulting in the closure of school buildings. Compensatory services have traditionally been required only when a school district has failed to offer an appropriate education to a student with disabilities. Under the extraordinary and unprecedented circumstances of COVID-19, the ability to educate all students and for educating students with disabilities in particular changed dramatically and suddenly. The unique circumstances of an unsafe school environment must be considered when evaluating a school district’s offer of education generally, and good faith effort to implement a student’s IEP or Section 504 plan. Reasonably, compensatory services should be applicable only when services were not offered when school personnel could have reasonably done so through distance learning under stay-at-home orders.

MARCH 21, 2020 GUIDANCE - U.S. DEPARTMENT OF EDUCATION (USDOE)

“It is important to emphasize that federal disability law allows for flexibility in determining how to meet the individual needs of students with disabilities. The determination of how FAPE is to be provided may need to be different in this time of unprecedented national emergency. Where, due to the global pandemic and resulting closures of schools, there has been an inevitable delay in providing services - or even making decisions about how to provide services - IEP teams must make an individualized determination whether and to what extent compensatory services may be needed when schools resume normal operations.”

In an effort to address this situation, many statewide and national organizations⁶ requested flexibilities and/or waivers of IDEA requirements to account for some of the challenges to school districts resulting from the required school closures. The following is a listing of the specific regulations included in those requests:

- §300.124 Transition of children from the Part C program to preschool programs.
- §300.152 Minimum State complaint procedures.
- §300.203 Maintenance of effort.
- §300.301 Initial evaluations.
- §300.303 Reevaluations.
- §300.324 Development, review, and revision of IEP.
- §300.510 Resolution process.
- §300.515 Timelines and convenience of hearings and reviews.
- §300.600(e) State monitoring and enforcement.

Congress passed the Coronavirus Aid, Relief, and Economic Security (CARES) Act, a special, pandemic-related appropriation to benefit all American students, teachers and families which was signed into law on March 27, 2020. The CARES Act required the U.S. Secretary of Education to report to Congress with recommendations for needed flexibilities on the IDEA, as well as the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) and other federal statutes within thirty days. The U.S. Secretary of Education Betsy DeVos released the Department’s Report to Congress dated April 27, 2020. The Department’s Report reaffirmed its position that individualized education must take place for all students, including students with disabilities. As a result, the Secretary did not recommend Congress pass any additional waiver authority concerning the Free Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE) requirements of the IDEA other than some flexibility in timelines for IDEA Part C children’s transition to preschool services.

⁶ National School Boards Association, the California Council of Administrators of Special Education, Council of the Great City Schools, Council for Exceptional Children.



APRIL 27, 2020 GUIDANCE - U.S. DEPARTMENT OF EDUCATION SECRETARY DEVOS

The Department is not requesting waiver authority for any of the core tenets of the IDEA or Section 504 of the Rehabilitation Act of 1973, most notably a free appropriate public education (FAPE) in the least restrictive environment (LRE). The Department's position is based on the principle that:

Schools can, and must provide education to all students, including children with disabilities.

RETURN TO SCHOOL EFFORTS AND THE CONTINUED PROVISION OF SERVICES

On June 3, 2020, Superintendent Beutner indicated that the following three priorities need to be considered prior to a return to school facilities:

- The health and safety of all in the school community
- The impact of the pandemic on jobs and families
- The educational needs of students

As of the writing of this report, the District is examining next steps and has not made a decision as to an appropriate date for District students and personnel to return to school facilities. Once determined appropriate, the District is considering a hybrid schedule where smaller groups of students alternate between instruction at home and instruction in a school facility.

CALIFORNIA STATE SUPERINTENDENT OF PUBLIC INSTRUCTION SAFE REOPENING GUIDANCE

On June 8, 2020, California State Superintendent of Public Instruction Tony Thurmond released a guidance document on the safe reopening of California's Public Schools. The document entitled, *Stronger Together: A Guidebook For the Safe Reopening of California Public Schools, June 2020*, is intended to be a guide for local discussion on reopening schools. Information addressing special education included the following:

"As LEAs make plans to reopen school sites, they are presented with a unique opportunity - to ensure students with disabilities and other special populations are fully integrated into every aspect of preparation and participation, and to ensure the needs of all students are addressed and the decision benefits all students, staff, and families. As Tucker and Kruse wrote:

We must prepare in a way that is flexible enough to respond to an uncertain future under COVID-19, yet robust enough to ensure that all students—including students with disabilities—have an equal opportunity to succeed over the long term. Doing so can help ensure that equity is built into the foundation of a new era of education."

CREATING A UNIVERSALLY DESIGNED, INCLUSIVE PLAN FOR REOPENING THAT PLANS FOR THE NEEDS OF DIVERSE LEARNERS AND STUDENTS WITH EXCEPTIONAL NEEDS

Seize the opportunity to develop an integrated plan for reopening that addresses the needs of students with disabilities from the beginning. While this is not an exhaustive list, the Special Education Local Plan Area (SELPA) Administrators of California surveyed their membership and provided the following areas to consider as LEAs build their plans to return to school sites.



AREAS IDENTIFIED SPECIFIC TO STUDENTS WITH DISABILITIES

The following areas have been identified as overarching areas of concern that should be addressed in reopening planning.

HEALTH AND SAFETY

PERSONAL PROTECTIVE EQUIPMENT (PPE)/ESSENTIAL PROTECTIVE GEAR (EPG)

- Consider the differing requirements of PPE/EPG for the differing populations of students with disabilities (i.e., for those requiring medical procedures, toileting, lifting and mobility assistance).
- Consider how the LEA will address students with disabilities who refuse or are not able to wear masks.

PLANNING FOR STUDENTS WHO ARE MEDICALLY FRAGILE AND/OR IMMUNE COMPROMISED

- Clearly define how staff can honor physical distancing recommendations, yet meet student medical, personal, or support needs.
- Determine how adequate space and facilities will be utilized to maintain health and safety of students and staff, especially when tending to individual student medical or personal needs.
- Build in flexibilities to keep students connected and included in the class and school community regardless of how much physical time they are able to attend school. Ensure the ability to quickly pivot to attending class virtually in order to retain some regular connection to teacher and peers.
- Determine any special or unique needs for students with disabilities related to planned district or schoolwide procedures and protocols related to the following:
 - Daily health screening and temperature checks
 - Restroom use as well as diapering and toileting
 - Paths of travel
 - Use of campuses for recess or recreational activities
 - Cleaning and disinfecting

PHYSICAL DISTANCING

- Establish any necessary flexibilities for specific students with disabilities for populations such as preschool-age, students with extensive support needs, behavioral challenges, etc.
- Establish flexibilities and plan for how to implement physical distancing given lack of space and facility limitations, particularly for children who will struggle with maintaining physical distancing.
- Address potential issues from physical distancing rules that could result in unintended segregation of students on campuses away from peers without disabilities.
- Plan for maintaining access to peers without disabilities and ensure that students remain in the least restrictive environment.
- Determine how the LEA will provide related services in instructional models while staying physically distant.
- Discuss how LEA staff and providers will conduct assessments while practicing physical distancing.

ENSURING A FREE APPROPRIATE PUBLIC EDUCATION (FAPE) UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

- Work with each family and student to determine what FAPE looks like for each student and family during COVID-19. It may be different than the individualized education program (IEP) developed preCOVID-19.
- Use the LEA model(s) for all students as the basis for establishing FAPE.
- Ensure children with disabilities are included in all offerings of school education models by using the IEP process to customize educational opportunities and provide supports when necessary.
- Use annual IEP to plan for traditional school year and while not required, it is suggested LEAs include distance learning plans or addendums to address distance learning needs during immediate or future school site closures.

UTILIZING THE IEP AND CONSIDERATION OF FAMILY NEEDS

UTILIZE AND UPDATE INDIVIDUALIZED EDUCATION PROGRAMS (IEPS)

In the early stages of the COVID-19 pandemic, the federal Office of Special Education Programs (OSEP) and CDE provided guidance that IEP amendments were not necessarily required for the immediate change to distance learning. However, the duration and overarching changes to education delivery in many cases will warrant changes to students' IEPs. This ensures that the IEPs account for the local delivery of education as school sites reopen, including contingencies for pivoting in and out of distance learning.

In accordance with the Individuals with Disabilities Education Act (IDEA), each student with a disability has unique needs and it is the purpose of the education system to ensure every student has access to their grade-level standards and makes progress in their education. The IEP is the roadmap for each student with a disability, and in these challenging and evolving times including COVID-19 restrictions, it is critical that the IEP team meets and works with the family to jointly determine what is working for each student in distance learning as well as what accommodations and modality of learning allows the greatest access.

COMMUNICATE OPENLY AND OFTEN WITH FAMILIES

Do not underestimate the need to initiate and have ongoing communication with families. Even for those families who switched apprehensively to distance learning, re-engaging and reaching out often and sometimes through multiple avenues is critical to ensure connectedness and support, particularly for families who may be in crisis.

Collaborative, ongoing discussion about an appropriate path forward once school sites reopen for each student, given each student's unique needs and circumstances, is critical to ensuring equitable access and offering of FAPE for students with disabilities. We know every family situation and feeling about the current pandemic are as unique as the needs of the children. Honoring the fears, challenges, diversities, and preferences of families is critical to the success of students with disabilities in reopening our schools.

CONSENT DECREE LITIGATION CONCLUSION AND TERMINATION

From 1993 through 2019, the District was under the federal court oversight of an external monitor for the implementation of a federal consent decree regarding LAUSD's compliance with the IDEA and ADA. The consent decree, which consisted of student-focused outcomes and other requirements, was concluded and terminated on December 31, 2019. The District continues to be responsible for complying with the IDEA and is subject to the California Department of Education's special education monitoring activities.





“ Compliance ensures that students have the necessary tools to succeed. ”

COMPLIANCE AND PERFORMANCE MONITORING (CPM) LEGAL SERVICES, OFFICE OF THE GENERAL COUNSEL

The Compliance and Performance Monitoring (CPM) Legal Services team was established on July 1, 2019 and is administered by Deneen Evans Cox, Chief Compliance and Performance Monitoring Counsel, Office of the General Counsel.

Core Value

CPM values the District's achievement of measurable and meaningful outcomes for students through performance and compliance and fosters the maxim that *Compliance ensures that students have the necessary tools to succeed.*

Mission

CPM's mission is to

- Support the District's efforts to improve student outcomes and ensure rights;
- Monitor that District programs and services are operated in a manner that promotes equity, program accessibility, and a free appropriate public education, and;
- Oversee the District's implementation of the IDEA, ADA, Section 504, Title VI, Title IX, and other student civil rights laws.

Vision

The LAUSD school community is resolute in the provision of equity, program accessibility, and a free appropriate public education as a means for improving student outcomes.

Supports

The CPM provides supports to the District regarding policies and procedures, training, monitoring, messaging, due diligence, risk assessment, and governance in the implementation of the IDEA, ADA, and student civil rights laws.

Recent Areas of Focus:

Since its inception on July 1, 2019, CPM work has focused on the following:

- Modified Consent Decree termination and conclusion;
- Stabilization and maintenance of the District's continuous compliant implementation of state and federal special education legal requirements (IDEA and ADA) and student civil rights legal requirements;

- CDE's findings of LAUSD on the Annual Performance Report (APR);
- Monitoring of two Office for Civil Rights (OCR) agreements originating from 2011: (1) the English Learner and (2) the Resource Comparability Voluntary Agreements to Resolve;
- Implementation of the District's ADA Title II Self-Evaluation and Transition Plan
 - Rapid Access Program
 - Barrier Removal Program
 - Assessing web accessibility and ADA compliance of all the District's schools webpage/site
- Update to Title IX, and;
- Management and response to the COVID-19 crisis

FEDERAL LEGAL REQUIREMENTS

The following is a brief summary of the federal legal requirements included in this Report that address rights of individuals with disabilities and directly impact students and families.

PURPOSE OF THE IDEA

- To ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living;
- To ensure that the rights of children with disabilities and parents of such children are protected;
- To assist States, localities, educational service agencies, and Federal agencies to provide for the education of all children with disabilities;
- To assist States in the implementation of a statewide, comprehensive, coordinated, multidisciplinary, interagency system of early intervention services for infants and toddlers with disabilities and their families;
- To ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services;
- To assess, and ensure the effectiveness of efforts to educate children with disabilities.

PURPOSE OF THE ADA

- Extend protections against discrimination to the full range of state and local government services, programs, and activities including public schools regardless of whether they receive any federal financial assistance.

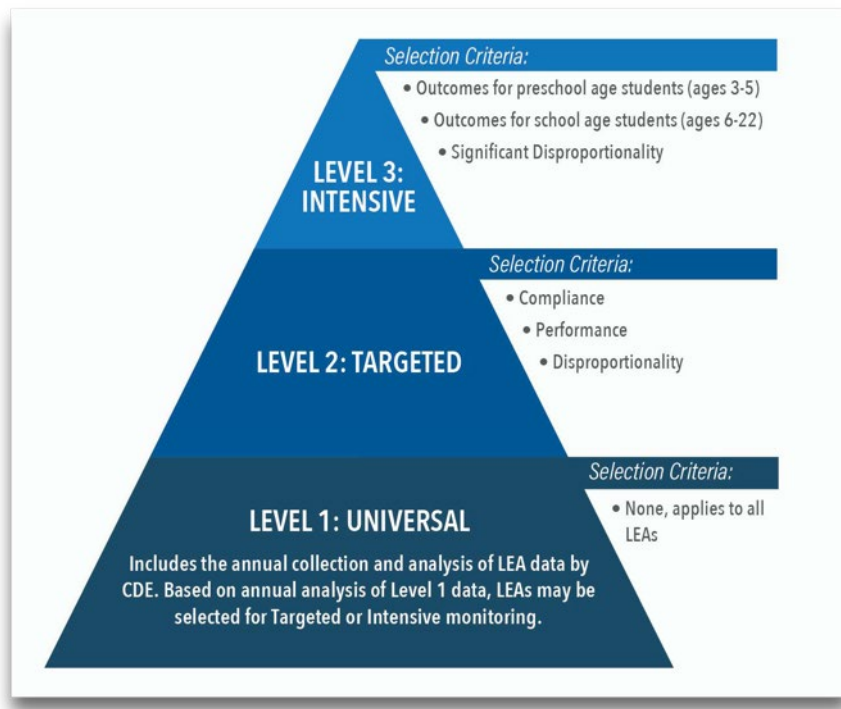
PURPOSE OF SECTION 504

- Protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.

CALIFORNIA DEPARTMENT OF EDUCATION (CDE) SPECIAL EDUCATION MONITORING ACTIVITIES

The CDE made updates to its monitoring system beginning in the 2019-20 school year. The monitoring activities fall within three levels of monitoring; Universal, Targeted, and Intensive. Eligibility for each of the monitoring activities is determined annually using data reports in the local-level Annual Performance Report (APR), on the California School Dashboard (Dashboard), or using an alternate calculation. Each year, CDE provides an annual determination letter to LEAs designating whether they have been selected to participate in one or more of the special education monitoring activities.⁷

⁷ State Performance Plan Indicator Guide - A Resource for Understanding the California State Performance Plan Indicators, Updated May 2020.



LEVEL 1: UNIVERSAL MONITORING

Data from all LEAs statewide will be reviewed as part of universal monitoring. Universal monitoring includes the annual collection and analysis of the LEA's data by CDE (including Annual Performance Report and Dashboard data).

Universal supports include an LEA's access to a range of state resources such as technical assistance providers through state contracts, CDE trainings, and materials posted on CDE's website (see: <https://www.cde.ca.gov/sp/se/sr/>).

Based on CDE's annual analysis of Level 1 data, CDE selects some LEAs for more targeted Level 2 monitoring, or more intensive Level 3 monitoring.

LEVEL 2: TARGETED MONITORING

Selection Criteria: Compliance, Performance and Disproportionality

Targeted monitoring is provided to LEAs that require a moderate level support: more than universal monitoring (Level 1), but less than intensive monitoring (Level 3).

There are three different selection criteria applied to the Level 1 data that may result in CDE identifying an LEA for targeted monitoring:

- (1) Indicators that identify compliance difficulties;
- (2) Indicators that identify performance difficulties; and
- (3) The disproportionate representation of students with disabilities in special education programs relative to the presence of this group in the overall student population. LEAs that do not meet specified targets in these particular areas will be identified for additional monitoring.

Targeted monitoring reviews are a joint activity in which the CDE supports the LEA to improve performance, compliance and disproportionality related to IDEA implementation in one or more areas. An LEA participating in targeted monitoring will submit an improvement plan, developed in collaboration with the CDE, that will address the

needs identified through the selection process. This process will include the LEA's submission of planned activities, which may include improvement strategies described in prior Performance Indicator Review (PIR) plans.

LEVEL 3: INTENSIVE MONITORING

Selection Criteria: Preschool Age Outcomes (3-5), School Age Outcomes (6-22) and Significant Disproportionality
Intensive monitoring is the highest level of monitoring.

Based on the Level 1 review of data conducted for all LEAs, CDE may select certain LEAs for intensive monitoring at Level 3. CDE has revised and pared down the number of indicators used to identify LEAs for intensive monitoring to emphasize performance on those indicators most closely aligned with measuring the provision of FAPE in the LRE. There are now three different selection criteria that may result in CDE identifying an LEA for intensive monitoring:

- (1) Intensive monitoring, due to outcomes for students ages 6 through 22;
- (2) Intensive monitoring, due to outcomes for children with disabilities ages 3 through 5; and
- (3) Identification for Significant Disproportionality.

Intensive monitoring reviews are a joint activity between the CDE and an LEA that involves a comprehensive evaluation of significant compliance and/or performance issues related to IDEA implementation. The activities may include onsite visits, record reviews, regional trainings, and technical assistance. An LEA participating in intensive monitoring will submit an improvement plan in which the LEA will describe planned activities with the goal of improving outcomes for students with disabilities.

DISTRICT INTERNAL MONITORING ACTIVITIES

DISTRICT VALIDATION REVIEW

The Special Education District Validation Review (DVR) is an ongoing internal monitoring process. It is designed to measure compliance with federal and state laws and the District's special education policies and procedures in all District and Independent Charter schools. Approximately 250 schools engage in the DVR process each year and each school participates a minimum of one time every four years.

Annual findings and data reports from the DVR process are reviewed for trends and issues needing to be addressed. Schools are required to complete corrective actions on issues of noncompliance. Due to school facility closures in response to COVID-19, some schools were not able to complete their corrective actions by the due date. An extension has been given to allow those schools to complete any outstanding corrective action and submit it to the Division of Special Education by October 7, 2020. If a school is not able to complete and submit the corrective actions by that date, the school will participate in the DVR during the 2020 – 21 school year. All schools have been notified of such by the Local Districts.

STUDENT-LEVEL DATA REVIEWS

Student level data reviews are available via multiple web-based software systems that serve as a reporting tool containing readily available data to teachers, administrators, and support staff to monitor special education compliance and student performance. The Division of Special Education utilizes the Welligent Integrated System, Focus Dashboard and Reporting, and Whole Child Integrated Data. Each data system serves a purpose by providing student and classroom-level data to service providers and teachers, school-level data to school site administrators, and District-level data to local district and central office staff accordingly to the following data points:

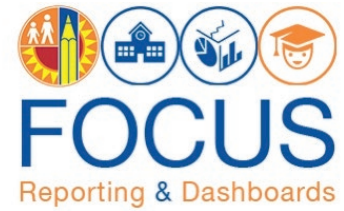
WELLIGENT INTEGRATED SYSTEM

- Monitor IEP timelines and service delivery
- Generate reports to ensure compliance with special education laws and regulations



FOCUS

- IEP Timelines and Service Delivery Dashboard
- Access and display student, campus, and District data from multiple data sources (i.e., MiSiS, Welligent, etc.)
- Create custom reports based on specific school needs



WHOLE CHILD INTEGRATED DATA

- IEP Timelines and Service Delivery Dashboards
- Access to IEP content that was previously inaccessible to users without Welligent access
- Report creation in Whole Child Analytics
- Review aggregate data for student subgroups



WHOLE CHILD INTEGRATED DATA
Personalize. Mobilize. Improve Continuously.

IMPROVING STUDENT OUTCOMES AND ENSURING RIGHTS

STATE PERFORMANCE PLAN (SPP) INDICATORS

State Performance Plan Indicators for special education fall into two categories, performance and compliance.

PERFORMANCE INDICATORS

- SPP Indicator 1 - Graduation Rate
- SPP Indicator 2 - Dropout Rate
- SPP Indicator 3 - Statewide Assessment (Participation and Proficiency)
- SPP Indicator 4a - Discipline Rate: Overall
- SPP Indicator 5 - Least Restrictive Environment (LRE)
- SPP Indicator 6 - Preschool Least Restrictive Environment
- SPP 7 - Preschool Outcomes
- SPP 8 - Parent Involvement
- SPP 14 - Post School Outcomes

COMPLIANCE INDICATORS

- SPP Indicator 4b - Discipline Rate by Race/Ethnicity
- SPP Indicator 9 - Disproportionate Representation
- SPP Indicator 10 - Disproportionate Representation by Disability
- SPP Indicator 11 - Timely Eligibility Evaluation
- SPP Indicator 12 - Timely Part C to Part B
- SPP Indicator 13 - Secondary Transition Goals and Services

CDE SPECIAL EDUCATION MONITORING FINDINGS AND DISTRICT FOLLOW-UP

SPP Indicators and California School Dashboard Indicators

In Spring 2019, CDE required the District to submit Performance Improvement Plans for implementation during the 2019-20 SY for State Performance Plan (SPP) Indicators and/or California School Dashboard Indicators as listed:

- Drop Out 4 Year Rate (SPP)
- Assessment: Participation Rate (SPP) and Achievement (Dashboard)
- Least Restrictive Environment (SPP)
- Preschool Least Restrictive Environment (SPP)

In Spring 2020, CDE selected the District to participate in upcoming Targeted Reviews for SPP and/or California School Dashboard Indicators as listed:

- Graduation Rate (Dashboard)
- Drop Out Rate (SPP)
- Assessment: Math Participation Rate (SPP)
- Assessment: ELA and Math Achievement (Dashboard)
- LRE: Separate School (SPP)
- Preschool LRE: Separate special education class, separate school, or residential facility (SPP)
- Post-School Outcomes (SPP)

SIGNIFICANT DISPROPORTIONALITY: AFRICAN AMERICAN STUDENTS

CDE found the District to be significantly disproportionate for the identification of African American students with an eligibility of emotional disturbance, and the suspension of African American students with disabilities. (See data below.) The Division of Special Education submitted the required Assurance of Compliance to the CDE and will be required to reserve 15% of its IDEA funds for the coordination and implementation of Coordinated Early Intervening Services (CEIS). A Special Education Plan is required to be submitted by December 15, 2020. This date extension is due to the school facility closures. The table below displays the disproportionate identification of African American students with emotional disturbance and the disproportionate suspension of African American students during the 2016 – 17, 2017 – 18, and 2018 – 2019 school years.

| Emotional Disturbance | | Native American | Asian | African American | Hispanic | Multiple Ethnicities | Pacific Islander | White |
|---------------------------------|--|-----------------|-------------------|--------------------|-------------------|----------------------|------------------|-------------------|
| 2018-19 | Students with Disabilities ¹ Total Enrollment ² | 8 1,100 | 25 36,034 | 348 50,263 | 918 445,554 | 12 3,019 | 4 1,726 | 224 64,744 |
| | Ratio Maximum Ratio Result | NC 3.0 -- | 0.26 3.0 -- | 3.21 3.0 OVR | 0.52 3.0 -- | 1.56 3.0 -- | NC 3.0 -- | 1.41 3.0 -- |
| 2017-18 ³ | Students with Disabilities Total Enrollment | 5 1,089 | 28 34,824 | 423 50,494 | 973 459,005 | 12 9,763 | 2 1,660 | 263 62,903 |
| | Ratio Maximum Ratio Result | NC 3.0 -- | 0.28 3.0 -- | 3.72 3.0 OVR | 0.46 3.0 -- | 0.44 3.0 -- | NC 3.0 -- | 1.61 3.0 -- |
| 2016-17 ³ | Students with Disabilities Total Enrollment | 6 1,224 | 28 35,431 | 441 52,764 | 974 467,113 | 11 9,767 | 5 1,797 | 291 63,825 |
| | Ratio Maximum Ratio Result | NC 3.0 -- | 0.28 3.0 -- | 3.76 3.0 OVR | 0.43 3.0 -- | 0.41 3.0 -- | NC 3.0 -- | 1.80 3.0 -- |
| Less Than 10 Days Out of School | | Native American | Asian | African American | Hispanic | Multiple Ethnicities | Pacific Islander | White |
| 2018-19 | Students with Disabilities ¹ SWD Enrollment ² | 8 241 | 11 3,175 | 486 11,407 | 728 71,145 | 8 847 | 3 170 | 98 10,430 |
| | Ratio Maximum Ratio Result | NC 3.0 -- | 0.25 3.0 -- | 4.28 3.0 OVR | 0.44 3.0 -- | NC 3.0 -- | NC 3.0 -- | 0.66 3.0 -- |
| 2017-18 ³ | Students with Disabilities SWD Enrollment | 3 270 | 12 3,263 | 293 11,728 | 597 70,850 | 1 727 | 1 166 | 77 11,055 |
| | Ratio Maximum Ratio Result | NC 3.0 -- | 0.36 3.0 -- | 3.12 3.0 OVR | 0.59 3.0 -- | NC 3.0 -- | NC 3.0 -- | 0.67 3.0 -- |
| 2016-17 ³ | Students with Disabilities SWD Enrollment | 5 297 | 13 3,122 | 528 11,757 | 784 69,190 | 14 896 | 2 172 | 99 10,705 |
| | Ratio Maximum Ratio Result | NC 3.0 -- | 0.27 3.0 -- | 4.13 3.0 OVR | 0.46 3.0 -- | 1.04 3.0 -- | NC 3.0 -- | 0.59 3.0 -- |



INDICATOR RESULTS, IEP TIMELINES, SERVICE DELIVERY, AND ADDITIONAL INFORMATION

Note: California School Dashboard indicators, utilize a color-coded system ranging from red (lowest performance) to blue (highest performance) as shown in the graphic below. Color-coded performance levels are indicated in the data charts for Indicator 1 - Graduation Rate, Indicator 3c Statewide Assessment - Proficiency: English Language Arts and Math, and Indicator 4a - Discipline (Suspension). The overall performance level reflects a combination of current performance (status) compared to past performance (change).



SPP INDICATOR 1 - GRADUATION RATE

| Indicator | Selection Element | Data Year (18-19) | Target |
|---------------|-------------------|-------------------|--------|
| (1) DASHBOARD | Graduation Rate | Red | N/A |

Indicator 1 is a performance indicator that measures the percent of students with disabilities, within a four-year cohort, who graduate from high school with a regular diploma within four years. The District's 2018 – 19 school year performance fell within the California Dashboard's lowest performance level of red.

SPP INDICATOR 2 - DROP-OUT RATE

| Indicator | Selection Element | Data Year (18-19) | Target | Target Met |
|-----------|-------------------|-------------------|---------|------------|
| 2 | Drop-Out Rate | 35.3% | ≤10.72% | NO |

Indicator 2 is a performance indicator that measures the percent of students in grades nine and higher, and ungraded students age 14 and older, who exited special education services by dropping out of high school. The District's dropout rate for 2018 – 19 was 35.3%, which missed the target.

Indicator 2 was included in the LAUSD Performance Improvement Plan (PIR) submission to the CDE in the 19-20 school year. Strategies to address this indicator included:

- Counselor review of Individual Graduation Plans (IGPs) for all students
- Credit recovery options for students on the core curriculum

The root causes identified for this Indicator include:

- Lack of opportunities for students on the core curriculum to enroll in credit recovery classes
- Segregated settings for students on the core curriculum
- Failure to ensure that IGPs are discussed at each IEP team meeting

To address lack of credit recovery options for students on the core curriculum, specifically during summer school and during the school year, the Division of Special Education will continue its credit recovery program for students with disabilities for the 19-20 school year during the Extended School Year (ESY) period.

SPP INDICATOR 3 - STATEWIDE ASSESSMENTS

| Indicator | Selection Element | Data Year (18-19) | Target | Target Met |
|----------------|--------------------|-------------------|--------|------------|
| 3b | ELA Participation | 95.1% | 95% | YES |
| 3b | Math Participation | 94.6% | 95% | NO |
| (3c) DASHBOARD | ELA Proficiency | 10.4% | N/A | N/A |
| (3c) DASHBOARD | Math Proficiency | 8.2% | N/A | N/A |

Indicator 3 is a performance measure that measures the participation and performance of students with disabilities on statewide assessments. The chart above displays the Indicator 3 data for the 2018 – 19 school year.

Indicator 3b measures the participation rates of students with disabilities on the California Assessment of Student Performance and Progress (CAASPP)⁸ in English Language Arts (ELA) and Math, calculated separately. 3b ELA participation target rate was met. 3b Math participation target rate was not met.

It is important to note that Participation rate is not a stand-alone indicator but is one component of the Academic Performance calculation. Participation rates lower than 95% result in a negative adjustment of the performance level.

Indicator 3c measures the percent of students with disabilities on statewide assessments in ELA and Math, calculated separately. 3c ELA Proficiency at 10.4% and Math Proficiency at 8.3% fell in the California Dashboard orange performance level. This includes students who participated in the Smarter Balance Assessment Consortium (SBAC) and the California Alternative Assessment (CAA).

Indicator 3 was included in the LAUSD Performance Improvement Plan (PIR) submission to the CDE in the 19-20 school year. Strategies to address this indicator included:

- Online professional development for teachers to incorporate universal tools and accommodations in instruction so that students may use these tools proficiently on the CAASP (participation rate)
- Professional Development: Targeted PD for students with dyslexia, English Learners, Reading and Math Intervention
- Counseling and intervention to at-risk students
- Increasing inclusion opportunities for students with disabilities on the core curriculum by expanding inclusive setting options

SPP INDICATOR 4 - DISCIPLINE

| Indicator | Selection Element | Data Year (18-19) | Target |
|----------------|-------------------|-------------------|--------|
| (4a) DASHBOARD | Suspension | 0.8% | N/A |

Indicator 4a is a performance indicator that measures the overall discipline rate of students with disabilities. The chart above displays the District's discipline data for the 2018 – 19 school year. The District's performance in 4a was 0.8% and fell into the California Dashboard highest performance level of Blue.

SPP Indicator 4b - Discipline Rate by Race or Ethnicity⁹ Indicator 4b is a compliance indicator that measures the discipline rate of students with disabilities by race/ethnicity.

⁸ The CAASP tests were postponed in the State of California due to the COVID-19 pandemic.

⁹ Indicator 4b was not reviewed by CDE in 2018-19.

SPP INDICATOR 5 - LEAST RESTRICTIVE ENVIRONMENT

State Performance Plan Indicator 5 Least Restrictive Environment is a performance indicator that uses three components to measure whether students with disabilities are educated within the Least Restrictive Environment (LRE). The data chart below displays the District's 2018 -19 school year data.

| Indicator | Selection Element | Data Year (18-19) | Target | Target Met |
|-----------|-------------------------------|-------------------|--------|------------|
| 5a | LRE Regular Class 80% or more | 52.22% | 52.2% | YES |
| 5b | LRE Regular Class 40% or less | 18.48% | ≤21.6% | YES |
| 5c | LRE Separate School | 8.15% | ≤3.8% | NO |

5a measures the percentage of students with disabilities ages 6 through 22, served inside the regular classroom for at least 80% of the day. The District met the Indicator 5a target.

5b measures the percentage of students with disabilities, ages 6 through 22, served inside the regular classroom less than 40% of the day. The District met the Indicator 5b target.

The District met 5a and 5b in the 2018-2019 school year. The District's increased efforts to maximize inclusive opportunities for students with disabilities likely contributed towards this accomplishment.

5c measures the percentage of students with disabilities, ages 6 through 22, served in a public or private separate schools, residential facilities, or homebound/hospital placement. The District did not meet the Indicator 5c target.

The District's performance in this area is double the state target. There are many factors which contribute to this disparity including the historical reliance on special education centers as placement options for students with moderate to severe disabilities, charter school enrollment practices, and the number of families who seek enrollment in LAUSD due to the vast resources the District offers for students with disabilities. Another contributing factor to this indicator was the establishment of the Career and Transition Centers (CTCs) as educational placement options for students with disabilities. The CTCs offer employment preparation, independent living skills, and social skills instruction to students ages 18-22 years old who are on the Alternate Curriculum. The students enrolled in these programs are also calculated into this indicator as attending separate schools.

The Division of Special Education launched an inclusion website as a resource for schools, and ensured that a dashboard was made available in FOCUS for principals, directors, and others to easily see overall data at schools/Local Districts.

INCREASING INCLUSIVE PRACTICES

As part of the District's longstanding practice and in alignment with the District's responsibility to ensure all children with disabilities, to maximum extent appropriate, are educated with children who are nondisabled, the District has focused on increasing inclusive practices. In the 2019-2020 school year there were 70 schools implementing inclusion of students with disabilities which have submitted formal inclusion plans. The Superintendent established a goal of expanding inclusion efforts for the 2020-2021 school year by an additional 25 schools. As of March 2020, there were 15 additional schools which had indicated interest and were exploring inclusion options.

The process for schools that are interested in exploring the expansion of inclusive practices for students with disabilities has been streamlined for schools. Schools that have communicated interest to their Least Restrictive Environment (LRE) Specialist are provided with information and are to submit an Increasing Inclusive Opportunities Plan in order to begin the process.

The District has made many commitments to schools that have implemented an inclusion model. LAUSD Division of Special Education has worked closely with UTLA to bargain regarding supports to sites that are committing to increasing inclusive opportunities. The District offered many professional development (PD) opportunities in the 2019-2020 school year; PD topics include Co-teaching (one 6-hour in-person PD, two 1-hour webinars), Universal Design for Learning (six 6-hour in-person sessions had been scheduled, two were provided before the District school facilities closure was announced on March 13), and Supporting the Inclusive Classroom trainings (five 6-hour in-person PDs, three were provided before the District school facilities closure was announced on March 13). A Toolkit for inclusion was created on Schoology and includes a variety of PDs that Program Specialists and LRE Specialists deliver and support. The Division of Special Education provided three 3-hour trainings to all LRE Specialists and Program Specialists as to the importance of inclusion, and utilization of the Toolkit resources. PD which was planned in each LD for one Special Educator and one General Educator in each of the schools for late March was postponed due to the District school facilities closure that was announced on March 13.

Schools listed in the UTLA side letter receive ongoing support; they have been advised about the Toolkit where new resources are posted daily and sent to schools and the LD Special Education Administrators to be shared with LD support staff as needed.

The CDE is funding a Supporting Inclusive Practices (SIP) grant of which LAUSD is a grantee. (<https://www.sipinclusion.org/>) CDE visited LAUSD sites during the 2019-2020 school year. While recognizing the District's efforts in this area, their feedback indicated that LAUSD has not yet done enough to include students who are on the alternate curriculum. SIP provided similar feedback and additionally suggested that the District consider requiring schools to implement inclusive opportunities for students with disabilities instead of allowing schools to indicate their interest in participating. Tanya Lieberman from the California State Assembly Committee on Education and a liaison from Governor Newsom's office visited LAUSD during the 2019-20 school year. Subsequently, legislation was proposed to further inclusion efforts in the state (AB 1914). LAUSD meets with Institutes of Higher Education (CSUDH, CSUN, CSULA, USC, UCLA, LMU) on a quarterly basis to share information and create resources.

The Division of Special Education finalized a Position Paper on inclusion in the Fall semester. This document is pending approval for publication and will include robust discussions, including applicable bargaining units. (achieve.lausd.net/inclusion)

SPP INDICATOR 6 - PRESCHOOL LEAST RESTRICTIVE ENVIRONMENT

| Indicator | Selection Element | Data Year (18-19) | Target | Target Met |
|-----------|----------------------|-------------------|--------|------------|
| 6a | LRE Regular Class | 46.91% | 35.9% | YES |
| 6b | LRE Separate Schools | 42.64% | ≤31.4% | NO |

The chart above displays the Indicator 6 Preschool Least Restrictive Environment data for the 2018-19 school year.

6a is a performance indicator that measures the percent of children with disabilities, ages 3 through 5 years, attending a regular early childhood program and receiving the majority of special education and related service in the regular early childhood program. The District met the Indicator 6a target.

6b is a performance measure that measures the percent of children with disabilities, ages 3 through 5 years, attending a separate special education class, separate school, or residential facility. The District did not meet the Indicator 6b target.

SPPI 6a and 6b were not met in the 2017-2018 school year, and the Division of Special Education was required to complete a PIR for these two indicators. The District's tremendous growth with regard to Indicator 6a in the 2018-19 school year is a testament to the Early Childhood Special Education (ECSE) department's commitment to ensuring

inclusive opportunities for preschool children. While the District did not meet 6b for the 18-19 school year, it should be clarified that for preschool students, the calculations for 6b include students in separate classrooms on general education campuses. ECSE has worked closely with Early Childhood Education (ECE) on the following in the 2019-2020 school year:

- Opening a Preschool Collaborative Classroom (PCC) at 16 Early Education Centers
- At 7 existing schools, embedding the Preschool for all Learners (PAL) classes for 2.5 hours per day with the age appropriate class of non-disabled peers at the adjacent Early Education Centers
- In 21 elementary schools, the existing PALs class now spend 3 hours per day with their non-disabled peers in the California State Preschool Program on their campus

SPP INDICATOR 7 - PRESCHOOL OUTCOMES

| Indicator | Selection Element | Data Year (18-19) |
|-----------|--|-------------------|
| 7a | Positive social-emotional skills: Substantially Increased | 79.7% |
| 7a | Positive social-emotional skills: Functioning within age expectations | 80.0% |
| 7b | Acquisition and use of knowledge and skills: Substantially Increased | 82.3% |
| 7b | Acquisition and use of knowledge and skills: Functioning within age expectations | 79.0% |
| 7c | Use of appropriate behaviors to meet their needs: Substantially Increased | 80.4% |
| 7c | Use of appropriate behaviors to meet their needs: Functioning within age expectations | 77.8% |

Indicator 7 is a performance measure that utilizes data from Desired Results Development Profile (DRDP) submission. The DRDP is California's formative assessment instrument for young children. The chart above displays the District's Preschool Outcomes data for the 2018-19 school year in relationship to positive social-emotional skills, acquisition and use of knowledge and skills, and use of appropriate behaviors to meet their needs. For the 2018-2019 school year, the CDE did not establish a target for each preschool outcome indicator. Instead, they ranked the District's performance and determined whether or not the District's overall performance required the District to participate in a review process. For the 2018-2019 school year, no review is required. This District's success in this area is to be commended and shows ECSE's commitment to providing effective supports and services for students ages 3 through 5.

SPP 8 - PARENT INVOLVEMENT

| Indicator | Selection Element | Data Year (18-19) | Target | Target Met |
|-----------|--------------------|-------------------|--------|------------|
| 8 | Parent Involvement | 99.1% | 93% | YES |

Indicator 8 is a performance measure that measures the percent of parents with a student receiving special education services who report that schools facilitated parent involvement as a means of improving services and results for students with disabilities.

The chart above displays the District's Indicator 8 Parent Involvement data for the 2018-19 school year. The District exceeded the target. This data is captured from a required question on the Individualized Education Program (IEP) signature page.

The District has participated in the Alternative Dispute Resolution (ADR) grant through the state of California since 2015. While many central office and support staff have been trained on the tenants of ADR, the Division of Special Education has not yet implemented ADR at the school site level for IEP disputes. In Spring 2020, the Division of Special Education formed an ADR task force to begin the process of piloting ADR at select schools within Local District West and Local District Northwest in Fall 2020. In addition, the task force is working closely with Welligent ITD to make minor changes to the Welligent IEP system in order to capture ADR data and implement ADR IEPs. ADR will provide parents with an opportunity to resolve IEP disagreements directly at the school site level, as an alternative to requesting informal dispute resolution, mediation, or due process hearing.

SPP INDICATOR 9¹⁰ - DISPROPORTIONATE REPRESENTATION: OVERALL

Indicator 9 is a compliance indicator that measures the percent of Local Education Agencies with disproportionate representation of racial and ethnic groups in special education that is the result of inappropriate identification.

SPP INDICATOR 10 - DISPROPORTIONATE REPRESENTATION BY DISABILITY CATEGORIES

Indicator 10 is a compliance indicator that measures the percent of LEAs with disproportionate representation of racial and ethnic groups in specific disability categories as a result of inappropriate identification.

SPP INDICATOR 11 - TIMELY ELIGIBILITY EVALUATION

Indicator 11 is a compliance indicator that measures the percent of students whose eligibility for special education was determined within 60 days of receiving parental consent for initial evaluation.

SPP INDICATOR 12 - TIMELY PART C TO PART B TRANSITION

Indicator 12 is a compliance indicator that measures the percent of children referred by the infant program (IDEA Part C) prior to age three, who are found eligible for school age special education services (IDEA Part B) and who have an IEP developed and implemented by their third birthday.

SPP INDICATOR 13 - SECONDARY TRANSITION GOALS AND SERVICES

Indicator 13 is a compliance indicator that measures the percent of students with disabilities ages 16 and above with an IEP that includes appropriate measurable post-secondary goals annually updated and based on age appropriate transition assessment and services, including courses of study that will reasonably enable the student to meet those post-secondary goals, and annual IEP goals related to the student's transition service needs.

SPP INDICATOR 14 - POST-SCHOOL OUTCOMES

| Indicator | Selection Element | Data Year (18-19) | Target | Target Met |
|-----------|--------------------------|-------------------|--------|------------|
| 14a | Higher Education | 52.32% | 54.3% | NO |
| 14b | Competitive Employment | 52.32% | 74.4% | NO |
| 14c | Any Education/Employment | 67.25% | 83.0% | NO |

Indicator 14 is a performance measure that utilizes three components to measure post school outcomes. The chart above displays the District's Indicator 14 Post-School data for the 2018-19 school year. The three components of this indicator were not met.

14a measures the percent of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education within one year of leaving high school.

¹⁰ Compliance Indicators 9, 10, 11, 12 and 13 were not reviewed by CDE in 2018-19.

14b measures the percent of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education or competitively employed within one year of leaving high school.

14c measures the percent of youth who are no longer in secondary school, had IEPs in effect when they left school, and were enrolled in higher education or other postsecondary education/training program; or competitively employed in some other employment within one year.

IEP TIMELINES

| | July 2019 | | | August 2019 | | | September 2019 | | | October 2019 | | |
|-------------|--------------|-------------|-------|--------------|-------------|-------|----------------|-------------|-------|--------------|-------------|-------|
| | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % |
| Grand Total | 1,993 | 94,088 | 2.12% | 1,873 | 89,596 | 2.09% | 2,655 | 93,053 | 2.85% | 2,782 | 94,430 | 2.95% |

| | November 2019 | | | December 2019 | | | January 2020 | | | February 2020 | | |
|-------------|---------------|-------------|-------|---------------|-------------|-------|--------------|-------------|-------|---------------|-------------|-------|
| | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % |
| Grand Total | 2,476 | 95,364 | 2.60% | 2,212 | 95,631 | 2.31% | 2,543 | 96,371 | 2.64% | 3,049 | 97,615 | 3.12% |

| | March 2020 (closure beginning 3/16) | | | April 2020 (closure) | | | May 2020 (closure) | | | June 2020 (closure) | | |
|-------------|-------------------------------------|-------------|-------|----------------------|-------------|--------|--------------------|-------------|--------|---------------------|-------------|-------|
| | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % | Overdue IEPs | Active IEPs | % |
| Grand Total | 5,132 | 97,927 | 5.24% | 14,048 | 98,126 | 14.32% | 15,026 | 98,399 | 15.27% | 8,783 | 95,952 | 9.15% |

The chart above displays the number of overdue IEPs, active IEPs, and the percent of overdue IEPs by month for the 2019-20 school year.

The beginning of the 2019-2020 school year commenced with approximately 2% of IEPs overdue Districtwide, and fluctuated between 2-3% until the mandatory school closures on March 13, 2020. In March 2020, 5.24% of IEPs were overdue. In April 2020, there were 14.32% IEPs overdue and 15.27% in May 2020. The school year concluded with 9.15% of IEPs overdue Districtwide.

Due to the COVID-19 school facility closures, timely completion of IEP team meetings have been affected. However, the Division of Special Education has provided guidance to IEP teams and school support personnel in conducting virtual IEP team meetings. As of June 12, 2020, over 2,400 employees have accessed the Virtual IEP team meeting training through MyPLN. In April 2020, live synchronous trainings were delivered via Zoom to over 2,000 District employees including teachers, administrators, office technicians, administrative designees, and school support staff on the process of conducting virtual IEP team meetings.

SERVICE DELIVERY

The provision of related services and resource specialist program services is based on the frequency and duration of each service offered on the student's IEP. The District documents the provision of service in the Welligent Service Tracking system.¹¹ This allows service providers and their supervisors to monitor the percent of services delivered. If the data leads to a concern regarding provision of service, a more detailed look into potential issues and any barriers to service provision needing to be addressed is conducted.

Upon documentation of service provision in the Welligent Service Tracking system, the SER300 report series includes a tiered data category that reports the percentage of services delivered toward the student's target service minutes as required per their IEP. The first chart below displays service provision breakdown by Tiers.

| Tier | Percent of Service Provision |
|------|------------------------------|
| 1 | 100% (+) |
| 2 | 90-99.9% |
| 3 | 70-89.9% |
| 4 | 40-69.9% |
| 5 | 0.1-39.9% |
| 6 | 0% |

During the week prior to the COVID-19 school facility closures, service provision within Tier 1- 3 (70-100+%) was 94.99%. Provision within Tier 4 (40-69.9%) was 2.61%, Tier 5 (0.1-39.9%) was 0.92% and Tier 6 (0%) was 1.47%.

| Tier | Percent of Service Provision as of 3/13/2020 |
|------|--|
| 1 | 64.09% |
| 2 | 20.30% |
| 3 | 10.60% |
| 4 | 2.61% |
| 5 | 0.92% |
| 6 | 1.47% |

Source: Welligent SER300G(A) Report as of 3/13/2020

¹¹ This procedure temporarily changed during the COVID-19 school facility closures.

The chart below displays all services according to service provision tier by month:

| | Tier 1 | Tier 2 | Tier 3 | Tier 4 | Tier 5 | Tier 6 |
|-----|--------|--------|--------|--------|--------|--------|
| AUG | 37.42% | 4.44% | 6.50% | 13.76% | 3.27% | 34.62% |
| SEP | 56.77% | 12.29% | 13.37% | 6.83% | 3.40% | 7.34% |
| OCT | 57.18% | 19.02% | 15.00% | 4.69% | 1.55% | 2.55% |
| NOV | 66.41% | 15.39% | 10.65% | 4.01% | 1.36% | 2.18% |
| DEC | 66.86% | 16.76% | 9.59% | 3.52% | 1.24% | 2.02% |
| JAN | 64.53% | 19.10% | 10.12% | 3.44% | 1.20% | 1.61% |
| FEB | 65.83% | 19.59% | 9.96% | 2.34% | 0.92% | 1.35% |
| MAR | 64.09% | 20.30% | 10.60% | 2.61% | 0.92% | 1.47% |

Source: Welligent SER300G(A) Report

In Spring 2020, the Division of Special Education began a thorough data review of all students who were identified as receiving no service to determine the root causes. Since the March 13, 2020 announcement of the closing of school facilities due to COVID-19, related services and resource specialist program services have been delivered through distance instruction methods in alignment with @Home Learning Continuity Plan. Information regarding contacts between the service provider and the student/family is being documented in Welligent. However, service provision documentation during distance instruction methods are not being reported in the tiered manner during school closures.

ADDITIONAL INFORMATION

MCD CLERK PROJECT

In Fall 2019, the Division of Special Education ensured that clerical duties related to special education were identified by each school in the Principal's Portal Online Certification. This was a positive and proactive first step toward identifying and utilizing appropriate staff at each school site to ensure special education timelines are met. In Spring 2020 the Division of Special Education created a task force to create a Special Education Clerk Handbook, update the Special Education Clerk online training, and standardize the Special Education Clerk in-person training offered by Local District special education staff. The roll out of the updated training and training materials was scheduled for Fall 2020, however, the COVID-19 related school facility closures will likely result in delays.

Welligent Enhancements

- Enhanced Welligent Access for Related Services providers: Allows providers access to additional student information in Welligent to better collaborate with teachers and other providers to meet student needs, and provides access to relevant information including IEP team meeting notes and information.
- Updated Service Dashboards for Related Services providers: Allowing for at-a-glance caseload compliance data upon log-in to the Welligent IEP system.
- Requiring *Reason for Overdue IEP* will allow the Division of Special Education to capture data regarding overdue IEP team meetings and report the required information to the CDE as well as use the data to internally analyze any potential issues needing to be addressed.
- FAPE Automation for Preschool Students: Ensures that service records are automatically created when the IEP is signed for all preschool students; this allows for immediate notification to continuing providers and ensures that all students have service records for all services.
- Service Delivery Model for Behavior Intervention Implementation (BII) Services: Revised dropdown to reflect the collaborative nature of BII service.
- In process: Providers will be notified of date/time changes for scheduled IEP team meetings. Previously, school sites were required to contact providers with any changes/updates.

CHILD FIND

| Indicator | Selection Element | Data Year (18-19) | Target |
|-----------|-------------------|-------------------|--------|
| N/A | Child Find | 12.56% | N/A |

The chart above displays a District child find rate of 12.56% for the 2018-2019 school year.

Absent waivers from the USDOE or the CDE, the District is still obligated to disseminate child find notices and communicate with teachers and parents to make referrals. The obligation also applies to other entities, such as private schools and health care providers.

Teachers should be reminded to look for and document the following occurrences: (1) a student does not log in or complete assignments; (2) a parent expresses concerns or requests accessibility accommodations for provided materials in hard copy or electronic formats; (3) a student begins to fall behind or exhibits slow progress; or (4) a student is having trouble understanding assignments.

The District has Child Find, including Search and Serve, processes in place and continues its practices of ensuring that students with disabilities are identified. For students ages 5-21, the LAUSD school of residence (SOR) is responsible for locating, identifying, and evaluating students with disabilities, including students parentally placed at private schools. The SOR conducts IEPs to provide an offer of a FAPE, and implements IEPs immediately upon a student's enrollment in a public school. In many cases, three and four year old children are not enrolled in public school programs. Therefore, a primary responsibility of the District is to make families, schools and agencies aware of available criteria for eligibility and special education services.

"Child Find/Search and Serve" information is disseminated through letters, program brochures, presentations and workshops. Such educational information is directed to the following:

- Neighborhood schools
- Early Education Centers
- District classes for 4 year old children, Expanded Transitional Kindergarten (ETK), California State Preschool Programs, Los Angeles Universal Preschool Classes
- Pre-Kindergarten and Family Literacy Program Classrooms
- Head Start agencies
- Los Angeles Universal Preschool (LAUP) programs
- Regional Centers
- Family Resource Centers
- Hospitals and clinics
- Community preschools
- Child Care providers
- Child Care Resources and Referral Agencies
- Department of Children and Family Services
- Los Angeles County Office of Child Care
- Los Angeles County First 5

SCHOOL CHOICE: RECRUITMENT, ENROLLMENT, AND RETENTION

MAGNET

Prior to 2011, magnet guidelines stated that all magnet students must spend at least 50% of their day in magnet classes. This was problematic for students with IEPs that stated the student was to spend greater than 50% of the day in a special day program (SDP). In addition, if the magnet program did not have the exact program per an IEP, the student was not allowed to attend the magnet. Finally, there was little evidence that the magnet office made an effort to recruit students with disabilities. In 2011, there were only 2,236 students with disabilities (SWDs) participating in magnet programs.

Over the course of six years, the magnet office has been intentional in eliminating barriers and providing support for students with disabilities by changing its guidelines to avoid conflict with the IDEA. Students are able to spend less than 50% of the day in magnet classes if the IEP requires the majority of the day be spent in an SDP. If a magnet program does not currently offer a program in alignment with a student's IEP, the magnet program is required to convene an IEP within 30 days to discuss how the magnet program can provide support for the student.

In addition, two practices were introduced to increase SWD participation rates. First, the magnet office began actively recruiting SWDs. In every brochure and on all websites, the magnet office states, "[we] encourage all students with disabilities to apply." This has led to the opening of SDPs at magnet schools. Second, the magnet office continually collaborates with representatives from the Division of Special Education on a bimonthly basis to ensure that students are appropriately placed.

The above changes in policies and practices has resulted in a 173% increase in participation rate (6,108 students). The magnet office will continue its commitment to increasing the participation rate and advocating for inclusion.

INDEPENDENT CHARTER

There are two primary LAUSD Divisions that work with charter schools to provide oversight and support. The Charter Schools Division provides an oversight function of independent charter schools. The Division of Special Education, Charter Operated Programs provides support to charter schools regarding students with disabilities and special education. Both Divisions view this as a partnership, which is critical to ensure that charter schools are supported and held accountable as it relates to serving students with disabilities.

The Division of Special Education, Charter Operated Programs provides a variety of supports, including general technical assistance, professional development, compliance monitoring and support, fee-for-service structures, and in-depth mental health and behavior supports.

The following chart outlines District-wide enrollment data as of Fall 2019 for independent charter schools. As of the Fall 2019 semester there were 217 independent charter schools in the LAUSD Special Education Local Plan Area (SELPA). The overall enrollment of students in these schools was 108,623, while 13,184 or 12.14% were students with disabilities.

| Number of Independent Charter Schools in LAUSD SELPA | Total Enrollment | Enrollment of Students with Disabilities | Overall Percent of Students with Disabilities |
|--|------------------|--|---|
| 217 | 108,623 | 13,184 | 12.14% |

The following two charts contain the number of students with disabilities enrolled in independent charter schools in the LAUSD SELPA and the number of independent charter schools in the LAUSD SELPA by Local District geographic area in the first chart and by Board District in the second chart.

| Local District Geographic Area | Number of SWDs in LAUSD SELPA (Fall 2019) | Number of Independent Charter Schools in LAUSD SELPA (Fall of 2019) |
|--------------------------------|---|---|
| Central | 2,903 | 60 |
| East | 1,912 | 36 |
| Northeast | 1,940 | 28 |
| Northwest | 2,006 | 19 |
| South | 1,463 | 26 |
| West | 2,848 | 48 |
| TOTAL | 13,072 | 217 |

| Board District | Number of SWDs in LAUSD SELPA (Fall 2019) | Number of Independent Charter Schools in LAUSD SELPA (Fall of 2019) |
|----------------|---|---|
| 1 | 1,526 | 34 |
| 2 | 2,888 | 58 |
| 3 | 1,817 | 18 |
| 4 | 1,512 | 19 |
| 5 | 1,575 | 29 |
| 6 | 2,002 | 28 |
| 7 | 1,752 | 31 |
| TOTAL | 13,072 | 217 |

The chart below provides a snapshot of compliance rates as of December 2019. Independent Charter schools conducted 14,774 IEP team meetings, 2.32% were overdue. Of the 22,865 specific services provided to students with disabilities, 93% were delivered at 70% or more of the IEP required duration of minutes

| IEP Team Meetings | Service Tracking |
|-------------------|--|
| 14,774 Total | 22,865 Specific Services |
| 2.32% Overdue | 93% of Services delivered at 70% or more of IEP required duration of minutes |

Annually, charter schools have a statutory right to apply for Special Education Local Plan Area (SELPA) membership with an LEA. Currently there are only 9 independent charter schools that are authorized by LAUSD but not a part of the LAUSD SELPA. LAUSD SELPA membership includes:

- Building Strong Relationships - Strong relationships built on trust with charter partners is critical to ensure schools are supported and held accountable for serving all students with disabilities.
- Customer Service - LAUSD's Division of Special Education is often the front line to various stakeholders. From parents, to school leaders, to community members, the Division works to ensure stakeholders are supported.
- Collaboration Amongst Schools - The Division of Special Education routinely convenes special education and school leadership staff for professional development, best practice sharing and problem-solving topics that impact all schools.
- Core Values - The Division of Special Education views charter schools as partners in providing supports and services to students with disabilities. The Charter Operated Programs office does not view students in charter schools as their students but as students under the LAUSD SELPA. The LAUSD SELPA organization is designed to work to support all students that attend all schools in the LAUSD SELPA.

PROGRAM ACCESSIBILITY

In October 2017, the LAUSD Board of Education approved the District's Self-Evaluation and Transition Plan (Transition Plan), which was designed to bring LAUSD into compliance with the requirements of the ADA and Section 504 of the Rehabilitation Act. This civil rights law is intended to ensure that people with physical and mental disabilities are able to participate in and enjoy the benefits of the services and activities of state and local governments (such as those offered by the District) without experiencing discrimination.

Transition Plans are required as part of Title II of the ADA to ensure that agencies have a plan in place to address barriers that limit and/or deny accessibility for those individuals that have disabilities. As to facilities, a key requirement of both the ADA and Section 504 is program accessibility. Program Accessibility is when a qualified individual with a disability can access programs, services, and activities when viewed in their entirety. This does not mean that every facility at every site must be accessible or that complete parity of services must be achieved at each facility. Rather, people with mobility, vision, and hearing disabilities who are impacted by inaccessible facilities - including students, parents, and community members - must have available a wide range of choices similar to those available to people who do not have disabilities. The goal is to provide an equal opportunity to benefit from the District's programs and offerings, not necessarily to ensure access to each unique class or program.

As explained in Section II.B of the District's Transition Plan, the plan and steps to which the District has committed are consistent with, and in fact go beyond, the requirements for compliance with the ADA's program accessibility mandate as set out by the Ninth Circuit court. In Kirola v. City and County of San Francisco, 860 F. 3d 1164 (2017), the court upheld the lower court's findings that the City and County of San Francisco's actions as to its parks, libraries, and pedestrian facilities conformed to the ADA, by providing program access when programs were "viewed in their entirety." Citing the ADA regulations about program accessibility, the court found that "because the proper unit of analysis under Title II of the ADA is programs and services - not the individual sites at which they are offered - it is possible for a program, when viewed in its entirety, to be in compliance with the ADA, even if some aspects of facilities where the programs are offered are inaccessible." (Emphasis added.) The Court held that Title II of the ADA does not require complete parity of services at each of the facilities through which the City offers its programs.

The District will know it has achieved program access when the facility changes in the first phase of the Transition Plan are completed and the policies and practices outlined in the plan are in place, and they operate in an efficient manner, so that students with mobility, vision, and speech disabilities have seamless access to a wide range of facilities and programs and are integrated into the fabric of the system.

The LAUSD Transition Plan takes into account that we have constructed 131 new construction schools throughout the boundaries of the District, and then identified 235 existing facility schools to ensure that students can access all of the programs, services, and activities within a number of feeder clusters within all of the Local Districts. Achieving program accessibility is very challenging due to a number of factors such as overall square miles, a wide-ranging variety of programs offered to students, and geographic distribution which require considerations. However, by 2025 the goal is to incorporate over 360 schools throughout all of the LAUSD that would serve the program accessibility needs for those students having the greatest needs at District schools. These feeder clusters will provide matriculation patterns at accessible schools enabling students the ability to progress from elementary school, into middle school, and finally into high school and other District programs.

Many schools have accessibility concerns that may need to be resolved due to student needs prior to an ADA Barrier Removal project being approved and executed. It is for this reason that School Administrators can request a Rapid Access Program (RAP) Project to eliminate minor barriers that can ensure the student has program accessibility. RAP projects are intended to be executed within 21 days from the day of the original request, but never to exceed 30 days. There are instances where these requests cannot be performed within the guidelines of the Program; however, the request can still proceed as a critical barrier removal (CBR) project. These critical barrier removal projects typically require design, approval by the Division of the State Architect (DSA), and a longer construction duration than the 21 to 30-days allowed by the RAP Project guidelines. If warranted by a student having a qualified disability, for example a request for the installation of a concrete ramp at the building entrance being requested due to a student and/or community member having a physical disability, these projects will proceed as they are an

important part of ensuring access to the programs, services, and activities within that school. However, it should be noted that prior to approving either RAP Projects and/or critical barrier removal projects, operational solutions should be reviewed and implemented if possible. Operational solutions are an effective way to reassign programs and/or activities to accessible locations as the quickest and most cost-efficient solution in many instances.

BARRIER REMOVAL PROGRAM STATUS

To date, the Board of Education has approved 94 schools for accessibility enhancements. These school projects are consistent with the identification and prioritization resulting from collaboration between the Division of Special Education, the Facilities Services Division and the ADA Compliance Office. At the time of this writing there are 43 schools actively in construction with ADA barrier removal work, 24 schools that are currently in Design, and 27 schools that are either completed or have been substantially completed (meaning that there is punch list of work yet to be performed). In addition, there are 22 Comprehensive Modernization projects which the Board of Education has approved. These Comprehensive Modernization projects are included in the 235 existing schools which make up the first phase of the Transition Plan and provide the baseline for Program Accessibility in the District. At this time there are 13 Comprehensive Modernization projects that are in varying stages of construction, seven projects that have been awarded and are in the design phase with the Design Builder, and two projects that will be procured soon. The Facilities Services Division Access Compliance Unit (ACU) has continued to move forward with performing surveys for the identification of barriers to program accessibility and have completed surveys for 212 schools to date.

The first phase of the Transition Plan was funded with \$579,041,989 and was scheduled to have the barrier removal projects completed by 2025. As of this writing a total of \$526,838,543 has been committed to Board approved projects to have the necessary accessibility upgrades constructed. There is \$52,203,446 available for new projects.

It bears noting that these projects are not unlike other projects executed by the Facilities Services Division as there are issues that sometimes arise from unforeseen conditions that require a change in design, complications with contractors, and work that sometimes requires corrective action. These projects undergo review by the ACU and Constructability Review Team in an effort to ensure that issues are identified prior to construction.

PATRICK HENRY MS



Elevator installation providing access to 22 classrooms on the 2nd floor of Two Story Classroom Buildings.

HAMASAKI ES



Nurses Office Restroom renovated to be fully accessible.

ANNANDALE ES



Concrete Ramp with Arcade canopy installation providing access to Classroom Building.

OPERATIONAL SOLUTIONS

The ADAC office contacted 35 schools and met with the School Administration as a follow up to the ACU Barrier Removal Surveys previously conducted and provided recommendations to ensure access to programs, services, and activities offered at the individual schools where ADA Barrier Removal projects have been Board approved. These meetings were intended to review the recommendations with the schools' Administrator regarding the need to relocate programs in lieu of performing costly construction at non-accessible locations. In rare instances when the operational solution may no longer be available, the ADAC Office advised moving forward with the original scope of work or suggested revised scope of work.

RAPID ACCESS PROGRAM / CRITICAL BARRIER REMOVAL PROJECTS

In an effort to ensure that School Administrators are aware that the RAP and CBR Programs are available for their use, reference guide REF-066902, Procedures to Request Barrier Removal for Program Accessibility, for Students and Other Individuals with Disabilities, provides updated information regarding requests for rapid and minor access, along with an expectation of implementing operational solutions. In the 2019-2020 school year, there were 36 RAP requests submitted for 32 schools during the first 3 quarters. School Administrators are beginning to forecast their needs in preparation for the upcoming school year by submitting RAP requests in advance of a known future matriculating student. This planning allows the Facilities Services Division the ability to set-up and prepare projects so work can be performed during the summer break. Eleven of these requests were changed to critical barrier removal projects due to the scope of work and scale of the project requiring design completion and submission to the DSA.

The Facilities Services Division has continued to stockpile certain equipment that can be transported to a facility on short notice, created task orders with manufacturers, and have communicated the high priorities that these projects require so District staff can help to expedite any work that internal resources can resolve quickly. Due to the COVID-19 shutdown, there have been a few projects that were delayed resulting from the closure of District school facilities. Maintenance and Operations staff are back at school sites and will execute these projects prior to August 2020. There have been no new requests made since March 13, 2020.

LECONTE MS



TMP ramp providing a student with a disability classroom access.

TRAINING

Based on the feedback of the original ADA Compliance training launched October 2018, the ADAC staff developed a more comprehensive five-part training module which includes detailed information about identifying and removing barriers to programs, services, and activities. This five-part training module has been made mandatory for key employees and is focused on topics such as Program Accessibility, Emergency Preparedness, requests for rapid and minor construction, implementation of operational solutions, policy documents, RAP Reference Guide, and other online resources and contacts for assistance with special emphasis placed on the importance of filling out and submitting the online RAP Google request form.

Due to the recent increase of online services, robust guidance is shared on how to ensure ADA compliance and effective communication when using technology and/or communicating with those individuals who use assistive devices. Working with the Charter Schools Division, tailored information was added specifically for charters (both co-located and on private sites).

ADA COMPLIANCE AND SECTION 508 OF THE REHABILITATION ACT OF 1973

The ADAC Office met with the Information Technology Division (ITD) on several occasions since the beginning of this fiscal year to discuss development of a system to assess, report, and address individual school websites and the accessibility and compliance with ADA Title II and Section 508 of the Rehabilitation Act of 1973 (Section 508). In this collaborative effort it was agreed that ITD would provide the tools to monitor, validate, and ensure that web content at District schools meet the Web Content Accessibility Guidelines (WCAG) and ADA compliance. Once these tools are provided, ADAC will provide ADA oversight, guidance, and will periodically check/audit school webpages for accessibility.

In an attempt to notify schools of this upcoming endeavor, ADAC modified the ADA Title II Communication, Technology and Web training module to emphasize the roles and responsibilities of those creating and maintaining District and/or school-based webpages for accessibility. In addition, ADAC updated its webpage to include links and printable instructions for developing an accessible webpage.

Remote learning and work environments resulting from the COVID-19 pandemic has led to increased reliance on video conferencing platforms to conduct meetings, classroom lessons, trainings, etc. ADAC has provided technical assistance related to Section 508 and accessibility guidance to District Divisions and Departments. This technical assistance and guidance is intended to ensure that live online meetings and trainings are accessible by using closed captioning, real-life captioning, sign language interpreters, providing transcripts, etc. so that effective communication is provided to those who are blind, visually impaired, deaf, and/or hard of hearing.

CHARTER SCHOOLS DIVISION

The ADAC Office has worked closely with the Charter Schools Division for those Independent Charter Schools that are operating on private sites, and therefore are not subject to the LAUSD Transition Plan. While charter schools are exempt from many California laws governing school districts, charter schools are not exempt from federal requirements such as Title II of the ADA. As part of the District's charter authorizing procedure, a charter school must ensure the subject site is clean, safe, and complies with all mandatory requirements set forth in the school's approved charter petition before occupying a site. This includes, but is not limited to, conditions pertaining to occupancy and use of the site, site compliance, pest management, asbestos management, and applicable laws. Accordingly, charter schools operating on private sites shall develop Transition and Self Evaluation plans noting barriers to accessibility and the plan to remove and/or eliminate said barriers within a reasonable timeframe in the Transition Plan and noting intentional or unintentional policies and practices that discriminate against people with disabilities, their acquaintances, and others assumed to have a disability.

Communication has been sent to over 200 Independent Charter Schools regarding the required submission of Self-Evaluation and Transition Plans, or some other proof that can be provided to show compliance with the ADA Title II Transition Plan requirements. To date, the Charter Schools Division has received Transition Plans from 20 schools.

The Charter Schools Division hosted ADA compliance workshops during FY 2018-2019 where members of Independent Charter operators could attend a monthly meeting. These meetings were intended to provide the opportunity to ask any questions regarding how to create a Transition Plan, inspect their schools for barriers which limit accessibility, and questions regarding the ADA Title II legal requirements. Further meetings between the ADA Compliance Office and Charter Schools Division have been held to discuss obtaining increased participation from Charter School operators. It had originally been planned that a Promising Practice event with charter schools could be scheduled during Spring 2020 where presentations from District experts as well as strategic partners like the Los Angeles Fire Department, CDE, and California School Finance Authority could present on issues related to the ADA Title II Transition Plan requirement. The COVID-19 pandemic has altered these plans. However, the District's ADA Compliance Administrator will continue to work with the Charter Schools Division to ensure the required Transition Plans are submitted.

COMPLAINTS MANAGEMENT

The following complaint management processes are available for those who wish to file a complaint alleging the District has violated special education state and/or federal laws and regulations. The purpose of these processes is to ensure the rights of students and parents.

- Uniform Complaint Procedures - District Internal Investigations¹²
- CDE Special Education Compliance Complaint
- OCR Discrimination Complaints
- Alternative Dispute Resolutions
- School and Family Support Services

UNIFORM COMPLAINT PROCEDURES (UCP) - DISTRICT INTERNAL INVESTIGATIONS

During the 2019-20 school year, the Educational Equity Compliance Office (EECO) in the Office of the General Counsel, Compliance and Performance Monitoring Legal Services team has responded to all UCP complaints before or by the statutory timeframe¹³; completed investigations as early as possible and provided student-centered support. There has been an overall reduction in the annual number of UCP filings over the years. This is likely related to EECO's proactive early intervention approach to resolving stakeholder equity compliance concerns. EECO's completed investigation findings have a strong track record of being upheld when appealed to the State.

CALIFORNIA DEPARTMENT OF EDUCATION (CDE) SPECIAL EDUCATION COMPLIANCE COMPLAINTS

Despite experiencing a significant increase in the number of CDE compliance complaints during the 2019-20 school year and in the average number of allegations per case, EECO has formally responded to the complaints within the prescribed statutory framework while proactively resolving potential or newly filed complaints utilizing a more expeditious alternative dispute resolution (ADR) process. The increased ADR activity has resulted in multiple attorneys proactively contacting EECO to effectively resolve concerns, resulting in decreased formal filings. In situations where the CDE has either incorrectly determined the District was out of compliance or ordered erroneous corrective actions, many have been successfully amended due to increased submission of legally based reconsideration requests.

OFFICE FOR CIVIL RIGHTS (OCR) DISCRIMINATION COMPLAINTS

The EECO has addressed all OCR complaints in a timely manner, resulting in expedient complaint closures. Matters involving the District have been found in the District's favor with no compliance concerns identified. Half of the cases the OCR has opened during the 2019-2020 school year have been closed due to the EECO addressing matters proactively under the District's internal UCP investigation process, or by the EECO's response to these matters under the CDE's special education compliance complaint process when concurrently filed. As in past years, the majority of OCR cases involving the District pertain to disability-based harassment and/or discrimination related to the IDEA or the ADA.

Of significant note, during the 2019-20 school year, OCR has formally concluded its monitoring of two agreements originating from 2011. The two agreements are (1) the English Learner and (2) the Resource Comparability Voluntary Agreements to Resolve, subsequent to review of the District's substantive progress and on-going commitments articulated in the original agreements and in the District's evolving efforts under more recent plans for meeting the needs of underserved students in the areas identified.

¹² The CDE issued Final Regulations effective 7/1/2020 found at <https://www.cde.ca.gov/re/lr/rr/ucp-2019.asp>. Section 3080(a) of the new regulations is amended to conform with AB 1808 (2018), Section 23, adding new Education Code Section 33315(a)(2) relating to special education complaints. The amendment clarifies that such complaints are no longer subject to the UCP, and that additional provisions that go beyond the federal regulations relating to special education complaints are addressed in proposed sections 3200 through 3204.

¹³ Senate Bill 117, Section 7, enacted on 3/17/20, provides, "The timelines established pursuant to Section 33315 of the Education Code and Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations are extended by the length of time a school is closed due to the coronavirus (COVID-19)." http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB117&-search_keywords=coronavirus

The following are factors that appear to be related to the reduced number of filings across formal complaint venues:

PROACTIVE SUPPORT

As an example of proactive support, the EECO logged 303 incoming calls from February 18, 2020 through June 30, 2020. The call-received categories are identified as attorneys, community members, employees, outside agencies including legal representatives, parents, and students. Upon receipt of a call, staff are assigned to provide proactive technical assistance as appropriate depending on the nature of the caller's needs.

RELATIONSHIPS WITH STAKEHOLDERS

EECO staff have developed positive working relationships and a rapport with frequent filers (e.g., attorneys from various local law firms) which appears to have a direct correlation to the reduced number of formal complaint filings. Oftentimes, complainants will contact the EECO for support regarding concerns that are initially presented as prospective violations of anticipated events. The EECO consistently encourages stakeholders to contact EECO before formally filing complaints, which provides opportunities to proactively, and more timely, resolve concerns and mitigate compliance issues. Stakeholders have provided feedback and reported positive experiences.

TARGETED TRAININGS

Filings have also decreased as a result of EECO-provided targeted training consisting of a myriad of online trainings through MyPLN as well as principal and local district administrator-requested trainings on a variety of equity-related compliance topics (e.g., rights of students who are transgender, gender equity, sexual harassment, Section 504, pupil fees, special education compliance complaint process, Code of Conduct with Students and related policy updates). Targeted training has been provided to approximately 50 schools found out of compliance by the CDE on numerous topics specific to state and federal education codes and policies and procedures.

UPDATE ON TITLE IX

In November 2018, the U.S. Department of Education (USDOE) issued proposed changes to Title IX of the Education Amendments of 1972 (Title IX) regulations, proposing to rewrite guidance on the way K-12 schools handle allegations of sexual harassment and assault. On January 8, 2019, the District submitted a public comment letter, raising concerns that the proposed regulations will result in fewer protections for victims.

The USDOE has now issued the updated regulations after significant public comment with an implementation date in August 2020.

Title IX of the Education Amendments of 1972 is a federal civil rights statute enacted to hold schools accountable for all forms of sex discrimination, including sexual harassment and violence that denies students equal access to education.

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

On June 4, 2020, California Attorney General Xavier Becerra, Pennsylvania Attorney General Josh Shapiro, and New Jersey Attorney General Gurbir Grewal led a coalition of 18 Attorneys General in a lawsuit challenging the Trump Administration's final rule weakening protections under Title IX of the Education Amendments of 1972 (Title IX). Title IX prohibits discrimination based on sex in education programs and activities receiving federal funding. In the complaint, the coalition seeks to block the rule's implementation, which undermines Title IX's requirements that students be able to learn in an environment free from discrimination based on sex, including sexual violence and harassment. In filing the lawsuit, Attorney General Becerra was joined by the Attorneys General of Pennsylvania, New Jersey, Colorado, Delaware, Illinois, Massachusetts, Michigan, Minnesota, New Mexico, North Carolina, Oregon, Rhode Island, Vermont, Virginia, Washington, Wisconsin, and the District of Columbia.

In the lawsuit, filed with the U.S. District Court for the District of Columbia, the coalition argues that the rule undermines the purpose of Title IX in several ways, including by:

- Substantially narrowing the definition of sexual harassment;
- Limiting the scope of Title IX's coverage, effectively denying protection to students who are sexually assaulted in off-campus housing or on the way to and from school;
- Erecting harmful barriers to formal complaint filing and investigation, including by barring students from filing complaints if they have disenrolled from school because of sexual violence and harassment; and
- Potentially subjecting students to online harassment by eliminating critical confidentiality protections in the investigation process.

Key Changes in Title IX Impacting K-12 Students

- Definition of "sexual harassment" taken from standard for monetary damages award in litigation, along with "actual knowledge" and "deliberate indifference" standard.
- Burden of proof no longer "preponderance of the evidence" for administrative complaints - and no longer clear.
- States that Title IX preempts state law and unclear as to how to harmonize with FERPA.
- States that First Amendment Rights must be respected, unclear as to how to harmonize.
- Emphasizes due process rights of accused party.
- Emphasizes complainant's rights to move forward or not.
- Establishes quasi-litigation procedures for the administrative grievance process.

What Has Not Changed for Title IX

- Access to courses
- Same-sex classes and programs
- Athletics

SCHOOL AND FAMILY SUPPORT SERVICES - COMPLAINT RESPONSE

The School and Family Support Services (SFSS) office in the Division of Special Education is a contact for those with inquiries and concerns. It is also an option for those who want to file a complaint for resolution with the District. Staff from the SFSS Call Center document the complaint as explained by the complainant and route the complaint to District certificated staff to investigate the complaint and work with the parent to address the matter.



PARENT ENGAGEMENT

BOARD OF EDUCATION COMMITTEE - SPECIAL EDUCATION

The Board of Education Committee for Special Education is chaired by Board Member Scott Schmerelson.

The Special Education Committee was calendared to convene on five dates throughout the 2019-20 school year. Due to school facility closures and the Safer at Home Order in light of COVID-19, the March 12 and May 21, 2020 meetings were canceled. The agenda, meeting materials, and a video recording of the three convened meetings can be accessed through the attached links.

- September 19, 2019 - <http://laschoolboard.org/09-19-19SpEd>
- November 7, 2019 - <http://laschoolboard.org/11-07-19SpEd>
- January 9, 2020 - <http://laschoolboard.org/01-09-20SpEd>



BOARD OF EDUCATION COMMITTEE - PARENT ENGAGEMENT

In addition, the Board of Education Committee for Parent Engagement, also chaired by Board Member Scott Schmerelson, greatly assisted in efforts to further parent engagement activities.

The Parent Engagement Committee was calendared to convene on five dates throughout the 2019-20 school year. Due to school facility closures and the Safer at Home Order in light of COVID-19, the April 16 and June 18, 2020 meetings were canceled. The agenda, meeting materials, and a video recording of the three convened meetings can be accessed through the attached links.

- October 17, 2019 - <http://laschoolboard.org/10-17-19Parent>
- December 19, 2019 - <http://laschoolboard.org/12-19-19Parent>
- February 20, 2020 - <http://laschoolboard.org/02-20-20Parent>

COLLABORATION WITH FIESTA EDUCATIVA

The District collaborates annually on a conference conducted by Fiesta Educativa Inc. which “provides information and training to Latino families on how to obtain services for all persons with disabilities.” Topics covered include resources, patient and client rights, as well as educational and vocational programs.

VERY SPECIAL ARTS FESTIVAL

The District participates in the Very Special Arts Festival which is an annual inclusive event celebrating the artistic achievements of students with all abilities. The festival features student and professional performances on two stages, visual and performing arts workshops, and a student art exhibit created around a specific theme. This Festival is presented in partnership with the Los Angeles County Office of Education and the Music Center.

ENSURING THE RIGHTS OF PARENTS

Protecting the rights of parents includes providing them information regarding procedural rights and safeguards and ensuring parents’ meaningful participation in the IEP and special education process. The District provides a number of written communications to provide parents with information and resources including the following:

- *The IEP and You*
- *The ITP and You*
- *The LRE Brochure*
- *A Parent’s Guide to Special Education Services (Including Procedural Rights and Safeguards)*

A Parent’s Guide to Special Education Services (Including Procedural Rights and Safeguards) provides the information needed to understand the special education process. It explains parents’ rights, the rights of children, and how to exercise them under the IDEA and the California Education Code. This Guide also serves as a notice of procedural safeguards required to be provided by federal and state law.

The Guide provides information regarding the following:

- Special Education Services
- Special Education Process
- Your Right to -
 - Receive Prior Written Notice
 - Consent to Activities Involving Your Child
 - Revoke Consent for Continued Provision of Special Education and Related Services
 - Access Your Child’s Educational Records
 - Procedural Safeguards to Resolve Disagreements Over What is Appropriate for Your Child
 - File a Complaint
- Your Child’s Right to be Protected from Discrimination and Harassment
- Information About -
 - Reimbursement for Private School Placement Without Consent of or Referral by the District
 - Discipline
 - Surrogate Parents

SPECIAL EDUCATION COMMUNITY ADVISORY COMMITTEE

The Community Advisory Committee serves in an advisory capacity to advise on the development, amendment, and review of the local plan; recommend annual priorities to be addressed by the plan; assist in parent education and in recruiting parents and other volunteers who may contribute to the implementation of the plan; encourage community involvement in the development and review of the plan; support activities on behalf of individuals with exceptional needs; assist in public awareness of the importance of regular school attendance; and support community involvement in the parent advisory committee. The District’s Parent and Community Services office facilitates the District resources needed by the CAC to meet their responsibilities.



SPECIAL EDUCATION TRAININGS FOR PARENTS

Parent Resources for Engagement and Student Success (PRESS) - Parent Workshops

During the 2019-20 school year parent trainings were publicized in the Parent Resources for Engagement and Student Success (PRESS) Calendar. Topics included the following:

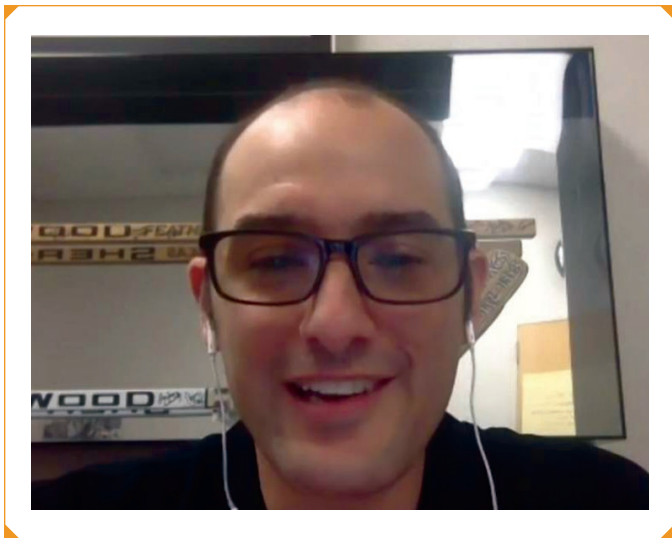
- Making the Home to School Connection
- Graduation and Completion Requirements for Students with Disabilities
- Autism
- Understanding the Least Restrictive Environment for Your Child
- Dyslexia Basics for Parents
- Technology for Reading and Written Expression at Your Local Assistive Technology Lending Library
- Proactive Parenting Leadership Cadre
- Parent Participation at IEP Team Meetings
- Supporting My Child at Home and at School
- It's All About Behavior – A Presentation for Families
- Eliminating Hostile Environments
- Parents as Leaders
- *Tips and Tools for Positive Communication and Collaboration at IEP Meetings

*The District has been engaged in a five-year grant that has been extended into the year 2020-21 school year. The CDE-issued grant focused on alternative dispute resolution practices and positive interaction and collaboration among parents and educators. This grant addresses the use of conflict resolution between parents and educational agencies. In addition to addressing complaints, resources developed through this grant include trainings for parents and District staff that include methods for improved communication and collaboration at IEP team meetings.



EDUCATORS - UNSUNG HEROES

Superintendent Austin Beutner has made a point of highlighting the work of District personnel who work in schools. The following school-site administrators, teachers, and related services personnel shared information regarding providing instruction for students with disabilities. Some were among several District staff featured in the Superintendent's *Update to the School Community* addresses.



ERNEST P. WILLENBERG CAREER AND TRANSITION CENTER
GAVIN MIRIGLIANI, PRINCIPAL

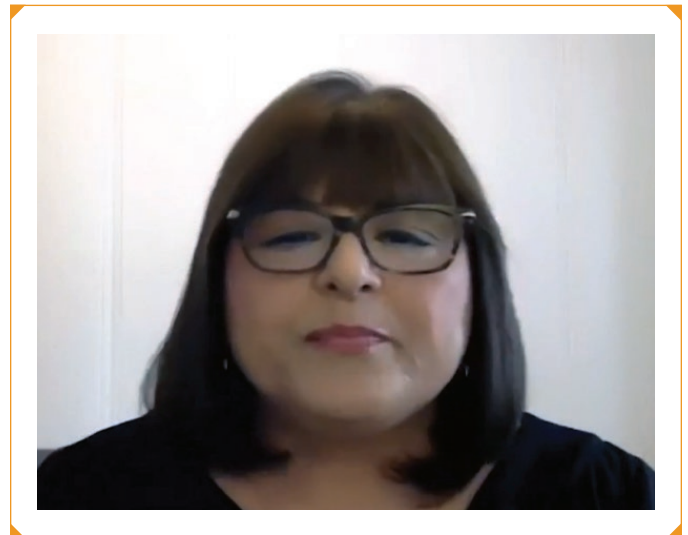
When schools were forced to close due to the COVID-19 pandemic, Mr. Mirigliani was focused on transitioning his school from face-to-face instruction to going virtual. All of his staff members bought in and he supplied technology to those who needed it. Although his students could not participate in work programs this semester, the teachers at Willenberg are continuing their work on teaching their students readiness skills, problem solving skills, and character. For Mr. Mirigliani, student engagement is what keeps him going.

ERNEST P. WILLENBERG CAREER AND TRANSITION CENTER
ELAINE REIMER, TEACHER

Ms. Reimer has been amazed at what resources are available from the District to set up her programs. For herself and her students on the moderate/severe curriculum, it has been a huge learning experience. She has spent countless amounts of time navigating her way through the different platforms, collaborating with parents, and finding what works best for them. Since all of her students are work-bound, she continues to instill those skills in her students every day.

Watch Mr. Mirigliani and Ms. Reimer's interview with Tony Aguilar, Chief of Special Education, Equity and Access and Austin Beutner, Superintendent, here:

<https://lausd.wistia.com/medias/wjo6are98c>





LAFAYETTE PRIMARY CENTER
WENDY HERNANDEZ, TEACHER

Ms. Hernandez is a Preschool for All Learner (PAL) teacher at LaFayette Primary Center. Like so many of our dedicated teachers, she knows the true meaning of the show must go on. She packed up her classroom and set up a make-shift classroom in her living room. With the help of her family and Oreo, her dog, she has been recording daily videos for her preschool students to keep them engaged and learning.

Watch Ms. Hernandez in action here as the show must always go on: <https://bit.ly/37fJST6>

SIERRA PARK ELEMENTARY SCHOOL
JANI CADE LOPEZ, ADAPTED PE TEACHER

It has been a joy teaching students with special needs in LAUSD for over 35 years for Ms. Cade Lopez. When a new challenge came about on March 13, 2020, her first thought was to give the students something that was familiar and comforting. She almost immediately started sending them videos of class via YouTube. Although it has not been easy between sending weekly videos and weekly Zoom meetings with students, her joy and the joy of her students have not diminished.

Watch Ms. Cade Lopez in action here with one of her students engaging in a joyful APE lesson: <https://bit.ly/2MHYeSU>





DIANE S. LEICHMAN CAREER PREPARATORY AND
TRANSITION CENTER
RYAN MORSE, PRINCIPAL

Some students had access to iPads before the COVID-19 school closures at Leichman CPTC but they were used for small group instruction within the classroom. Mr. Morse worked with his teachers and staff to set up iPads for every student and passed them out while practicing social distance guidelines. The silver lining has been discovering a great device that is accessible to his students on the alternate curriculum. Students have been excited to access the curriculum, staying up late at night and have embraced continuity of learning.

DIANE S. LEICHMAN CAREER PREPARATORY AND
TRANSITION CENTER
LESLIE ANDERSON, TEACHER

Ms. Anderson is a Project Search teacher based out of Leichman CPTC and works with students from Miller CPTC and Leichman. Her students work in collaboration with Woodland Hills Kaiser Permanente and leave Leichman with skills and being workplace ready. Transitioning to working from home for both herself and her students has been a challenge. But the support that she feels from everyone has only made it that much easier for her to support her students. She expects her students to show up in uniform every day and have created a routine. Ms. Anderson states that within all of this, there is a gift. They know that they were met with a change that they never saw coming, but they accomplished it. It has helped build confidence and shows them that they are adaptable and flexible. All job skills that we need.



Watch Mr. Morse and Ms. Anderson's interview with Tony Aguilar, Chief of Special Education, Equity, and Access and Austin Beutner, Superintendent, here:
<https://lausd.wistia.com/medias/c43k2xiwm9>

CONCLUSION

The focus of the LAUSD is on improving student outcomes and ensuring rights. During the 2019-20 school year, the conclusion of the consent decree litigation, followed by the occurrence of the COVID-19 pandemic, impacted the District's efforts to improve outcomes for students. It is imperative that District practices are in place, including the use of student-level data, to improve student outcomes and prevent, identify, and resolve issues of noncompliance with IDEA, ADA, and student civil rights laws. In addition, the continued use of a complaint management system with the capacity to timely investigate complaint allegations, determine whether the complaint is founded or unfounded, and determine next steps is critical to ensuring that student and parent rights are realized.

Parents and educators lead the charge in the education of students. The District's work engaging parents in the support of their children's learning must incorporate the provision of information, training, and other resources as well as opportunities for parents to provide input and feedback through advisory councils and other opportunities in the District. As referenced, processes must be in place for parents, and others, who seek assistance filing and resolving complaints and to ensure program accessibility. Collaborative efforts between educators and District leadership is critical for the determination of the necessary training, tools, and resources needed to provide effective instruction and support to students.

In terms of external state-level monitoring the CDE will conduct special education monitoring activities with the District to determine its implementation of the IDEA in particular as it relates to Graduation Rate, Dropout Rate, Statewide Assessment: Math Participation, ELA and Math Achievement, Least Restrictive Environment - Separate Schools, and Preschool Least Restrictive Environment - Separate Schools (which includes separate special education classes, school, and residential facilities). During the 2019-20 school year, CDE found the District significantly disproportionate for the identification of African American students with disabilities with an eligibility of emotional disturbance, and the suspension of African American students with disabilities. In response, the District has submitted an Assurance of Compliance to the CDE which requires the District to reserve 15% of its IDEA funds for the coordination and implementation of Coordinated Early Intervening Services (CEIS). A Special Education Plan is required to be submitted by December 15, 2020 to address the District's disproportionality issues.

The CPM will continue to monitor the District's implementation of the IDEA, ADA, and student civil rights laws and provide advisement and support in the review and further development of effective practices related to policies and procedures, trainings, monitoring, messaging, due diligence, risk assessment, and governance with the intent of improving student outcomes and ensuring rights.



RECOMMENDATIONS

By November 18, 2020

1. *Monitoring*: Incorporate an analysis of District performance in the District's internal monitoring process.

Prevention, identification, and resolution of issues of noncompliance should continue to be a priority in the District's implementation of IDEA. To that end, internal monitoring should incorporate an analysis of findings of performance on the State Performance Plan Indicators, procedural compliance practices, and IEP and due process complaints. Student-level performance and compliance data should be reviewed to address issues in a timely manner in order to prevent the possibility of systemic noncompliance. District, Local District, Charter, and Non-public school/agency level data should routinely be analyzed to determine trends and issues in order to prevent systemic non-compliance issues.

2. *Messaging*: Focus messaging around complying with the IDEA and ADA on the effectiveness of efforts to educate students with disabilities.

The District's culture of compliance needs to be predicated upon the meaningful purpose of ensuring student and parent rights and improving outcomes for students. District Leadership's messaging around complying with the IDEA and ADA should be focused on the impact on students, parents, and educators and the effectiveness of efforts to educate students with disabilities.

3. *Governance*: Routinely incorporate the effectiveness of efforts to educate students with disabilities on the District's senior leadership agenda.

District senior leadership should routinely incorporate the assessment and effectiveness of efforts to educate children with disabilities on their leadership agenda and design strategies to improve student outcomes and ensure rights for students with disabilities and their parents. Lessons learned from distance learning should be analyzed from a viewpoint of implementing the IDEA and positive results should be incorporated into the District's plan for the returning to school facilities.

By January 15, 2021

4. *Policies and Procedures*: Engage in cross-divisional development and implementation monitoring of policies, procedures, and practices for improving outcomes for students with disabilities.

Coordinated, cross-divisional attention should be paid to the development and implementation monitoring of policies, procedures, and practices for improving outcomes for students with disabilities, in particular as it relates to graduation rate, dropout rate, participation and proficiency in statewide assessments, least restrictive environment, appropriate identification of African American students for special education, reduction of suspension of African American students with disabilities, timely evaluations and IEPs, and delivery of services.

5. *Training*: Enhance toolbox of resources, including guidance documents and training.

The District should enhance its toolbox of resources, including guidance documents and training, to include strategies and tactics around each of the IDEA implementation monitoring measures reviewed by the CDE.

ACKNOWLEDGEMENTS FROM DENEEN EVANS COX, CHIEF COMPLIANCE AND PERFORMANCE MONITORING COUNSEL



On behalf of the Compliance and Performance Monitoring Legal Services team, I would like to acknowledge schools, Local Districts and the many District Divisions and Departments for their tireless efforts and devotion to serving individuals with disabilities at the student, parent, staff and community levels. This unified commitment is evident in the work you do every day. The support that the District Superintendent and members of the Board of Education consistently provide allows ensuring the rights of students to remain at the forefront of the District's mission to educate Los Angeles' youth.

The Compliance and Performance Monitoring (CPM) team has worked in particularly close alignment with the Division of Special Education, Facilities Services Division and Information Technology Division leadership teams throughout the 2019-2020 school year and looks forward to continuing those collaborative efforts into the 2020-2021 school year and beyond. The many contributions to this Report and the ongoing efforts in ensuring compliance so that students have the necessary tools to succeed are evident.

A special thanks and recognition is extended to the Compliance and Performance Monitoring Legal Services teams and the CPM team leads: Kenneth Arrington (ADA Compliance Office [ADAC]); Julie L. Hall-Panameño (Educational Equity Compliance Office [EECO]); Veronica Smith, Jaclyn Tolj and Miwa Ujiie (IDEA Compliance) for their technical expertise and guidance.

