



LAUSD
UNIFIED

REPORT ON IMPROVING OUTCOMES AND ENSURING RIGHTS

ETHICS AND COMPLIANCE MONITORING LEGAL SERVICES

OFFICE OF THE GENERAL COUNSEL
December 2022



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Message from Superintendent Alberto M. Carvalho



Image: Superintendent Alberto M. Carvalho

It is my pleasure to share Los Angeles Unified School District's (Los Angeles Unified) Report on Improving Outcomes and Ensuring Rights, an update to the 2019-2020 report. This report focuses on LAUSD's efforts during the 2020-21 and 2021-22 school years toward improving outcomes and ensuring rights for students, including students with disabilities, and its ongoing compliance with the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 and other student civil rights laws.

Los Angeles Unified is an inclusive District serving all students regardless of disability, race, citizenship status, sexual orientation, sexual identity or socioeconomic status. The IDEA 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 education results for children with disabilities; and assess and ensure the effectiveness of efforts to educate children with disabilities. The District has numerous inclusive programs and opportunities in place in alignment with the IDEA.

It is no secret the devastating learning loss students around the country experienced because of the disruptions from the pandemic. In particular, students with disabilities were acutely impacted by school facilities closures but, because of the tremendous work of our staff, including those in the Division of Special Education, we are making great strides in addressing learning loss and providing compensatory services as warranted. We are committed to serving our students and families, and we will continue providing a world-class education for our students with disabilities.

Los Angeles Unified is steadfastly focused on preparing students to be "Ready for the World". I am deeply appreciative of our educators and the role they play in our students' lives. Families and educators together provide students with the guidance and support they need to learn and achieve. This work also could not be done without the work of other District personnel in various operational and administrative roles who play a significant role in ensuring the necessary policies, resources, facilities and safety measures are in place.

I want to thank the Office of the General Counsel for this Report and for providing oversight and support to ensure that the rights of students, families and personnel are protected and that students have the necessary resources for success. Our students are the change makers the future desperately needs and I'm confident we'll see their mark on the world in the months and years to come.

LAUSD 2022–2026 Strategic Plan

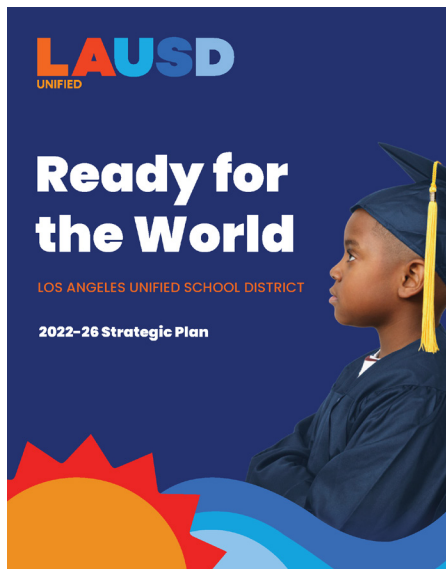


Image: Ready for the World 2022–26 Strategic Plan

Our Mission and Vision

After listening to our community and holding up our District Goals as our primary drivers, we have developed the following Mission, Vision, and Theory of Action to outline, respectively, why we do what we do, where we want to go, and how we believe we will get there.

Mission: Realizing excellence for all students by providing the unique, rigorous, culturally relevant education that each and every student deserves.

Vision: Los Angeles Unified will be the premier public school district by eliminating educational inequities to graduate ALL students ready for the world – to thrive in college, career, and life.

Theory of Action

When We:

- Learn from our community and bring the lived experiences of our students and families into our planning
- Support our teachers, leaders, and staff to deliver academically challenging, data-informed, and equity-driven education
- Proactively collect, analyze, and share information that clearly defines where our students stand in terms of academics and social emotional wellness, and
- Align our actions and resources at every level of the organization to drive improvement in teaching and learning

Then: All Los Angeles Unified students will graduate READY FOR THE WORLD – to thrive in college, career, and life.

To effectively implement this Theory of Action, the District has proposed five high-level Pillars that represent critical areas we will focus on over the next four years. Each Pillar contains several Priorities we believe are required to successfully support the Pillar, as well as Measures of Success and associated targets so we can gauge our progress in meeting our goals. Strategies are specific actions we can take at the school site or at the District and community levels to advance these priorities and help us meet our targets.

The five Pillars of the Strategic Plan are:

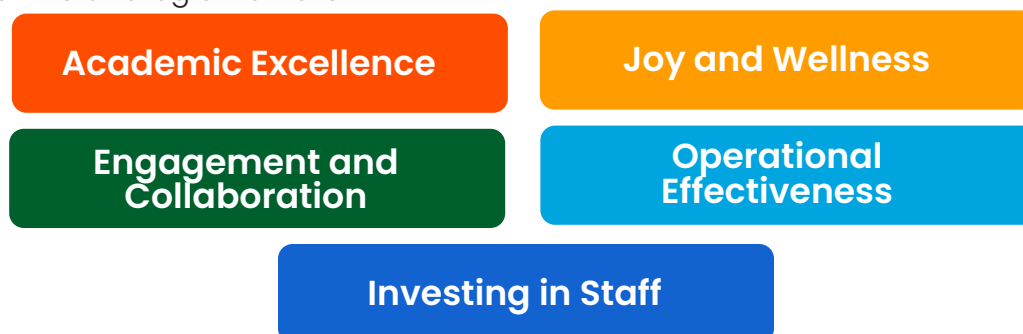


Image: The five Pillars of the Strategic Plan are Academic Excellence, Joy and Wellness, Engagement and Collaboration, Operational Effectiveness, and Investing in Staff.

Message from Deputy Superintendent of Instruction, Karla Estrada, Ed.D



Image: Deputy Superintendent of Instruction, Karla Estrada, Ed.D

As a proud graduate of LAUSD, I recognize the impact of my education and the opportunities I have had as a result of the educators that worked to help me attain my potential. LAUSD is committed to delivering on its educational promise to all of its students in partnership with our community, students, families, and staff. This begins with sharing our progress on meeting the goals established to attain student outcomes. The LAUSD Report on Improving Student Outcomes and Ensuring Rights is a key aspect to this commitment. It provides an update on LAUSD's progress on meeting performance and compliance targets that have been established to support LAUSD in ensuring our students with disabilities are on track to graduate Ready for the World.

The path all of our students take to attain their greatest potential is one that must be designed with high expectations, and their individual needs and assets in mind. For our students with disabilities, this also requires a quality IEP and ensuring a free and appropriate public education. As we have continued to provide learning opportunities that accelerate learning to address the impact of COVID -19, ensure ongoing access to grade level standards and enrichment, and support the social emotional needs of students, it is clear that more will be needed to meet the outcomes for all of our students. For our students with disabilities, we have multiple data targets and efforts that are outlined in this report to support LAUSD's ability to deliver quality programs and services.

During my over 25 years in education, I have had the great joy and privilege of being a special education paraeducator, teacher, and leader. This experience has taught me that there is not one path for our students, so access, opportunity and equitable excellence can only be achieved with intentional focus. It must also be cultivated by the collective commitment of many. There is work to be done if we are to attain our student goals as a district. So, in addition to this report, I invite you to also review the LAUSD Strategic Plan as it outlines our bold and innovative efforts and reflect the measurable outcomes that have been established to deliver on its commitment to all of its students.

There is such an opportunity before us and I look forward to continuing to work with you to meet the moment with success for our students. If students, families, and staff have questions about special education programs and services, please know that we are here to assist. Visit our Division of Special Education Website to get support, resources, and contact information: <https://achieve.lausd.net/sped>

Students with Disabilities

Demographic Information

In both the 2020-21 and 2021-22 school years, one in seven students in the District had a disability.

Students with Individualized Education Programs (IEPs)

During the 2020-21 school year, the District educated 66,492 students with IEPs. This number decreased slightly to 66,325 in 2021-22. Specific Learning Disability (SLD) 38% and 34%, Autism (AUT) 21% and 21%, and Speech or Language Impairment (SLI) 16% and 21% for 2020-21 and 2021-22 respectively, are identified as the highest count of disability types. The two charts below summarize this information by student race and ethnicity and also by disability type for the 2020-21 and 2021-22 school years.

Students with Disabilities with IEPs - Race and Ethnicity	2020-2021		2021-2022	
Latino	49,073	73.8%	48,847	73.6%
African American	6,397	9.6%	5,959	9.0%
Caucasian	6,284	9.5%	5,865	8.8%
Mixed/Unknown	2,395	3.6	3,277	4.9%
Asian	1,361	2.0%	1,387	2.1%
Filipino	830	1.2%	845	1.3%
Pacific Islander	73	0.1%	74	0.1%
Native American	79	0.1%	71	0.1%
Grand Total	66,492	100%	66,325	100%

Students with Disabilities with IEPs - Disability Type	2020-2021		2021-2022	
Specific Learning Disability (SLD)	25,286	38%	22,768	34%
Autism (AUT)	14,055	21%	13,996	21%
Speech or Language Impairment (SLI)	10,555	16%	14,258	21%
Other Health Impairment (OHI)	8,466	13%	7,803	12%
Intellectual Disability (ID)	3,608	5%	3,372	5%
Orthopedic Impairment (OI)	1,609	2%	1,454	2%
Emotional Disturbance (ED)	1,320	2%	1,088	2%
Hearing Impairment (HH)	1,006	2%	1,002	2%
Visual Impairment (VI)	287	0%	275	0%
Deafness/Hearing Impairment (DEAF/HI)	234	0%	238	0%
Traumatic Brain Injury (TBI)	60	0%	60	0%
Deaf-Blindness (DB)	3	0%	6	0%
Other	3	0%	5	0%
Grand Total	66,492	100%	66,325	100%

Students with Section 504 Plans

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a civil rights law that prohibits discrimination/harassment on the basis of disability in any program or activity receiving federal financial assistance. The District has specific responsibilities related to the provision of a “free appropriate public education” (FAPE) to school-age individuals with disabilities under Section 504 and the Individuals with Disabilities Education Act (IDEA).

To meet the criteria for Section 504 protection, a child must: have a physical or mental impairment that substantially limits one or more major life activities; have a record of such impairment; or be regarded as having such an impairment. In the 2020-2021 school year, 3,213 students had a Section 504 Plan. In the 2021-22 school year, the number of students with Section 504 Plans increased slightly to 3,292 students.

Executive Summary

Purpose of The Report

The purpose of this Report is to provide an update to the 2019-20 Report on Improving Student Outcomes and Ensuring Rights. Content in this Report consists of a review of the status of the Los Angeles Unified School District's (LAUSD or District) efforts during the 2020-21 and 2021-22 school years toward improving outcomes and ensuring rights for students, including students with disabilities, and its ongoing compliance with the Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA), Section 504 of the 1973 Rehabilitation Act (Section 504), and other student civil rights laws. Recommendations are provided for continued efforts towards improving student outcomes and ensuring student rights.

Significant Events

During the 2020-21 and 2021-22 school years, the District addressed the challenge of implementing COVID-19 health and safety mandates while continuing the provision of instruction, including special education and related services, to the District's students.

Additionally, the District engaged with the U.S. Department of Education Office for Civil Rights (OCR) as it commenced a directed investigation to determine if during the COVID-19 pandemic the District provided a free appropriate public education (FAPE) to each qualified student with a disability as required by federal law and provided students with disabilities equal access to education. This resulted in the District's implementation of the COVID-19 Compensatory Education Plan.

Compliance and Performance Monitoring Legal Services

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

Since its inception, CPM's work has focused on stabilization and maintenance of the District's continuous compliant implementation of state and federal special education legal requirements (IDEA, Section 504, and ADA) and other student civil rights legal requirements; CDE's findings of LAUSD status in implementing the State Performance Plan Indicators, as evidenced on the Annual Performance Report (APR); monitoring the implementation of CDE Corrective Actions and OCR Agreements, implementation of the District ADA Title II Self-Evaluation and Transition Plan; following and commenting on updates to federal statutes, as well as management and response to the COVID-19 pandemic.

California Department Of Education (CDE) Special Education Monitoring Activities

The CDE monitoring activities were updated beginning the 2019-20 school year and 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.

District Validation Review

The Special Education District Validation Review (DVR) is an ongoing internal monitoring tool intended to proactively address the District's level of compliance with state and federal requirements and corresponding District policy. DVR is conducted at all District and Independent Charter Schools. 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.

State Performance Plan (SPP) Indicators

The IDEA requires each state to develop a state performance plan that evaluates the state's efforts to implement the requirements and purposes of the IDEA and describes how the state will improve its implementation. The IDEA requires that the U.S. Department of Education, Office of Special Education Programs (OSEP) monitor states' implementation of the IDEA. State Performance Plan Indicators for special education fall into two categories, performance and compliance.

Performance Indicators (Measures child and family outcomes.)

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

Compliance Indicators (Measures compliance with the requirements of the IDEA)

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

CDE Special Education Monitoring Findings and District Follow-Up

In Spring 2019, the CDE required the District to submit Performance Improvement Plans for the State Performance Plan and California Dashboard Indicators listed below. Performance Improvement Plans continued implementation throughout the 2020-21 and 2021-22 school years.

- Drop Out 4 Year Rate
- Assessment: Participation Rate and Achievement
- Least Restrictive Environment
- Preschool Least Restrictive Environment

In Spring of 2020, CDE selected the District to participate in upcoming Targeted Reviews for SPP and the California Dashboard Indicators.

- Graduation Rate
- Dropout Rate
- Assessment: ELA and Math Achievement
- Least Restrictive Environment-Separate School
- Preschool Least Restrictive Environment- Separate Schools
- Post School Outcomes

Additionally, the 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 District has developed and implemented Comprehensive Coordinated Early Intervening Services (CCEIS) Plans to address the disproportionality.

State Performance Plan Indicator Results

CDE published Annual Performance Reports (APRs) regarding the District's performance and compliance with fourteen State Performance Plan Indicators.

IEP Timelines, Service Delivery, and Additional Information

IEP Timelines

The beginning of the 2020-21 school year commenced with schools engaged in Distance Learning and Individualized Education Program (IEP) team meetings being held virtually while IEP teams navigated the process of electronic signatures and remote assessments. At the beginning of the school year, there were approximately 10% of IEPs overdue Districtwide. The beginning of the 2021-22 school year commenced fully in-person and with approximately 5% of IEPs overdue District wide. The average percent of overdue IEPs was 6%.

Service Delivery

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

Child Find

In August and October 2021, OSERS issued the Return to School Roadmap: Child Find Under Part B of the IDEA and Return to School Roadmap: Child Find, Referral, and Eligibility Under Part C of the IDEA, respectively, which provided guidance to State Educational Agencies (SEAs), Local Educational Agencies (LEAs), parents, and other stakeholders to reaffirm the importance of appropriate implementation of the child find obligation under Part B of the IDEA. The child find requirements in IDEA require SEAs and LEAs to have policies and procedures in effect to ensure that all children with disabilities residing in their respective jurisdictions who need special education and related services are identified, located, and evaluated, regardless of the severity of the disability, and consistent with the State's child find and eligibility standards.

School Choice – Magnet And Independent Charter

Magnet

During the 2020 – 21 school year 7.6% of students enrolled in Magnet programs were students with disabilities and in the 2021-22 school year, 7.8% of students enrolled in Magnet programs were students with disabilities. In comparison, during the 2019-20 school year, 7.59% of students enrolled in Magnet programs were students with disabilities.

The Magnet office continues to be intentional about eliminating barriers and providing support to students with disabilities. The office publicizes information regarding Magnet program student enrollment in District brochures and websites as part of its targeted efforts to recruit students with disabilities.

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 work with charter schools as a partnership, which is critical to ensure that charter schools are supported and held accountable as it relates to serving students with disabilities.

Program Accessibility

In October 2017, the LAUSD Board of Education approved the District's Self-Evaluation and Transition Plan (Transition Plan) detailing the District's roadmap to achieving compliance with program accessibility requirements of Title II of the ADA. Both Title II of the ADA and Section 504 of the Rehabilitation Act of 1973 (Section 504) impose broad-reaching prohibitions against discrimination on the basis of disability. A key requirement of both the ADA and Section 504 is program accessibility; meaning the District must ensure that people with disabilities are not excluded from programs, activities, and services on facilities where public accommodations are provided.

The emergence of COVID-19 compelled the District to reassess the District's approach to learning through technology. The District's responsibilities under Title II of the ADA, Section 508 of the Rehabilitation Act of 1973 (Section 508), and program accessibility are especially highlighted in the use of Electronic Information Technology for the purposes of learning. School Administrators' understanding of what the District is required to provide has been more important than ever. Section 508 covers access to federal programs and services in relation to electronic and information technology. This law requires that alternative, accessible information technology systems be operated in a variety of ways and does not rely on a single sense or ability of the user. It also ensures accessibility to web content provided by an agency. The ADA requires that Title II entities (State and local governments) communicate effectively with people who have communication disabilities such as individuals who are visually impaired or hard of hearing. The goal is to ensure that communication with people with disabilities is equally effective as communication with people without disabilities.

Complaints Management

The District's Complaint Management system is designed to receive and address parent complaints via various forums which are as follows:

- Support to parents provided by the Division of Special Education's School and Family Support Services (SFSS) Call Center;
- Dispute resolution processes to address IEP disagreements; and
- Support provided by the Educational Equity and Compliance Office, including complaint processes available for allegations that the District is failing to comply with the IDEA, the ADA, Section 504, Title VI, Title IX, and other student civil rights laws.

Parent Engagement

Resolution-029-21/22 Restructure Deaf and Hard of Hearing Education: Elevate Language Equity, Eliminate Bias in Deaf Education, and Improve Educational Outcomes was presented for action on May 10, 2022 and was adopted, 7 Ayes. This Resolution was authored by Board Member Goldberg and co-sponsored by Board Member Schmerelson, Board Member McKenna, and Board Member Ortiz Franklin.

Key components of the Resolution included the potential establishment of a Deaf and Hard of Hearing Education Department that is separate from the Low Incidence Department. The Resolution also called for an Advisory Committee of Deaf and Hard of Hearing (including Black, Indigenous and People of Color (BIPOC)) education professionals to collaborate with Human Resources to provide input into and to help develop processes for the recruitment, hiring, training, and retention of qualified Deaf and Hard of Hearing education professionals.

Board of Education Special Education Committee Meeting

The purpose of the Special Education Committee is to inform parents, the school community, and others about the Los Angeles Unified Special Education Local Plan Area's (SELPA) work on behalf of students with disabilities (which includes Independent Charter Schools that belong to the LAUSD SELPA).

Board of Education Family and Community Engagement Committee Meeting

The Family and Community Engagement Committee discusses strategies to strengthen communication with LAUSD families, shape stakeholder engagement practices, examine emerging needs among families, and address opportunities for adult learning.

Special Education Community Advisory Committee

The Community Advisory Committee (CAC) serves in an advisory capacity and advises the policy and administrative entity of the special education local plan regarding the development, amendment, and review of the local plan. The District's Parent and Community Services office facilitates the District resources needed by the CAC to meet their responsibilities. The District's Division of Special Education acts as partner in providing information to the CAC and in facilitating the LAUSD SELPA's process in developing, amending, and submitting the Local Plan.

Introduction

Purpose of The Report

The purpose of this report is to provide an update to the 2019–20 Report on Improving Student Outcomes and Ensuring Rights by reviewing the status of the Los Angeles Unified School District's (LAUSD or District) efforts during the 2020–21 and 2021–22 school years toward improving outcomes and ensuring rights for students, including students with disabilities, and its ongoing compliance with the Individuals with Disabilities Education Act (IDEA), Section 504, the Americans with Disabilities Act (ADA), and other student civil rights laws. Recommendations are provided for continued efforts towards improving student outcomes and ensuring student rights.

Significant Events Impacting The District During The 2020–21 and 2021–22 School Years

During the 2020–21 and 2021–22 school years, the District addressed the challenge of implementing COVID-19 health and safety mandates while continuing the provision of instruction, including special education and related services, to the District's students.

Additionally, the District engaged with the U.S. Department of Education, Office for Civil Rights (OCR) as it commenced a directed investigation to determine if during the COVID-19 pandemic the District provided a free appropriate public education (FAPE) to each qualified student with a disability as required by federal law and provided students with disabilities equal access to education. This resulted in the District's implementation of the COVID-19 Compensatory Education Plan.

Impact Of The Covid-19 Pandemic

Provision of Instruction During the 2020–21 and 2021–22 School Years



The 2020–21 school year began on August 18, 2020 with a remote instruction delivery model. The continuance of distance learning was necessary due to the ongoing COVID-19 pandemic and the local and state health and safety mandates that were in place. The District published a number of resources to prepare students, families, educators, and school leaders for online learning.

The District's "Back to School Plan – School Year 2020–2021" Handbook referenced three objectives for the community, (a) providing a safety net for students and families, (b) meeting the learning needs of students, and (c) protecting the health and safety of the school community.

During online learning, the focus was on the following:

- All students will be exposed to rigorous, cognitively engaging learning experiences
- Teachers will focus on teaching essential standards and will prioritize the concepts and skills that are of immediate importance in learning the current level's content
- Feedback will be timely, frequent, relevant, and aligned to the instructional outcome
- We will provide academic and other supports designed to address the needs of students who are not performing at grade level, or need support in other areas, such as English learners, students with disabilities, and students in foster care or experiencing homelessness
- In order to meet the cultural and linguistic needs of Standard English Learners and to maximize learning outcomes, educators will focus on infusing Culturally and Linguistically Responsive Pedagogy throughout their instructional day.
- Teachers will consider the variability in background knowledge, learning style, and learning challenges of the diverse learners in the online classroom.

The District published additional information including:

- Instructional Handbook – Online Learning and Hybrid Learning
- For Teachers By Teachers – Playbook to Kick-Off the School Year
- Family And Student Handbook – A Guide to Support Learning at Home
- Principal's Resource Guide – Online Opening 2020-2021

Addressing Program Accessibility During the 2020-21 and 2021-22 School Years

Pillar 2: Joy and Wellness

Welcoming
Learning Environments

The ADA and Section 504 of the Rehabilitation Act of 1973 mandates that the District ensures that people with disabilities are not excluded from programs, activities, and services on facilities where public accommodations are provided. Program Accessibility extends not only to facilities but also includes equal access to effective communication and electronic and information technology, including software, web sites, web applications, and hardware applications such as computers, networks, and other types of electronic office equipment. During remote instruction some students experienced program accessibility issues related to the use of technology for distance learning. The Office of ADA Compliance (ADAC) monitored and supported the District's efforts to ensure that students' civil rights to effective communication and the use of auxiliary aids were maintained. More detailed information regarding the District's work providing program accessibility for individuals with disabilities during in-person instruction and during remote instruction is available in the *Program Accessibility* section of this Report.



Image: Elementary school aged students lined up outside of a school wearing COVID-19 masks.

Addressing Implementation of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) During the 2020–21 and 2021–22 School Years

Pillar 1: Academic Excellence

Eliminating
Opportunity Gaps

IDEA requirements exist to improve student outcomes and ensure rights. Ensuring students receive timely evaluations, Individualized Education Programs (IEP), and provision of service is foundational to the provision of a FAPE to students. The IDEA requirements regarding students age three to 22 were not waived during the COVID-19 pandemic despite the required COVID-19 school facility closures. The California Department of Education (CDE) reiterated that special education obligations to evaluations and IEPs continued unchanged. The District's ability to consistently align its practices with the requirements of federal and state law was critical in meeting its legal obligations while addressing the needs of students with disabilities and their parents.

On January 12, 2021, in a "Special Education Update" to the Board of Education, information was provided regarding the implementation of virtual IEPs, remote assessments, in-person assessments, in-person tutoring, virtual related services, and in-person related services. Additionally, information was provided regarding students with disabilities receiving tutoring, either in-person or virtual. The Division of Special Education (DSE) reported enhanced communication during distance learning through the use of the parent newsletter, special education website, School and Family Support Services hotline, Town Hall meetings, Local District presentations, and connection with the Community Advisory Committee. The DSE also referenced continued focused efforts on inclusive practices, ongoing professional development, integrated supports for dyslexia, and a Comprehensive Coordinated Early Intervening Service (CCEIS) plan.



Image: Staff taking temperature of elementary school aged students lined up wearing COVID-19 masks.

In April 2021, the District published a COVID-19 Containment, Response and Control Plan which outlined three reopening models: In-School, Hybrid, and Distance Learning

- In-School (Minimal COVID Spread): This model invites 100% of the student body to return for five full days of instruction inside school buildings and is selected when there is a very low threat of COVID spread.
- Hybrid (Moderate COVID Spread): A blend of distance learning and in-school instruction with heightened social distancing, hygiene and sanitizing to minimize COVID spread. This is selected when the threat of COVID spread is low or moderate.
- Distance learning (High COVID Spread): Online instruction. This is selected when the Department of Public Health has recommended return to full distance learning due to high volume of COVID outbreak.

In April 2021, the District began a staggered return to school facilities for the delivery of hybrid instruction, while implementing health practices and protocols. COVID testing was required for students/staff returning to school. Social distancing remained at a 6-foot minimum and a daily health check was part of the routine when entering the campus.

The 2021-22 school year began on August 16, 2021. Full day in-person instructional program was available, five days a week, on all District campuses. As required by law (Assembly Bill 130), the District also offered independent study programming, which included students with disabilities when it was determined to be an appropriate placement by their IEP team.

Throughout the COVID-19 pandemic and distance learning, the District continued to be responsible for the implementation of legal requirements, including the IDEA, ADA and Section 504. During the 2020-21 and 2021-22 school years, the U.S. Department of Education and the CDE issued various policy guidance documents regarding the implementation of the IDEA. A summary of selected policy guidance documents is provided. There are also significant statutory changes to California law.

Addressing Implementation of the Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 During the 2020-21 and 2021-22 School Years

Pillar 1: Academic Excellence

Eliminating
Opportunity Gaps

U.S. Department of Education

The U.S. Department of Education issued policy guidance documents addressing adherence to IDEA and ADA in the COVID-19 environment. A list and overview of selected documents is included below.

2020-21 School Year

March 2020 – Questions and Answers on Providing Services to Children with Disabilities During the Coronavirus Disease 2019 Outbreak. This Q&A document addressed obligations to provide students with disabilities a free appropriate public education (FAPE) during school closures and exceptional circumstances.

July 6, 2020 – Part C Evaluation and Assessment Timelines in the COVID-19 Environment Q&A Document: Addresses inquiries concerning the implementation of the Individuals with Disabilities Education Act (IDEA) Part C evaluation and assessment timelines in the current COVID-19 environment.

September 28, 2020 – Part B Implementation of IDEA Provision of Services in the Current COVID-19 Environment Q&A Document: Addresses inquiries concerning implementation of the IDEA Part B provision of services in the current COVID-19 environment.

October 21, 2020 – Part C Provision of Services in the COVID-19 Environment Q&A Document: Addresses inquiries concerning implementation of the IDEA Part C provision of service in the current COVID-19 environment.

2021 – 22 School Year

July 26, 2021 – Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families

August 24, 2021 – Return to School Roadmap under IDEA: OSERS sent a letter to its state and local partners reiterating its commitment to ensuring children with disabilities and their families have successful early intervention and educational experiences in the 2021 – 22 school year.

August 24, 2021 – Return to School Roadmap – Child Find Under Part B of the Individuals with Disabilities Education Act: This Q&A document on child find Under Part B of the IDEA reaffirms the importance of appropriate implementation of IDEA's child find obligations, which requires the identification, location and evaluation, of all children with disabilities in the states. An effective child find system is an ongoing part of each state's responsibility to ensure that free appropriate public education (FAPE) is made available to all eligible children with disabilities.

September 30, 2021 – Return to School Roadmap: Development and Implementation of Individualized Education Programs: This Q&A document highlights certain IDEA requirements related to the development and implementation of Individualized Education Programs (IEPs) and other information that State Educational Agencies (SEAs) and Local Educational Agencies (LEAs), regular and special education teachers, related services providers, and parents should consider.

October 29, 2021 – Return to School Roadmap: Child Find, Referral, and Eligibility Under Part C of the Individuals with Disabilities Education Act: This Q&A highlights that under Part C of the IDEA, each state lead agencies and its early intervention service providers are responsible for implementing a child find system that identifies, locates, and evaluates, as early as possible, all infants and toddlers with disabilities, birth to age three, who may require early intervention services.

October 29, 2021 – Return to School Roadmap: Provision of Early Intervention Services: This Q&A document addresses the provision of Early Intervention Services for infants and toddlers with disabilities and their families under Part C of the IDEA.

February 17, 2022 – Providing Students with Disabilities Free Appropriate Public Education During the COVID-19 Pandemic and Addressing the Need for Compensatory Services Under Section 504: This fact sheet addresses the need for school districts to proactively address any past failures to provide a FAPE to students with disabilities if they did not receive appropriate services or evaluations during the COVID-19 pandemic by making individualized determinations and providing compensatory services.

March 24, 2022 – Letter to Educators and Parents Regarding New CDC Recommendations and their Impact on Children with Disabilities: An updated guidance and resources to aid COVID-19 mitigation efforts in schools and address the needs of students with disabilities as the U.S. moves to a new phase of pandemic response.



Images: Two images of elementary and middle school students smiling.

California Statutory Revisions and California Department of Education (CDE) Guidance

The California legislature passed various updates to special education legal requirements during the COVID-19 pandemic. The California Department of Education (CDE) also issued documents regarding COVID-19 response efforts, including guidance for safely reopening schools. An overview of selected statutory changes and California guidance regarding special education obligations during the COVID-19 pandemic is listed below.

March 17, 2020 – Senate Bill (SB) 117 temporarily suspended certain special education obligations specific to California law, including the obligation to provide an assessment plan within 15 days of parent request and obligations to provide student records within 5 business days (Sections 56321, subdivision (a) and 56504 of the Education Code (EC).) These provisions were revoked effective July 2020.

March 20, 2020 – CDE published COVID-19 School Closures and Services to Students with Disabilities. This Q&A document confirmed the requirement to provide a free appropriate public education (FAPE) while acknowledging the challenges faced by the exceptional circumstances of school closures and encouraging school districts to “do their best” to adhere to legal requirements.

June 2020 – Senate Bill (SB) 98 amended Section 56345 of the Education Code (EC) to require that Individualized Education Programs (IEP) include a description of the means by which the IEP will be provided under emergency conditions, in which instruction or services, or both, cannot be provided to the pupil either at the school or in person for more than 10 school days. This description must be included in the development of each initial IEP or addressed during the regularly scheduled revision of an IEP (e.g., annual IEP), and must take public health orders into account.

EC 46392 outlines what constitutes “emergency conditions” and includes: fire, flood, impassable roads, epidemic, earthquake, the imminence of a major safety hazard as determined by the local law enforcement agency, a strike involving transportation services to pupils provided by a non-school entity, and an order provided for in EC 41422.

SB 98 also provided funding for expansion of Alternate Dispute Resolution (ADR) processes for students and families to work together collaboratively and without the need for formal due process proceedings to address special education disagreements resulting from COVID-19 school closure disruptions.

June 2020 – CDE published Stronger Together: A Guidebook for the Safe Reopening of California Public Schools. This guidance addressed processes to re-open for all students while also detailing special considerations for students with disabilities. These considerations included Personal Protective Equipment (PPE)/Essential Protective Gear (EPG), planning for students who are medically fragile and/or immune compromised, physical distancing and masking, ensuring a free appropriate public education (FAPE) and utilization of the Individualized Education Process (IEP) to address learning issues related to distance learning and/or returning to school.

September 30, 2020 – CDE issued guidance regarding school reopening protocols and provision of in-person specialized supports and services to students with disabilities consistent with August 25, 2020 protocols from the California Department of Public Health (CDPH). This guidance permitted the provision of in-person targeted, specialized support and services in stable cohorts when the school is able to satisfy all of the conditions detailed in CDPH’s guidance related to cohorts. The guidance provides uniform messaging regarding the required health and safety practices needed to prevent the spread of COVID-19 across settings, such as small group learning for students with disabilities and district or school “hubs” for distance learning and childcare.

December 22, 2020 –The CDE issued guidance reaffirming the importance of dispute resolution processes for COVID-19 related special education disputes and the various dispute resolution options available for this purpose, including the expansion and additional funding for Alternate Dispute Resolution (ADR).

February 2021 – CDE issued a letter regarding COVID-19: Students with Disabilities and Face Coverings informing schools how to address circumstances where students with disabilities are unable to wear a mask due to their disability

May 2021 – CDE updated Stronger Together: A Guidebook for the Safe Reopening of California Public Schools, which continued to include information regarding special considerations for students with disabilities.

July 2021 – Assembly Bill (AB) 130 made changes to provisions of the Education Code (EC) regarding independent study programs, requiring school districts to offer independent study as an alternative to in-person learning, including as an option to students with disabilities if their Individualized Education Program (IEP) team found such placement to be appropriate. CDE issued guidance interpreting this new requirement as it related to students with disabilities on July 15, 2021.

August 23, 2021 – CDE issues further guidance regarding implementation of AB 130's independent study requirements, including as these requirements are applied to students with disabilities.

September 2021 – CDE issued guidance regarding Conducting Individualized Determinations of Need to support students with disabilities in returning to school and addressing the impacts of COVID-19 school closures. CDE also issued additional guidance regarding independent study and students with disabilities, entitled *Is Independent Study Right For My Pupil?*

October 2021 – CDE issued further guidance documents regarding independent study requirements and ensuring equal access to same for students with disabilities.



Image: Two adults at a table working with a preschool student.

U.S. Department of Education, Office for Civil Rights (OCR) Directed Investigation

Pillar 1: Academic Excellence

Eliminating
Opportunity Gaps

In January 2021, the United States Department of Education Office for Civil Rights (OCR) notified the District that a directed investigation would take place to examine whether the District denied students a FAPE by failing to implement students' Section 504 Plans or IEPs during distance learning, impairing their ability to participate in or benefit from the District's educational programs, in violation of Section 504.

The District provided OCR with information regarding its provision of instruction to students, including the implementation of IEPs and Section 504 Plans. Also provided was information regarding the District's provision of recoupment services to address learning loss resulting from school facility closures during the COVID-19 pandemic, and the provision of compensatory services to students when the District did not implement the IEP.

In April 2022 OCR issued their final findings indicating (a) the District limited services provided to students with disabilities, (b) the District failed to accurately or sufficiently track services provided to students with disabilities, and (c) the District failed to develop and implement a plan adequate to remedy denials of FAPE during remote learning.

In April 2022, OCR and the District entered into a Resolution Agreement which called for the District to implement a Compensatory Education Plan, as an addition to its recoupment services process that was already in place, to address and track issues arising from the delivery of a FAPE during the "Pandemic Period". The Pandemic Period is defined as the time the District was offering either remote learning instruction and/or hybrid in-person and remote learning instruction, starting from March 17, 2020, through the end of the 2021-2022 school year due to the COVID-19 pandemic.

The District's Deputy General Counsel, Deneen Cox, was designated to oversee the Compensatory Education Plan. The District's Compensatory Education Plan describes the criteria for determining provision of a FAPE and compensatory education, tracking mechanisms to document and track for each student with a disability whether the determination regarding compensatory education has been made, track the amount, nature, and timeframe for the compensatory education (if any) to be provided, and how the District will monitor the implementation of compensatory education for those students who are to receive it. The District is providing OCR with quarterly tracking reports.

To make compensatory education determinations, IEP and Section 504 teams must consider the following:

- The regular or special education and related aids and services required by the student's Section 504 plan or IEP that was in effect at the beginning of March 2020;
- The frequency and duration of missed instruction and related services;
- Whether special education and/or related services that were provided during the Pandemic Period were appropriate based on the student's individual needs;
- The student's present level of performance;
- Previous rates of progress;
- The results of updated evaluations;
- Whether evaluations were delayed; and
- Any other relevant information.

If a parent disputes the determination made by the Section 504 team or IEP team regarding whether or to what degree services were provided to the student during the Pandemic Period, the District will notify the parent/guardian of the process to challenge the determination consistent with procedural safeguards which includes reimbursement for out-of-pocket expenses incurred by the parent/guardian to provide the services required by the student's IEP or Section 504 plan during the Pandemic Period.

Additional components of the Resolution Agreement included District staff training and parent/guardian and stakeholder outreach. During the remainder of the Spring 2022 semester, the District provided training and guidance materials to all relevant Central office, District, local district, and school site staff who have responsibilities under IDEA, Section 504, and Title II of the ADA. An online training was provided through MyPLN. As of July 2022, 43,918 personnel had completed this mandated training. Additionally, virtual regionalized trainings were conducted for 800 personnel providing special education administrative and programmatic support to schools.

The training and guidance provided information about:

- The District's commitment to implement the Compensatory Education Plan as part of its obligation to provide a FAPE to students with disabilities;
- Compensatory education service determinations, including the criteria IEP and Section 504 teams are to use;
- The requirement that staff implement the Compensatory Education Plan, including that IEP and Section 504 teams input data.

As part of its outreach efforts of the Compensatory Education Plan, the District provided parents/guardians of students with disabilities a brochure explaining the COVID-19 Compensatory Education Plan, definitions of compensatory services and recoupment services, an explanation of what will occur at their child's IEP team or Section 504 meeting, the considerations for compensatory education, procedural safeguards, and where to call for additional information.

Additionally, parent outreach sessions provided an overview of the Plan, including informal and formal resolution consistent with the requirements of the IEP and Section 504 processes for disputes arising from compensatory education determinations. These outreach sessions were conducted at the following meetings:

- Board of Education Special Education Committee
- Board of Education Family and Community Engagement Committee
- Special Education Community Advisory Committee (CAC)
- District English Learner Advisory Committee (DELAC)
- Parent Advisory Committee (PAC)

Ensuring Equity, Program Accessibility and a Free Appropriate Public Education

CPM Functions Within the Organizational Structure of the Deputy General Counsel's Office

Compliance and Performance Monitoring Legal Services (CPM)

Pillar 1: Academic Excellence

Eliminating
Opportunity Gaps

The Compliance and Performance Monitoring Legal Services team (CPM) 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.*

Since its inception, CPM work has focused on 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 status in implementing the State Performance Plan Indicators, as evidenced on the Annual Performance Report (APR); monitoring the implementation of CDE Corrective Actions and OCR Resolution Agreements, Implementation of the District ADA Title II Self-Evaluation and Transition Plan; following and commenting on updates to federal statutes, and management and response to the COVID-19 pandemic.

Culture of Compliance

Pillar 5: Investing in Staff

Professional
Learning

High Performance
Standards

During the 2020-2021 school year, CPM designed an online training titled: *Improving Student Outcomes and Ensuring Rights Through a Culture of Compliance* for District Senior Leadership which addressed making decisions that are ethical and compliant with law. The training is comprised of key factors in complying with legal requirements and making ethical decisions including why making decisions in compliance with the law is important for our school community; the four motivations for compliance and how it applies to our work; the process for making decisions that are supported by the law, District policy, and ethics; the Compliance Wave and determining where we are as a District; and finally, reinforcing a culture of compliance on behalf of the school community.

District Decision Compliance Structure

The CPM Team adapted an external decision-making tool to ensure decisions are made in the best interest of the District in order to improve student outcomes and ensure rights. In order to ensure a level of compliance, it is always necessary to provide objective answers to district leadership, staff and teachers. Assuring compliance with policies and ethical standards helps avoid the consequences that result from noncompliance.

The District Decision Compliance Structure is one tool to support legal, ethical, and compliant decisions. It is based on a review of four questions in the following order: Is it legal? Is it against our Policies? Is it Ethical? Is it Inadvisable?

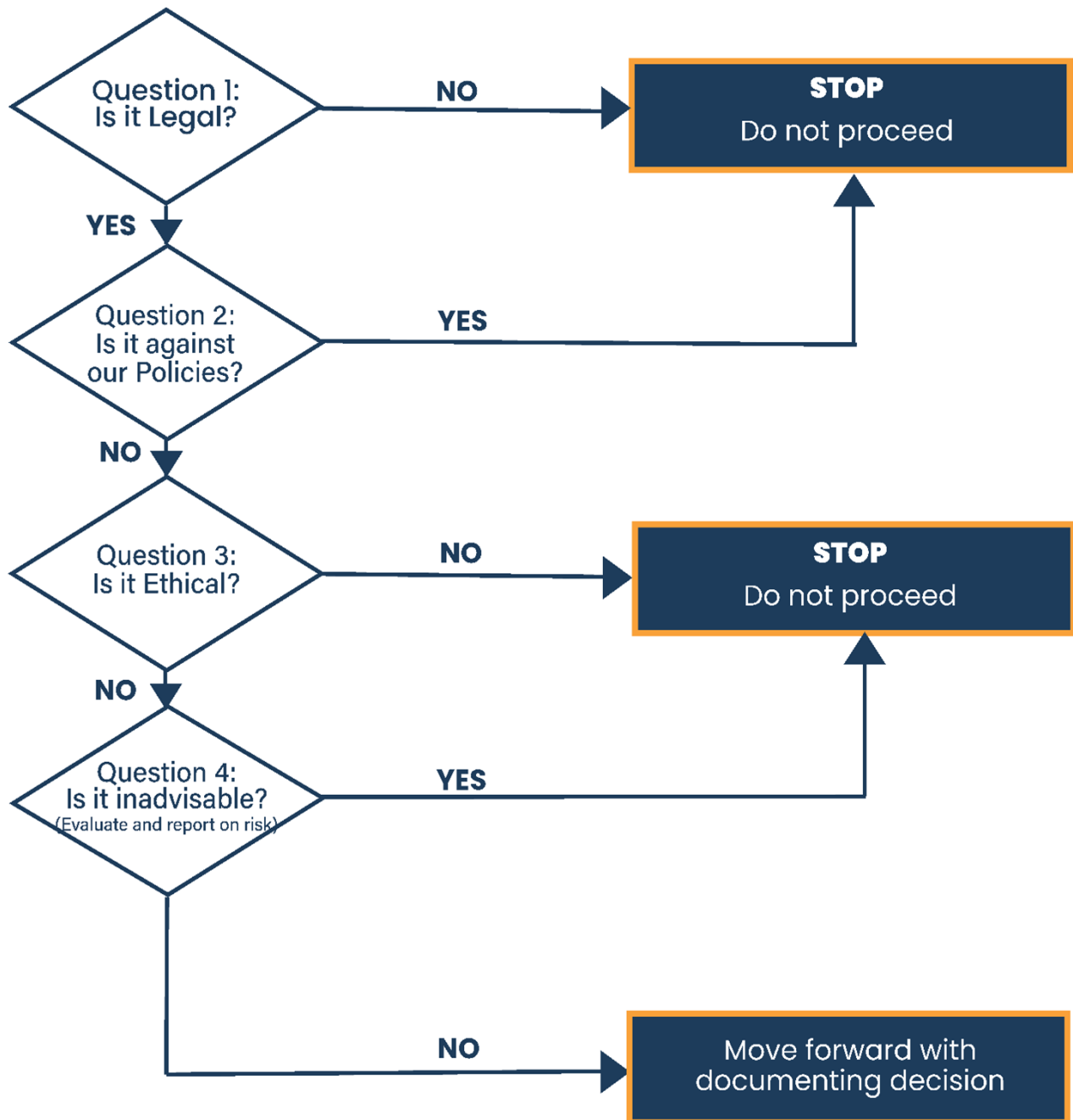
If any of the responses are the following: Is it legal? - No; Is it against our Policies? - Yes; Is it Ethical? - No; Is it inadvisable? - Yes, then the direction is to "Stop. Do not Proceed."

If all of the responses are the following: Is it legal? Yes; Is it against our Policies? - No; Is it ethical - Yes; Is it inadvisable? - No, then the direction is to "Move forward with documenting decision."



DISTRICT DECISION COMPLIANCE STRUCTURE

Ensures Decisions are Made in the Best Interest of the District
to Improve Student Outcomes and Ensure Rights



Restructuring of CPM Team to Become Ethics and Compliance Monitoring (ECM) Legal Services

At the end of the 2021-2022 school year, the CPM Legal Services team prepared to restructure to add the Ethics office to the team and become the Ethics and Compliance Monitoring Legal Services (ECM) team beginning in the upcoming 2022-2023 school year.

The ECM team falls within the organizational structure of the Deputy General Counsel's office.

ECM provides advisement and monitoring support in matters of ethics, implementation of the IDEA, ADA, Section 504, Title VI, Title IX, and other student civil rights laws. As a way of ensuring the District's compliance with law, the ECM team provides support to the District in matters relating to policies and procedures, training, monitoring, messaging, due diligence, risk assessment, and governance.

Ethics Office

The Ethics team mission is to improve LAUSD performance by fostering high ethical standards and supporting employees and leadership with the policies, processes, tools and advice necessary to exemplify conduct that strengthens public trust and confidence in the integrity of our work. During the 2020-21 and 2021-22 school years, the Ethics Office supported LAUSD decision makers by offering advice in the listed areas below. During this time period, the office saw an increase in requests for advice in safeguarding public and private partnerships and contracting best practices.



Image: Deputy General Counsel, Deneen Evans Cox

Ethics Office Advice And Support Areas					
Business Integrity	Conflicts Of Interest	Gifts, Travel Payments & Honoraria	Outside Employment & Activities	Safeguarding Public And Private Partnerships	Use Of LAUSD Resources
Resources Reviewed, Supported or Developed by the Ethics Office					
Contractor Code of Conduct	Conflict of Interest Code	Employee Code of Ethics	Employee Code of Ethics	Contractor Code of Conduct	Employee Code of Ethics
Cone of Silence Notifications	Political Reform Act & Regs.	Political Reform Act & Regs.	Lobbying Disclosure Code	Lobbying Disclosure Code	Bull. 5661.0 – Social Events
Lobbying Disclosure Code	Government Code 1090	CA Form 700	LAUSD Election & Ballot Measure Tip Sheets	Employee Code of Ethics	Personnel Commission Rules
CA Public Contract Code	Government Code 1099	CA Form 801	Bull. 49895.0 – Outside Employment	Bull. 6876.0 – Sponsorships	Prohibited Mass Mailings
Ethics Certification	CA Form 700s	CA Form 802	Personnel Commission Rules	Bull. 5895.1 – Donations	LAUSD Election & Ballot Measure Tip Sheets
Proactive Disclosure Forms	Disqualification Statements	Bull. 5085.0 – Gift of Tickets	Board Rules	Partnership & Solicitation Guidelines	Board Rules
Procurement Manual	Nepotism – PC Rule 720	CA Form 803			
LAUSD Officials & Stakeholders Supported by the Ethics Office					
Board Members	Board Members	Board Members	Board Members	Board Members	Board Members
Superintendent	Superintendent	Superintendent	Superintendent	Superintendent	Superintendent
Div. Heads/ Administrators	Div. Heads/ Administrators	Div. Heads/ Administrators	Div. Heads/ Administrators	Div. Heads/ Administrators	Div. Heads/ Administrators
All Employees	All Employees	All Employees	All Employees	All Employees	All Employees
Vendors/Partners	Vendors/Partners	Vendors/Partners	Vendors/Partners	Vendors/Partners	Vendors/Partners
LAUSD Constituents	LAUSD Constituents	LAUSD Constituents	LAUSD Constituents	LAUSD Constituents	LAUSD Constituents

Federal Legal Requirements

Pillar 1: Academic Excellence

Eliminating
Opportunity Gaps

The following is a summary of various federal legal requirements addressing rights of individuals with disabilities and directly impacting students and families.

Individuals with Disabilities Education Act (IDEA)

The purpose of the IDEA is to ensure that all children with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and independent living. The IDEA governs how states and public agencies provide early intervention, special education, and related services to more than 7.5 million (as of school year 2018-19) eligible infants, toddlers, children, and youth with disabilities.

Infants and toddlers, birth through age 2, with disabilities and their families receive early intervention services under IDEA Part C. Children and youth ages 3 through 21 receive special education and related services under IDEA Part B.

Americans with Disabilities Act (ADA)

Title II of the ADA of 1990 prohibits disability discrimination by public entities, whether or not they receive federal financial assistance.

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability. “No otherwise qualified individual with handicaps in the United States shall solely by reason of her or his handicap be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...”

Relationship between ADA and Section 504

Title II of the ADA is a civil rights law which intends 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 of public school districts) without experiencing discrimination.

The ADA extends the prohibitions on discrimination found in Section 504 of the Rehabilitation Act of 1973, as to federally assisted programs, to all the programs of state and local governments. Both statutes require a covered entity to make reasonable changes to policies, ensure effective communication with people with disabilities, and provide physical access to buildings and facilities, with the goal of ensuring meaningful access to all of its services and offerings. This requires each covered entity to conduct a self-evaluation of its services, policies, and practices to determine whether any modifications are required to comply with the regulations.

Section 508 of the Rehabilitation Act of 1973

Section 508 requires federal agencies to develop, procure, maintain and use information and communications technology that is accessible to people with disabilities.

Title IX of the Education Amendments of 1972

Title IX prohibits sex discrimination. “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Title IX applies to schools, local and state educational agencies, and other institutions that receive federal financial assistance from the U.S. Department of Education.

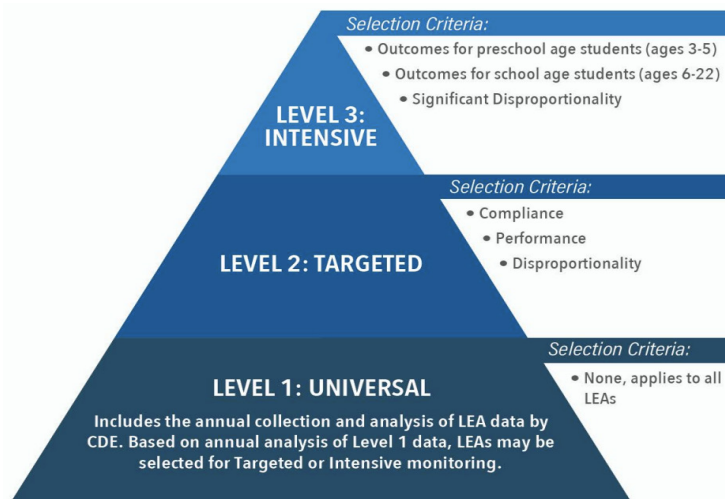
Title VI of the Civil Rights Act of 1964

Title VI prohibits discrimination on the basis of race, color, and national origin. “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”.

Programs and activities that receive US Department of Education funds must operate in a non-discriminatory manner. These include but are not limited to the following: academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, recreation, and physical education.

California Department of Education (CDE) Monitoring Activities

The CDE monitoring activities were updated beginning the 2019–20 school year and 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.



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 APR 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/>).

Level 2: Targeted Monitoring

Targeted monitoring is provided to LEAs that require a moderate level of 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

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 least restrictive environment. 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

The Special Education District Validation Review (DVR) is an ongoing internal monitoring tool intended to proactively address the District's level of compliance with state and federal requirements and corresponding District policy. DVR is conducted at all District and Independent Charter Schools. The District reviews 15% to 20% of schools based on a four-year cycle, though schools may go through the DVR process earlier than scheduled based on performance data¹. 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.

The Division of Special Education began utilizing the Welligent Management System to document and archive the DVR process during the 2020-21 school year. Prior to this school year, the District utilized an external FileMaker system.

During the 2020-21 school year, a total of 190 schools (154 District schools and thirty-six (36) Independent Charter schools) completed the District Validation Review Process. The breakdown by Local District was the following: Central – 28, East – 27, Northeast – 23, Northwest – 24, South – 26, West – 26. The following provides the number of schools that completed the DVR process by Local District in a chart format:

Local District	Number of School
Central	28
East	27
Northeast	23
Northwest	24
South	26
West	26
District Total	154
Independent Charter Schools	36
SELPA Total	190

¹The number of schools that went through the DVR process was reduced during the pandemic.

As part of the DVR process for each selected school, a random sampling of 10% of the school's IEPs are reviewed. The IEP samples are provided to the Local District and the Charter Operated Programs staff. If a school has less than 15 IEPs, then a minimum of two (2) IEPs are reviewed. This value is inclusive of IEPs at independent charter schools. A total of 1,198 IEPs were collectively reviewed during the 2020-21 school year.

During the 2021-22 the DVR schedule was modified to account for the various challenges encountered by schools due to the COVID-19 pandemic. The District completed the most significant DVR activities which included the Student Record Review and the IEP Implementation Activities. The Student Record Review consists of District personnel reviewing students' individual IEPs to determine if IEPs include appropriate, individualized supports and/or services that result in educational benefit. The IEP Implementation activity consists of reviewing students' IEPs to determine if provision services were documented, accommodations provided, and to evaluate progress toward goal achievement.

School reviews started in October 2021 and continued through April 2022. Corrective Actions resulting from the DVR were due in the Welligent System by May 27, 2022. All but four (4) schools met the District's DVR timelines. This represents nearly a 98% completion of DVR activities by District schools.

Schools within the six local districts followed a modified DVR process during the 2021- 2022 school year. Local District DVR Leads conducted comprehensive IEP reviews and the principle DVR activity. Independent charter schools followed the regular DVR process.

During the 2021-2022 school year, a total of 207 schools went through the District Validation Review Process: 168 District schools and thirty-nine (39) independent charter schools. The breakdown by Local District was the following: Central – 32, East – 28, Northeast – 26, Northwest – 26, South – 29, West – 27. The following provides the number of schools that completed the DVR process by Local District in a chart format:

Local District	Number of School
Central	32
East	28
Northeast	26
Northwest	26
South	29
West	27
District Total	168
Independent Charter Schools	39
SELPA Total	207

The Division of Special Education selected a random sampling of 10% of a school's IEPs. The total number of IEPs reviewed within the six local districts was 1,173 and 1,519 including students from independent charter schools.

When instances of non-compliance are identified, corrective actions are issued. Corrective actions vary by DVR item and require information be provided to school staff through an interoffice correspondence (IOC), professional development (PD), and/or an IEP correction utilizing the IEP process. The total items identified as non-compliant within the six local districts was 3,310. This sum represents every instance of non-compliance through the review of 1,173 District IEPs through the modified DVR process. Since the independent charter schools completed the entire DVR process, completing all the DVR activities (and not the modified DVR process), their data appears significantly higher than the local districts.²

Collectively within the six local districts, schools included 2,711 items in the interoffice correspondences distributed at the school site or via email, addressed 347 items through professional development, and rectified 1,541 items in student IEPs. This totaled 4,599 corrective actions Districtwide, including independent charter schools. Some corrective actions require that IEPs be held to remedy the non-compliance, namely if assessments are missing or incomplete, there is a programming mismatch or issues with service documentation. The top five (5) DVR items identified as non-compliant made up 61% of the non-compliance identified through the DVR process. The review items and descriptions are as follows:

- Incorrect impact of disability statements
- A lack of direct relationship between the present levels of performance, goals, support, and special education services provided to the student to result in educational benefit.
- Services provided below 90%.
- Lack of evidence demonstrating an evaluation of progress toward goal achievement at report card time.
- Lack of evidence that the IEP team included a general education teacher unless the parent and the District agreed in writing that the general education teacher could be excused from attending the meeting.

Overall, schools identified and remedied any non-compliance identified and were positive about the increase in awareness of their systemic needs. Almost all schools participated in the DVR trainings facilitated by the Division of Special Education, some of whom also reached out to the DSE for additional support and guidance. Schools also utilized the “Developing Student-Centered and Data-Driven IEPs” training developed by the Division of Special Education as part of their special education professional development.

In response to the DVR Findings and the ongoing efforts to maintain substantial compliance, the DSE will develop training that addresses the top five non-compliant items. The DSE will continue to offer training to prepare for the DVR process and to clear corrective actions. Schools will be required to develop specific action plans that target system work to prevent non-compliance from reoccurring. In addition, DVR items and training materials will be revised to ensure feedback provided by schools is incorporated into future guides and training sessions. The DSE and DVR Leads will follow up with schools that requested additional support with beginning of year procedures.

²Independent charter schools went through the regular DVR process which has a total of ten activities compared to the District schools which followed a modified DVR process that involved two (2) activities. The additional DVR activities resulted in more corrective actions for independent charter schools.

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 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 Dashboard and Reporting

- 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



Image: Three elementary school students sitting and smiling at school.

Improving Outcomes for Students, Including Students with Disabilities

State Performance Plan Indicators (SPPI)

Pillar 1: Academic Excellence

High
Quality Instruction

Eliminating
Opportunity Gaps

The IDEA requires each state to develop a state performance plan that evaluates the state's efforts to implement the requirements and purposes of the IDEA and describes how the state will improve its implementation. The IDEA requires that the US Department of Education, Office of Special Education Programs (OSEP) monitor states' implementation of IDEA. State Performance Plan Indicators (SPPI) for special education fall into two categories, performance and compliance.

Performance Indicators (Measures child and family outcomes.)

SPPI 1- Graduation Rate

SPPI 2- Dropout Rate

SPPI 3- Statewide Assessment (Participation and Proficiency)

SPPI 4a- Discipline Rate: Overall

SPPI 5- Least Restrictive Environment (LRE)

SPPI 6 - Preschool Least Restrictive Environment

SPPI 7 - Preschool Outcomes

SPPI 8 - Parent Involvement

SPPI 14 - Post School Outcomes

Compliance Indicators (Measures compliance with the requirements of the IDEA)

SPPI 4b - Discipline Rate by Race/Ethnicity

SPPI 9 - Disproportionate Representation

SPPI 10 - Disproportionate Representation by Disability

SPPI 11 - Timely Eligibility Evaluation

SPPI 12 - Timely Part C to Part B

SPPI 13 - Secondary Transition Goals and Services

SPPI and Strategic Plan Alignment

State Performance Plan Indicators and the District's Strategic Plan Pillars intersect in the following manner: Pillar 1 Academic Excellence and SPPIs 1 – 14; Pillar 2 Joy & Wellness and SPPIs 2, 4, 5, 6, 7, 13, and 14; and Pillar 3 Engagement and Collaboration and SPPI 4.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Pillar 1: Academic Excellence	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Pillar 2: Joy & Wellness		X		X	X	X	X						X	X
Pillar 3: Engagement & Collaboration				X										

The previous SPP spanned school years 2013-14 through 2018-19 with extension targets for the 2019-20 school year. A new SPP spanning school years 2020-21 through 2025-26 was developed by the CDE and approved by the State Board of Education in November 2021. The release of the new SPP included changes to several indicators as determined by OSEP. Information on the changes are also listed within each SPP Indicator reviewed in the section of this report titled SPPI Results and the LAUSD's Strategic Plan Pillars.

Indicator Number	Summary of Notable Changes (20-21 through 25-26 SPP)
Indicator 1	The graduation calculation now uses a one-year calculation and will no longer use the four-year adjusted cohort rate.
Indicator 2	No changes for California. While OSEP is now limiting States to only use a one-year calculation, this change does not affect California as this indicator is already calculated that way.
Indicator 3	Indicator 3 is the indicator with the most significant changes. OSEP removed a sub indicator that was no longer being reported, altered how proficiency rates are reported (3b, 3c), and added a sub indicator to track proficiency rate gaps (3d). The other notable change is that these rate will only be calculated for grades 4,8, and 11.
Indicator 4	There were no notable changes to either the measurement or calculation for this indicator. OSEP made language changes such as "district" to "local educational agency".
Indicator 5	To align with the federal data collection file specifications, states now must include five-year-old who are enrolled in kindergarten (and transitional kindergarten in California) in the calculation.
Indicator 6	There are two changes to this indicator: 1. The removal of five-year-old's who are in kindergarten or transitional kindergarten (now included in indicator 5). 2. The addition of the third subcategory-6c: Home. While data for this setting has always been collected it has never been reported before in the SPP/APR.
Indicator 7	OSEP made no changes to this indicator
Indicator 8	There were no changes to the calculation or measurement for this indicator. When reporting the extent to which the demographics of the children for whom parents responded are representative of the demographics of children receiving special education services, States must choose a secondary category in addition to race and ethnicity (which is already reported).
Indicator 9	OSEP made no changes to this indicator
Indicator 10	OSEP made no changes to this indicator
Indicator 11	OSEP made no changes to this indicator

Source: California State Board of Education November 2021 Agenda, Item 18. New Targets for State Performance Plan Indicators in the Annual Performance Report for Part B of the Individuals with Disabilities Education Act of 2004, covering program years 2020-21 through 2025-26. Retrieved from: <https://www.cde.ca.gov/be/ag/ag/yr21/agenda202111.asp> (item 18).

On April 6, 2021, the U.S. Department of Education (USDOE) granted a waiver to the CDE for specific accountability and school identification requirements for the 2020-21 school year, which includes the following :

- Removing the requirement to measure progress (i.e., as reported through the California School Dashboard),
- Removing the 95 percent participation rate penalty for the Academic Indicator,
- Removing the requirement to identify schools for support based on 2020-21 data,
- Requiring schools that are currently identified for support to continue to receive support in the 2021-22 school year,
- Allowing Comprehensive Support and Improvement (CSI) schools to exit based on the graduation rate, if exit criteria are met, and
- Requiring states to resume identification of schools in Fall 2022 using 2021-22 data.

While the USDOE has released California from producing data related to accountability, the waiver assures that the CDE is still required to publicly report specific data, such as:

- Chronic absenteeism, and
- Student and/or teacher access to technology, devices and high-speed internet, if available.

CDE Special Education Monitoring Findings and District Follow-Up

In Spring 2019, the CDE required the District to submit Performance Improvement Plans for the State Performance Plan and California Dashboard Indicators listed below. Performance Improvement Plans continued to be implemented through out the 2020-21 and 2021-22 school years.

Drop Out 4 Year Rate

Students with disabilities were eligible to participate in Credit Recovery Summer Term to the same extent as their non-disabled peers. The Summer Term staff were provided a copy of the students' FAPE page to ensure that all accommodations and modifications were provided and implemented.

Assessment: Participation Rate and Achievement

Several strategies were implemented to address this indicator including 1) Online professional development for teachers to incorporate universal tools and accommodations in instruction so that students may use these tools proficiently on the California Assessment of Student Performance and Progress (CAASPP) (participation rate); 2) Professional Development: Targeted PD for students with dyslexia, English Learners, Reading and Math Intervention; 3) Counseling and intervention to at-risk students; 4) Increasing inclusion opportunities for students with disabilities on the core curriculum by expanding inclusive setting options.

During the 2020-21 and 2021-22 school years, several professional development opportunities were provided to assistant principals and teachers, as well as supports for students including the following:

- Dyslexia training for assistant principals
- 95% Phonics Lesson Library
- Inclusion Kick-off
- Inclusion Book Club
- Office Hours were provided to support and follow up on previous professional development that was provided
- Counseling provided by PSWs for at-risk students
- English Learner and Students with Disabilities training
- Reading Horizons
- "Why Inclusion?" Training
- Co-teaching, co-planning, co-implementing training with Anna Reeve
- Summer tutoring for at risk students
- "I am Breaking the Chains" mentoring for at risk students

Least Restrictive Environment³

The DSE has been addressing this indicator by implementing strategies to increase inclusive practices and expand opportunities for inclusion. During the 2020-21 school year, there were 104 school sites with inclusion plans. During the 2021-22 school year 62 new K-12 school sites were added with a total of 166 school sites with inclusion plans.

³Inclusion is a part the District's overall provision of special education. LAUSD's position is to bring more students into inclusive settings commensurate with national standards while upholding the tenets of the federal law as stated in IDEA. Please refer to the DSE Position Paper: *Equity and Access for Students with Disabilities* available on the DSE Inclusion website at <https://achieve.lausd.net/spedInclusion>

Preschool Least Restrictive Environment⁴

During the 2020–21 school year, there were 175 inclusive preschool programs. The Division of Special Education provided several training opportunities for teachers including the following:

- New Teacher Trainings on Creative Curriculum for Preschool to provide all children access to general education curriculum
- Transition to Kindergarten PD to ensure LRE for children transitioning to Kindergarten
- Professional Learning Community Network Meetings (monthly) to ensure LRE for all children.

During the 2021–22 school year, there were 177 inclusive programs with the goal of creating a more robust program coming out of the pandemic. The Division of Special Education addressed Preschool LRE in the following ways:

- PD for ECSE teachers on the GE Creative Curriculum for Preschool to ensure all children access to general education curriculum.
- Collaboration with Head Start Administrators to identify potential inclusive preschool programs with Head Start Agencies.
- Collaboration with Early Childhood Education Division to identify potential inclusive preschool collaborative programs (UTK CC).

In Spring of 2020, CDE selected the District to participate in upcoming Targeted Reviews for SPP and the California Dashboard Indicators:

Graduation Rate

To address Graduation Rate, the DSE partnered with the Division of Instruction to ensure that students with disabilities are included in all general education initiatives and have been promoting intervention opportunities and waiver options. During the 2020–21 and 2021–22 school years there were twice monthly meetings with the Multilingual and Multicultural Education (MMED) team to plan for support for English Learners, LETRS and Orton Gillingham training for all teachers, and 95% phonics lessons trainings for selected teachers.

Dropout Rate

To address Dropout Rate, students with disabilities participated in Credit Recovery Summer Term to the same extent as their non-disabled peers. As applicable, Summer Term staff were provided with information regarding each student's needs, as indicated in their IEPs, for the provision of a FAPE, to ensure that all accommodations were provided and implemented.

Assessment: ELA and Math Achievement

To address ELA and Math assessment achievement, school site testing coordinators were trained, targeted outreach was conducted for lowest participating high schools, collaborative efforts were made with the PACE unit to provide parents with information regarding student participation, trained on Orton-Gillingham, and monitored the participation rate of DIBELS. During the period of 2020–2022, 836 special education teachers and administrators overseeing special education were trained on Orton-Gillingham, including 2,603 general education teachers. The 30 hour on-demand Orton-Gillingham Classroom Educator course is designed to introduce participants to the principles of the Orton-Gillingham approach. This instructional methodology improves the reading and spelling abilities of students in the general education setting, those with language-based learning disabilities, English language learners, and struggling readers.

⁴Inclusion is a part the District's overall provision of special education. LAUSD's position is to bring more students into inclusive settings commensurate with national standards while upholding the tenets of the federal law as stated in IDEA. Please refer to the DSE Position Paper: *Equity and Access for Students with Disabilities* available on the DSE Inclusion website at <https://achieve.lausd.net/spedInclusion>

Least Restrictive Environment–Separate School

A 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 calculated into this indicator as attending separate schools.

To address the Least Restrictive Environment–Separate schools, CTCs have been documenting interactions with peers in the community to demonstrate time spent in LRE. Although school coding changes were found to be not feasible for CTCs, several other practices were implemented during the 2021-22 school year. This includes preparation for the fall 2022 opening of additional Project Search at Kaiser Permanente Panorama City Medical Center, preparation for fall 2023 LA Southwest College CATS program, and students returning to Project Search locations at 5 hospitals, 6 community colleges after the pandemic.

Preschool Least Restrictive Environment– Separate Schools⁵

To address Preschool Least Restrictive Environment– Separate Schools, inclusive programs were opened where appropriate, and IEP teams conducted review of LRE placements. During the 2020-21 and 2021-22 school year, there were 175 and 177 inclusive programs respectively. Transition to kindergarten meetings were held to ensure the Least Restrictive Environment. A plan was created for inclusive programs for the 2022-23 school year.

Post School Outcomes

To address Post School Outcomes, a database was created where staff can capture student status, training was conducted on State Performance Plan Indication 14, protocols were enhanced to reach additional former students and improve response rates, partnership were implemented with higher education partners to connect students to enrollment and accommodation support, and collaboration with LAUSD general education counseling staff was implemented to ensure students with disabilities have access to college resources.

During the 2020-21 school year, 1) a report named “CALPADS Post-Secondary” was created in Welligent and is now being utilized; 2) CALPADS coding was also updated in Welligent for Indicator 14 to align with system updates; 3) All Transition Services staff was trained on Indicator 14; 4) a script and template were created and implemented via Zoom training. This was shared with nonpublic schools, independent charters, and all transition staff. A partnership was created with Bridges to work to engage students in post-secondary employment support; 5) Local community colleges shared enrollment and accommodations supports at regional meetings (Disabled Student Services at post-secondary education institutions); 6) Division of Instruction’s A-G team training on Graduation Requirements and the IGP; and 7) a training for transition teachers was conducted which included local community colleges and California State Universities to connect teachers to prepare students to enrollment and accommodation supports.

During the 2021-22 school year, 1) the “CALPADS Post-Secondary” Welligent report continued to be utilized; 2) all Transition services staff was trained on Indicator 14; 3) the script and template was refined and delivered via Zoom training. This was again shared with nonpublic schools, independent charts and all transition staff with continued partnership with Bridges to work to engage students in post-secondary employment support; 4) a professional development for transition staff regarding post-secondary options was conducted; and 5) Local community colleges shared enrollment and accommodations supports at regional meetings (Disabled Student Services at post-secondary education institutions).

⁵ Inclusion is a part the District’s overall provision of special education. LAUSD’s position is to bring more students into inclusive settings commensurate with national standards while upholding the tenets of the federal law as stated in IDEA. Please refer to the DSE Position Paper: *Equity and Access for Students with Disabilities* available on the DSE Inclusion website at <https://achieve.lausd.net/spedinclusion>

Significant Disproportionality

The IDEA requires states and LEAs to take steps to address disproportionate representation. Disproportionality refers to the “overrepresentation” of a particular racial or ethnic group in one of four areas:

1. special education in general;
2. special education within a specific disability category;
3. disciplinary action; or
4. more restrictive environments

The CDE sets a risk ratio of below 3.00 for students with disabilities by race or ethnic group that experience discipline or are identified in any disability category in comparison to other races or ethnic groups within the LEA. During the 2018–19 school year, 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. Due to this finding, the District is required to reserve 15% of its IDEA funds for the coordination and implementation of a CCEIS plan.

Any Discipline		Native American	Asian	African American	Hispanic	Multiple Ethnic	Pacific Islander	White
2020–21	SWD Enrollment	1 137	10 2,896	254 9,255	521 69,441	17 3,740	0 110	83 9,029
	Ratio Maximum Ratio Result	NC 3.0 ---	0.36 3.0 ---	3.71 3.0 OVR	0.52 3.0 ---	0.48 3.0 ---	NC 3.0 ---	0.98 3.0 ---
2019–20	SWD Enrollment	2 209	8 3,330	351 11,117	714 72,899	9 1,043	0 172	105 10,583
	Ratio Maximum Ratio Result	NC 3.0 ---	NC 3.0 ---	3.32 3.0 OVR	0.55 3.0 ---	NC 3.0 ---	NC 3.0 ---	0.81 3.0 ---
2018–19	SWD Enrollment	8 241	14 3,175	577 11,407	917 71,145	9 847	3 170	119 10,430
	Ratio Maximum Ratio Result	NC 3.0 ---	0.25 3.0 ---	4.07 3.0 OVR	0.46 3.0 ---	NC 3.0 ---	NC 3.0 ---	0.65 3.0 ---

Emotional Disturbance		Native American	Asian	African American	Hispanic	Multiple Ethnic	Pacific Islander	White
2020–21	SWD Total Enrollment	4 721	34 31,953	300 43,523	879 423,212	39 13,942	4 1,267	205 59,514
	Ratio Maximum Ratio Result	NC 3.0 ---	0.40 3.0 ---	3.14 3.0 OVR	0.53 3.0 ---	1.10 3.0 ---	NC 3.0 ---	1.41 3.0 ---
2019–20	SWD Total Enrollment	4 651	27 28,630	295 37,214	883 355,560	54 8,912	3 1,265	204 50,998
	Ratio Maximum Ratio Result	NC 3.0 ---	0.30 3.0 ---	3.01 3.0 OVR	0.54 3.0 ---	2.03 3.0 ---	NC 3.0 ---	1.37 3.0 ---
2018–19	SWD Total Enrollment	8 1,100	25 36,094	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 ---

“NC” means No Calculation, one or more elements of the data failed to meet minimum size

“OVR” means the LEA was over the threshold

“---” indicates the district was not disproportionate

SWD data is from 2019–20 CALPADS

Enrollment data is from 2019–20 EOY CALPADS Discipline file/Enrollment file

The District must do the following annually:

1. Provide for the review and, if appropriate, revision of policies, practices, and procedures within the LEA to ensure compliance with the requirements of IDEA;
2. Require the LEA to publicly report on the revision of policies, practices, and procedures consistent with the requirements of the Family Educational Rights and Privacy Act and its implementing regulations in 34 CFR Part 99, and Section 618(b)(1) of the IDEA; and
3. Require the LEA to set aside 15 percent of its IDEA, Part B (sections 611 and 619) funds to provide comprehensive coordinated early intervening services (comprehensive CEIS) to address factors contributing to the significant disproportionality. (See 34 C.F.R. §300.646(c) and (d).)

Comprehensive Coordinated Early Intervening Services (CCEIS) Plan

During the 2019–20 school year, the District developed a CCEIS Plan which addressed the needs of student subgroups identified (but not exclusively); included students in general education who need added academic and behavioral support; and focused on academic and behavioral services and professional development. This plan was submitted to the CDE in December 2020. Upon approval of the CCEIS plan, implementation of the plan started with continued monitoring by the District including oversight of activities and programs, evaluation of effectiveness, and building supports and sustainability.

The CCEIS process includes the following:

- Formation of leadership, stakeholder and focus groups
- Extraction and analysis of data
- Selection of focus schools based on data
- Conducting interviews and surveys
- Reviewing results of interviews and surveys
- Analysis of District policies and procedures
- Root cause analysis of disproportionality
- Development of strategies to address areas of disproportionality

Status of the CCEIS Plan During the 2020–21 and 2021–22 School Year

During the 2020–21 and 2021–22 school years, LAUSD was in Phase 4 of the four phase CCEIS Plan Development process:

- Phase 1: Getting Started
- Phase 2: Data Discovery and Root Cause
- Phase 3: Planning for Improvement
- Phase 4: Implementing, Evaluating, and Sustaining

For the 2020 CCEIS, focus groups were conducted with the Leadership Team and various Stakeholder Groups. In addition, the District conducted a survey using the Annotated Checklist for Addressing Racial Disproportionality. Surveys were completed by 255 district employees that included assistants, teachers, school psychologist, assistant principals, and district leadership. While results from the survey yielded limited results, the quantitative data along with the qualitative data from the policies, practices, and procedures review revealed the following root causes. These included: 1) Implicit Bias; 2) Need for staff training in supporting African American students; 3) Need for parent training; 4) Need for intervention for students struggling with literacy; 5) Use of relevant data to monitor student supports and outcomes; 6) Implementation of district policy; and 7) Coordination of supports and services.

The 2020 CCEIS plan concluded on September 30, 2022. The work initiated continued through the 2021 and 2022 CCEIS plans. All but one of the Measurable Outcomes in the 2020 CCEIS plan were met. The following are each of the required outcomes:

Outcome 1: Based on the School Experience Survey (SES), promising schools will increase their overall ratings by 10% from Spring 2019 to Spring 2022 in the following areas: school climate, connectedness, opportunities for participation, and leadership.

Outcome 2: By June 2022, promising scholars at CCEIS promising schools will reduce their suspension rate during in-person instruction by 5% from baseline, or the site will receive a rating of green or blue on the California dashboard; and at Early Education promising sites with promising scholars, behavioral referrals will decrease by 5%

Outcome 3: By September 2022, the district will increase authentic family partnership and community engagement for the promising scholars and other Black/African American/Multiracial families by supporting a variety of meaningful family engagement offerings as evidenced by increased participation in planned activities with satisfactory evaluations by a minimum of 75% of participants in each exercise with a minimal of 80% response rate.

Outcome 4: By June 2022, based on 2018-2019 baseline data, 100% of PK- 12 promising scholars at promising Schools will make a 15% growth for each year receiving intervention services or reach proficiency in reading skills as measured by district or local district assessments (DIBELS, DRDP, STAR Reading Test (MS/HS).

Outcome 5: By September 2022, the District will continue to build a culturally responsive Multi-Tiered System of Support (MTSS) framework that includes robust Tier 1 and Tier 2 interventions, which will increase the effective use of the trauma-informed practice.

Measurable Outcome 1 regarding the school experience survey was the only outcome not met. LAUSD schools administered the student School Experience Survey in Fall 2021. Based on the survey results, CCEIS schools generally did not meet the 10% growth indicator outlined in Outcome 1. Results may have been affected by the fact that students have returned to in-person instruction in March 2021 in a hybrid version, and fall 2021 was the first-time students returned for full-time in-person, which corresponded with an overall decline in attendance and survey response completion.

In preparation for the development of the 2021 CCEIS Plan, LAUSD once again selected and utilized the self-assessment tool *The Annotated Checklist for Addressing Racial Disproportionality in Special Education* developed by Dan Losen. During the months of June and July 2021 a total of eleven focus groups were conducted, 60 to 90 minute focus groups were conducted virtually with several groups, including parents, school site administrators, behavior support team, school psychologist and counselors. During the months of June - July 2021, the CCEIS Team conducted a total of eleven focus group sessions with Elementary Principals, Secondary Principals, Behavioral Specialists, Secondary Teachers, Elementary Teachers, Early Education Teachers, Counselors, School Psychologists, Early Education Parents, Elementary Parents, Secondary Parents, and Parents for all three focus groups. An additional twelfth focus group was conducted at the request of parents from the previous three parent focus groups. Parents requested to come together as one group in preparation for the Stakeholder meeting which was held on August 11, 2021.

Disproportionate Identification of African American Students – Emotional Disturbance

During the 2020–21 school year, a review of policies, practices, and procedures relating to criteria for qualifications of emotional disturbance was conducted. While clear policies are in place, they are not consistently followed. Due to COVID-19, re-evaluation of students were found to be challenging.

During 2021–22 school year, collaboration with Psychological Services and the Division of Instruction was established to identify specific supports to multi-tiered systems of support interventions and the strengthening of the Student Study and Progress Team (SSPT) interventions.

Disproportionate Suspension of African American Students

During the 2020–21 school year, students received direct intervention supports from CCEIS system of support advisors and CCEIS psychiatric social workers for positive behavior intervention supports and restorative practices including counseling supports when identified as a need.

During the 2021–22 school year, in conjunction with what was accomplished the previous school year, system of support advisors reviewed discipline and suspension data quarterly. CCEIS school site staff and implementation personnel were offered trainings on the following topics:

- Anti-racism and Universal Design for Learning (UDL)
- Supporting Inclusive Practices through UDL
- Trauma-Informed practices and Educator Self-Care Series
- Principal’s Community of Practice monthly meetings
- Joyful Disruption creating supportive ecological environments



Image: Elementary school age boy sitting at desk, thinking and writing.

State Performance Plan Indicator (SPPI) Results and LAUSD's Strategic Plan Pillars

Note: The LEA APR reflects data from the previous school years as noted.

Considerations related to the COVID-19 pandemic

The COVID-19 pandemic resulted in several temporary adjustments to assessment and accountability requirements for the 2019–20 and 2020–21 school years. Due to the temporary suspension of statewide assessments related to the COVID-19 pandemic, data for SPP Indicator 3 was not reported. Another significant change was the suspension of reporting on the 2020 and 2021 California School Dashboard (Dashboard). In March 2020, the U.S. Department of Education approved California's request to waive statewide accountability and reporting requirements for the 2019–2020 school year. In June 2020, Senate Bill (SB) 98 was approved, which prohibited the California Department of Education (CDE) from publishing state and local indicators in the 2020 Dashboard. State law has also suspended the reporting of state indicators on the 2021 Dashboard. However, available data that would have been included in the Dashboard are reported on the Department's website if they were determined to be valid and reliable.

SPP Indicator 1– Graduation Rate

Indicator	Selection Element	APR Year	Data Year	Rate	Target	Target Met?	Strategic Plan Pillar
1	Graduation Rate	2019–2020	2018–2019	65.0%	>90.0%	No	#1
		2020–2021	2019–2020	64.95%	>90.0%	No	

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 starting with APR Year 2020–2021 and through 2025–2026, the graduation calculation will use a one-year calculation and will no longer use the four-year adjusted cohort rate. As indicated in the chart above, the rate for 2019–20 was 65.0% and 64.95% in 2020–21. The District did not meet the target of >90.0% for Graduation Rate for the 2019–20 and 2020–21 APR years.

SPP Indicator 2– Dropout Rate

Indicator	Selection Element	APR Year	Data Year	Rate	Target	Target Met?	Strategic Plan Pillar
2	Dropout Rate	2019–2020	2018–2019	35.3%	≤9.72%	No	#1
		2020–2021	2019–2020	11.03%	≤11%	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 data year 2018–19 was 35.3% and 11.03% for 2019–20. As indicated in the chart above, the District did not meet the target for Dropout Rate for the 2019–20 and 2020–21 APR years.

SPP Indicator 3– Statewide Assessments

Indicator 3 is a performance indicator that utilizes three components to measure the participation and performance of students with disabilities on statewide assessments. 3b measures the participation rate of students with disabilities on the California Assessment of Student Performance and Progress (CAASPP) in English Language Arts (ELA) and Math, calculated separately. Data was not reported out for 2019–20 and 2020–21 by the CDE.

Starting with APR Year 2020–21 and through 2025–26, Indicator 3 will have the most significant changes. OSEP removed a sub indicator that was no longer being reported, altered how proficiency rates are reported (3b, 3c), and added a sub indicator to track proficiency rate gaps (3d). The other notable change is that these rates will only be calculated for grades 4, 8, and 11.

Additional Efforts

Although the most recent SPPI data does not include Indicator 3 data, the DSE instructional team facilitates conversations with Division of Instruction to discuss State Indicator 3 with regard to ELA achievement rate for students with disabilities and strategies for supporting progress monitoring. In alignment with this effort, DSE continues to work collaboratively with the Division of Instruction to find and promote research on showing the importance of the data cycle and regular progress monitoring for students with disabilities. DSE collaborates with the Student Testing Branch to learn more about how teachers can access interim assessments and resources in Test Operations Management System (TOMS).

SPP Indicator 4- Discipline

Indicator	Selection Element	APR Year	Data Year	Rate	Target	Target Met?	Strategic Plan Pillar
4a	Discipline Rate (>10days)	2019-2020	2018-2019	0.02	<2.76	Yes	#2
		2020-2021	2019-2020	0.01	<2.18	Yes	

Indicator 4a is a performance indicator that measures the overall discipline rate of suspensions and expulsions greater than 10 cumulative days in a school year for students with disabilities and includes students aged 3-22. The rate for Data year 2018-19 was 0.02 with a target of <2.76 and 0.01 with a target of <2.18 for 2019-20. As indicated in the chart above, the District met the targets for Discipline Rate for both the 2019-20 and the 2020-21 APR years.

Indicator	Selection Element	APR Year	Data Year	Rate	Target	Target Met?	Strategic Plan Pillar
4b	Discipline Areas Disproportionate (>10days)	2019-2020	2018-2019	0	0	Yes	#2
		2020-2021	2019-2020	0	0	Yes	

Indicator 4b is a compliance indicator that measures the rate of suspensions and expulsions, by race or ethnicity, of greater than 10 cumulative days in a school year for students with disabilities aged 3-22. Both the rate and target for 2019-20 and 2020-21 was 0. As indicated in the chart above, the District met the targets for Discipline Areas Disproportionate for both the 2019-20 and the 2020-21 APR years.

Additional Efforts

The DSE is working in collaboration with the Student Health and Human Services- Positive Behavior Intervention and Supports-Restorative Practices (SHHS-PBIS) team in developing a new Multi-Tiered System of Support (MTSS) bulletin to support with culture change in relation to behavior support for all students.

SPP Indicator 5- Least Restrictive Environment

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
5a	LRE Regular Class 80% or more	2019-2020	49.8%	≥53.2%	No	#1
		2020-2021	49.29%	≥58%	No	

Indicator 5a is a performance indicator that measures the percent of students with disabilities, ages 6 through 22, served inside the regular classroom for at least 80% of the day. To align with the federal data collection file specifications, starting with APR Year 2020-21 and through 2025-26, Indicator 5 will include five-year-olds who are enrolled in kindergarten (and transitional kindergarten) in the calculation. The rate for APR year 2019-20 was 49.8% with a target of ≥53.2% and 49.29% with a target of ≥58% for 2020-21. As indicated in the chart above, the District did not meet the targets for Least Restrictive Environment – Regular Class 80% or More for both the 2019-20 and 2020-21 APR years.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
5b	LRE Regular Class less than 40%	2019-2020	17.8%	≤20.6%	Yes	#1
		2020-2021	17.65%	≤19.5%	Yes	

Indicator 5b is a performance indicator that measures the percent of students with disabilities, ages 6 through 22, served inside the regular classroom for less than 40% of the day. To align with the federal data collection file specifications, starting with APR Year 2020–2021 and through 2025–2026, Indicator 5 will include five-year-olds who are enrolled in kindergarten (and transitional kindergarten) in the calculation. The rate for APR year 2019–20 was 17.3% with a target of ≤20.6% and 17.65% with a target of ≤19.5% for 2020–21. The District met the targets for Least Restrictive Environment – Regular Class less than 40% for both the 2019–20 and 2020–21 APR years.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
5c	LRE: Separate Schools	2019–2020	7.8%	≤3.6%	No	#1
		2020–2021	6.82%	≤2.9%	No	

Indicator 5c measures the percent of students with disabilities, ages 6 through 22, served in separate schools, residential facilities, or homebound/ hospital placement (excludes correctional facilities or parental placement in private school). To align with the federal data collection file specifications, starting with APR Year 2020–21 and through 2025–26, Indicator 5 will include five-year-olds who are enrolled in kindergarten (and transitional kindergarten) in the calculation. The rate for APR year 2019–20 was 7.8% with a target of ≤3.6% and 6.82% with a target of ≤2.9% for 2020–21. The District did not meet the targets for Least Restrictive Environment – Separate Schools for the 2019–20 and 2020–21 APR years.

SPP Indicator 6– Preschool Least Restrictive Environment

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
6a	LRE Regular Class	2019–2020	35.7%	>36.9%	No	#1
		2020–2021	25.42%	>39%	No	

Indicator 6a is a performance indicator that measures the percent of children with disabilities, ages 3 through 5, attending a regular early childhood program and receiving the majority of special education and related services in the regular early childhood program. The rate for APR year 2019–20 was 35.7% with a target of >36.9% and 25.42% with a target of >39% for 2020–21. As indicated in the chart above, the District did not meet the targets for Least Restrictive Environment – Regular Class for the 2019–20 and 2020–21 APR years.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
6b	LRE Separate Schools	2019–2020	41.4%	<30.4%	No	#1
		2020–2021	42.87%	<33%	No	

Indicator 6b is a performance indicator 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 targets for Least Restrictive Environment – Separate schools for the 2019–2020 and 2020–2021 APR years. Starting with APR Year 2020–21 and through 2025–26, Indicator 6 will reflect 2 changes: 1) The removal of five-year-old's who are in kindergarten or transitional kindergarten (now included in indicator 5); 2) The addition of the third subcategory– 6c: Home. While data for this setting has always been collected it has never been reported before in the SPP/APR.

SPP Indicator 7– Preschool Outcomes

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
7a	Positive Social-Emotional Skills: Substantially Increased	2019–2020	82.1%	>85.2%	No	#1
		2020–2021	77.15%	>85.2%	Yes	

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
7a	Positive Social-Emotional Skills: Functioning within Age Expectations	2019–2020	80.1%	>81.5%	No	#1
		2020–2021	73.29%	>76%	No	

Indicator 7a is a performance indicator that measures the percent of children with disabilities ages 3–5 who demonstrate improvement in positive social-emotional skills, including social relationships. This indicator utilizes data from the current reporting year Desired Results Developmental Profile (DRDP) submission. The DRDP is California’s formative assessment instrument for young children. For more information on the DRDP, please visit the Desired Results Access Project webpage at www.draccess.org. As indicated in the charts, the District did not meet the target for Preschool Outcomes – Positive Social Emotional Skill: Substantially Increased for the 2019–2020 APR year with a rate of 82.1% and target of >85.2%. However, the District did meet the target for the 2020–2021 APR year with a rate of 77.15% and target of >85.2%. The District did not meet the target for Preschool Outcomes – Positive Social-Emotional Skills: Functioning within Age Expectations for the 2019–20 with a rate of 80.1% and target of > 81.5% and a rate of 73.29% and target of >76% for the 2020–21 APR years.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
7b	Acquisition of Knowledge Skills: Substantially Increased	2019–2020	83.2%	>82.7%	Yes	#1
		2020–2021	77.05%	>76%	Yes	

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
7b	Acquisition of Knowledge Skills: Functioning within Age Expectations	2019–2020	81.2%	>80.57%	Yes	#1
		2020–2021	70.37%	>76%	No	

Indicator 7b is a performance indicator that measures the acquisition and use of knowledge and skills, including early language/communication and early literacy for students with disabilities ages 3–5. This indicator utilizes data from the current reporting year Desired Results Developmental Profile (DRDP) submission. The DRDP is California’s formative assessment instrument for young children. For more information on the DRDP, please visit the Desired Results Access Project webpage at www.draccess.org. As indicated in the charts above, the District met the target for Preschool Outcomes – Acquisition of Skills: Substantially Increased for both the 2019–20 and 2020–21 APR years with a rate of 83.2% and target of >82.7% and 77.05% with target of >76% respectively. The District met the target for Preschool Outcomes – Acquisition of Knowledge Skills: Functioning Within Age Expectations for 2019–20 with a rate of 81.2% and target of >80.57%. However the District did not meet the target for the 2020–21 APR year with a rate of 70.37% and target of >76%.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
7c	Use of Appropriate Behaviors: Substantially Increased	2019–2020	82.5%	>76.7%	Yes	#1
		2020–2021	79.51%	>76%	Yes	

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
7c	Use of Appropriate Behaviors: Functioning within Age Expectations	2019–2020	81.5%	>79.45%	Yes	#1
		2020–2021	79.51%	>76%	Yes	

Indicator 7c is a performance indicator that measures the use of appropriate behaviors to meet needs for students with disabilities ages 3–5 utilizing data from the current reporting year Desired Results Developmental Profile (DRDP) submission. The DRDP is California’s formative assessment instrument for young children. For more information on the DRDP, please visit the Desired Results Access Project webpage at www.draccess.org. As indicated in the charts above, the District met the target for Preschool Outcomes – Use of Appropriate Behaviors: Substantially Increased for both the 2019–20 and 2020–21 APR years with a rate of 82.5% and target of >76.7% and rate of 79.51% and target of >76% respectively. The District met the target for Preschool Outcome – Use of Appropriate Behaviors: Functioning within Age Expectations for both the 2019–20 and 2020–21 APR years with a rate of 81.5% and target of >79.45% and rate of 79.51% and target rate of >76% respectively.

Additional Efforts:

The DSE Early Childhood Special Education intake staff has been working to complete assessments and IEPs year round during Extended School Year, after school year ends, and before the school year begins. Central office staff supports incoming calls which request assessments, initiating, and process cases through the entire summer period.

SPP Indicator 8– Parent Involvement

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar	
8	Parent Involvement Rate	2019-2020	99.2%	>94.0%	Yes	#3	
		2020-2021	99.33%	>95.0%	Yes		

Indicator 8 is a performance indicator 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. As indicated in the chart above, the District met the target for Parent Involvement for both the 2019-20 and the 2020-21 APR years with a rate of 99.2% and target of >94.0% and a rate of 99.33% and target of >95.0% respectively.

Additional Efforts:

The DSE Compliance Team has been disseminating communication to parents in several ways including the Special Education Website, Community Advisory Committee Monthly Report, Bimonthly Parent Newsletters, Monthly Employee Newsletters, emails, texts, robo class, ConnectEd to parents, Parent Workshops, and series of parent workshops facilitated by DSE staff. These parent workshops have been conducted via Zoom/webinars with approximately 530 attendees participating in the series. As indicated in the chart above, the District met the target for Parent Involvement for both the 2019-20 and 2020-21 APR years.

SPP Indicator 9– Disproportionate Representation: Overall

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar	
9	Overall Disproportionality Areas	2019-2020	0	0	YES	#1	#2
		2020-2021	0	0	YES		

Indicator 9 is a compliance indicator that measures the percent of LEAs with disproportionate representation of racial and ethnic groups in special education and related services that is the result of inappropriate identification. As indicated in the chart above, the District met the target for Disproportionate Representation: Overall for both the 2019-20 and the 2020-21 APR years with a rate and target of 0 for both years.

SPP Indicator 10– Disproportionate Representation by Disability Category

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar	
10	Disproportionality by Disability Areas	2019-2020	3	0	NO	#1	#2
		2020-2021	2	0	NO		

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. As indicated in the chart above, the District did not meet the targets for Disproportionate Representation by Disability Category for the 2019-20 and 2020-21 APR years with a rate of 3 and a target of 0 for 2019-20 and a rate of 2 and target of 0 for 2020-21.

Additional Efforts:

The District is currently implementing the Comprehensive Coordinated Early Intervening Services.

SPP Indicator 11– Timely Eligibility Evaluation

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
11	Rate of Eligibility Determined within 60 days	2019–2020	100.0%	100%	Yes	#1
		2020–2021	100.0%	100%	Yes	

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. As with all SPPI results presented in this report, the data source for the 100% rate of timely evaluation for 2019–2020 and 2020–2021 is as reported in the Annual Performance Report from CDE. As indicated in the chart above, the District met the targets for Timely Eligibility Evaluation for both the 2019–20 and the 2020–21 school years.

Additional Efforts:

Within a month of school facility closures in 2020, the DSE provided trainings to school site administrators and support staff addressing School Closures and IEP Guidance for how to hold IEP team meetings virtually. Trainings were also delivered on protocols regarding virtual and hybrid assessments.

The DSE has created an online training accessible to all employees titled, “Clerical Support for Special Education and Section 504” and has updated Reference Guides which include the requirement to monitor IEP timelines and completion of special education trainings.

DSE has also modified the Welligent “Assessment History Report” to include more assessment details such as current IEP services, assessment type, assessment status, duration, and assessment delivery methods.

SPP Indicator 12 Timely Part C to Part B Transition

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
12	Rate of Part C to Part B Students with Timely IEPs	2019–2020	90.4%	100%	No	#1
		2020–2021	75.97%	100%	No	

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. As indicated in the chart above, the District did not meet the targets for Timely Part C to Part B Transition for the 2019–20 and the 2020–21 APR years with a rate of 90.4% and target of 100% and 75.97% and target of 100% respectively.

SPP Indicator 13– Secondary Transition Goals and Services

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
13	Rate of Students with Transition Goals/ Services	2019–2020	99.8%	100%	No	#1
		2020–2021	99.54%	100%	No	

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 postsecondary 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 postsecondary goals, and annual IEP goals related to the student’s transition service needs. Although OSEP made no notable changes to either the measurement or calculation of this indicator, they did clarify that starting with APR Year 2020–21 and through 2025–26, there must be evidence, if appropriate, that a representative of any participating agency that is likely to be responsible for providing or paying for transition services, including, if appropriate, pre-employment transition services, was invited to the IEP team meeting. Note: The District implements transition planning at the IEP team meeting that precedes the student’s 14th birthday. As indicated in the chart above, the District did not meet the 100% target for Secondary Transition Goals and Services for the 2019–20 and 2020–21 APR years with a 99.8% rate and 99.54% rate respectively.

SPP Indicator 14 Post-School Outcomes

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
14a	Higher Education	2019-2020	63.1%	>55.3%	Yes	#1
		2020-2021	38.43%	>55.0%	No	

Indicator 14a is a performance indicator that 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. As indicated in the chart above, the District met the target for Post-School Outcomes – Higher Education for the 2019-20 APR year with a rate of 63.1% and target of >55.3%. However the District did not meet the target for the 2020-21 APR year with a rate of 38.4% and target of >55.0%.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
14b	Competitive Employment	2019-2020	81.1%	>75.4%	Yes	#1
		2020-2021	60.99%	>75.4%	No	

Indicator 14b is a performance indicator that measures post school outcomes for youth with IEPs who are no longer in secondary school and were enrolled in higher education or competitively employed within one year of leaving school. As indicated in the chart above, the District met the target for Post-School Outcomes – Competitive Employment for the 2019-20 APR year with a rate of 81.1% and target of >75.4%. However the District did not meet the target for the 2020-21 APR year with a rate of 60.99% and target of >75.4%.

Indicator	Selection Element	APR Year	Rate	Target	Target Met?	Strategic Plan Pillar
14c	Any Employment or Education	2019-2020	100.0%	>84.0%	Yes	#1
		2020-2021	70.54%	>87.0%	No	

Indicator 14c is a performance indicator that measures post school outcomes for youth with IEPs who are no longer in secondary school and were enrolled in higher education or other postsecondary education/training program; or competitively employed or in some other employment within one year of leaving school. As indicated in the chart above, the District met the target for Post-School Outcomes – Any Employment or Education for the 2019-20 APR year with a rate of 100% and target of >84.0%. However the District did not meet the target for the 2020-21 APR year with a rate of 70.54% and target of >87.0%.

Although there are no notable changes to the calculation or measures for this indicator for APR Year 2020-21 and through 2025-26, when reporting the extent to which the demographics of respondents are representative of the demographics of youth who are no longer in secondary school and had IEPs in effect at the time they left school, States had to choose a secondary category in addition to race and ethnicity. The CDE already reported disability category prior to this new requirement. Race and ethnicity will be added to this analysis.

IEP Timelines, Service Delivery, and Additional Information

Pillar I: Academic Excellence

High
Quality Instruction

Eliminating
Opportunity Gaps

College and
Career Readiness

IEP Timelines

The charts below display the number of overdue annual/triennial IEPs, number of overdue 60 day IEPs, number of IEPs overdue, % of IEPs overdue, and the total number of active IEPs with a snapshot date at the end of each month during the 2020–2021 and 2021–2022 school years.

The beginning of the 2020–2021 school year commenced with schools engaged in Distance Learning and IEP team meetings being held virtually while IEP teams navigated the process of electronic signatures and remote assessments. At the beginning of the school year, there were approximately 10% of IEPs overdue Districtwide. As schools started to reopen with hybrid instruction and IEP team meetings having the option of in-person or virtual meetings in the Spring of 2021, there was a decrease in the number of IEPs overdue with approximately 5% of IEPs overdue in April 2021.

The beginning of the 2021–2022 school year commenced fully in-person and with approximately 5% of IEPs overdue District wide. The average percent of overdue IEPs throughout this school year was 6%.

2020–2021 School Year

Snapshot Date	Overdue Annual/ Triennial IEPs	Overdue 60 Day IEPs	# of IEPs Overdue	% of IEPs Overdue	# of Active IEPs
7/31/2020	7,862	424	8,089	10.0%	80,852
8/31/2020	7,772	658	8,124	10.0%	80,887
9/30/2020	5,663	1,423	6,626	8.6%	76,975
10/31/2020	3,930	1,574	5,015	6.5%	77,061
11/30/2020	3,401	1,446	4,428	5.7%	77,203
12/31/2020	2,820	1,318	3,794	4.9%	77,380
1/31/2021	3,540	1,442	4,498	5.8%	77,488
2/28/2021	3,789	1,605	4,756	6.1%	77,780
3/31/2021	2,920	1,715	3,976	5.1%	78,353
4/30/2021	2,649	1,869	3,850	4.9%	79,141
5/31/2021	2,805	1,933	4,064	5.1%	79,760
6/30/2021	1,592	1,061	2,372	3.1%	77,737

2021–2022 School Year

Snapshot Date	Overdue Annual/ Triennial IEPs	Overdue 60 Day IEPs	# of IEPs Overdue	% of IEPs Overdue	# of Active IEPs
7/31/2021	1,685	1,104	2,510	4.95%	77,197
8/31/2021	2,013	1,462	3,062	5.66%	78,800
9/30/2021	3,060	1,796	3,942	6.24%	73,924
10/31/2021	3,536	2,168	4,507	6.67%	74,862
11/30/2021	3,166	1,828	3,913	5.67%	75,429
12/31/2021	2,643	1,475	3,312	5.24%	75,489
1/31/2022	3,602	2,297	4,744	7.32%	76,273
2/28/2022	4,341	2,503	5,343	8.01%	77,125
3/31/2022	3,460	2,357	4,404	6.42%	78,017
4/30/2022	3,693	427	3,894	5.75%	78,556
5/31/2022	2,999	2,269	4,181	6.69%	78,474
6/30/2022	1,709	1,229	2,538	4.27%	75,858

Service Delivery

The provision of related services and resource specialist program services is based on the frequency and duration of each service indicated on the student's active IEP. The District documents the provision of services in the Welligent Service Tracking system. This allows service providers and their supervisors to monitor the percentage of services delivered. If the data leads to 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 include a tiered data category that reports the percentage of services delivered toward the students' target service minutes as required per their active IEP. The chart below displays the service provision breakdown by Tiers. Tier "-" was added during the 2021-2022 school year to account for services in which the adjusted target equals zero (0). This means that service minutes were provided in accordance to active IEP service prescription and have canceled service minutes where the sum of canceled minutes zeroes out the adjusted target minutes for the student. The following chart displays service provision percentage breakdown by Tiers where Tier 1 =100% service provision, Tier 2= 99.9%-90%, Tier 3 = 89.9%-70%, Tier 4= 69.9%-40%, Tier 5= 39.9%-0.1%, Tier 6= 0%.

Service Provision Tiers

Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Tier -
100%	99.9%-90%	89.9%-70%	69.9%-40%	39.9%-0.1%	0%	Adjusted Target = 0 No Minutes Owed

2020-2021 School Year

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Tier -
Aug	7.48%	3.40%	2.98%	11.05%	6.53%	65.56%	3.00%
Sept	26.23%	5.18%	13.56%	16.57%	11.37%	22.05%	5.03%
Oct	32.04%	10.37%	15.74%	15.25%	9.03%	12.88%	4.69%
Nov	43.45%	10.60%	13.30%	12.07%	7.38%	7.60%	5.60%
Dec	43.47%	10.60%	13.31%	12.06%	7.37%	7.60%	5.60%
Jan	42.58%	12.39%	13.70%	12.12%	7.21%	6.45%	5.54%
Feb	47.35%	12.04%	12.93%	10.71%	6.36%	5.11%	5.51%
Mar	49.17%	12.30%	12.47%	9.96%	6.00%	4.71%	5.39%
Apr	48.07%	12.67%	13.33%	10.15%	6.01%	4.43%	5.34%
May	48.03%	13.64%	13.38%	9.92%	5.73%	4.12%	5.17%
Jun	53.01%	11.65%	11.77%	8.66%	5.13%	4.38%	5.40%

2021-2022 School Year

	Tier 1	Tier 2	Tier 3	Tier 4	Tier 5	Tier 6	Tier -
Aug	20.74%	3.93%	15.77%	9.42%	6.13%	38.48%	5.52%
Sept	39.88%	9.63%	12.87%	11.00%	5.73%	15.78%	5.10%
Oct	44.98%	12.72%	14.47%	8.96%	5.02%	9.78%	4.07%
Nov	47.47%	15.06%	14.21%	7.54%	4.30%	7.62%	3.81%
Dec	51.75%	12.68%	12.58%	7.52%	4.26%	7.31%	3.90%
Jan	49.40%	13.62%	13.65%	7.99%	4.94%	6.49%	3.92%
Feb	49.16%	13.89%	14.20%	8.21%	5.04%	5.91%	3.59%
Mar	50.49%	15.14%	14.56%	7.10%	4.37%	8.31%	0.04%
Apr	50.33%	15.19%	14.36%	7.45%	4.31%	5.09%	3.28%
May	51.17%	15.75%	14.61%	6.60%	3.93%	4.76%	3.19%
Jun	54.79%	14.53%	12.51%	5.87%	3.50%	5.05%	3.75%

Additional Information

Child Find

In August and October 2021, OSERS issued the Return to School Roadmap: Child Find Under Part B of the IDEA and Return to School Roadmap: Child Find, Referral, and Eligibility Under Part C of the IDEA, respectively, which provided guidance to SEAs, LEAs, parents, and other stakeholders to reaffirm the importance of appropriate implementation of the child find obligation under Part B of the IDEA. The child find requirements in IDEA require SEAs and LEAs to have policies and procedures in effect to ensure that all children with disabilities residing in their respective jurisdictions who need special education and related services are identified, located, and evaluated, regardless of the severity of the disability, and consistent with the State's child find and eligibility standards. It highlighted particular importance that information was provided about the IDEA Part B child find requirements since that time, as a result of the COVID-19 pandemic, a number of children had not registered for school or had unenrolled from schools. Many others have received instruction only virtually. Given these challenges, as students prepared to return to full-time, in-person learning for the 2021-2022 school year, SEAs and LEAs would need to evaluate whether their current child find procedures were sufficiently robust to ensure the appropriate referral and evaluation of children who may have a disability under IDEA.

In October 2021, the Division of Special Education reissued the child find flyer in English and Spanish which provided contact information for preschool age children, school age children and youth, and students in private schools. Further information is available on their child find website at: <https://achieve.lausd.net/spedchildfind>

School Choice

Magnet

During the 2020 – 21 school year 7.6% of students enrolled in Magnet programs were students with disabilities and in the 2021-22 school year, 7.8% of students enrolled in Magnet programs were students with disabilities. In comparison, during the 2019-20 school year, 7.59% of students enrolled in Magnet programs were students with disabilities.

The Magnet office continues to be intentional about eliminating barriers and providing support to students with disabilities. The office publicizes information regarding Magnet programs in District brochures and websites as part of its targeted efforts to recruit students with disabilities.



Image: Preschool students standing and smiling with backpacks in school hallway.

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 first chart below provides the count of Independent Charter Schools in LAUSD SELPA, the count of students enrolled in Independent Charter schools both included and not yet included in LAUSD SELPA for the 2020-21 and 2021-22 school years. There were 217 Independent Charter Schools in LAUSD SELPA in 2020-21 and 214 in 2021-22.

The second chart provides the count of students with disabilities enrolled and the count of Independent Charter Schools in the LAUSD SELPA disaggregated by Local District and by Board District area. During 2020-21 school year the count of students with disabilities in each Local District was as follows: Central- 3336, East-2004, Northeast-2135, Northwest-2171, South-1520, West-3183, with a total of 14,349. During the 2021-22 school year, the count of students with disabilities in each Local District was as follows: Central- 3434, East-2020, Northeast-2015, Northwest-2295, South-1519, West-3165, with a total of 14,448.

Independent Charter Schools	2020-21	2021-22
Number of Independent Charter Schools in LAUSD SELPA	217	214
Total Number of Students Enrolled in Independent Charter Schools included in LAUSD SELPA	114,363 As of 5/21/21	112,380 As of 4/14/22
Number of Independent Charter Schools Authorized by LAUSD Yet Not LAUSD SELPA	13	13

	2020-21 Count of Students with Disabilities	2020-21 Count of Independent Charter Schools	2021-22 Count of Students with Disabilities	2021-22 Count of Independent Charter Schools
Local District	As of 1/5/21	As of 1/5/21	As of 12/13/21	As of 12/13/21
Central	3336	63	3434	61
East	2004	33	2020	33
Northeast	2135	28	2015	28
Northwest	2171	19	2295	20
South	1520	26	1519	25
West	3183	28	3165	47
Total	14349	217	14448	214
Board District				
1	1667	34	1197	38
2	3298	60	2679	46
3	1952	16	2060	19
4	1701	18	1201	15
5	1659	28	2917	45
6	2230	30	1995	25
7	1842	31	1649	26
Total	14349	217	14448	214

Program Accessibility

Pillar 2: Joy and Wellness

Welcoming
Learning Environments

In October 2017, the LAUSD Board of Education approved the District's Self-Evaluation and Transition Plan (Transition Plan) detailing the District's roadmap to achieving compliance with program accessibility requirements of Title II of the ADA. Both Title II of the ADA and Section 504 of the Rehabilitation Act of 1973 (Section 504) impose broad-reaching prohibitions against discrimination on the basis of disability. A key requirement of both the ADA and Section 504 is program accessibility; meaning the District must ensure that people with disabilities are not excluded from programs, activities, and services on facilities where public accommodations are provided.

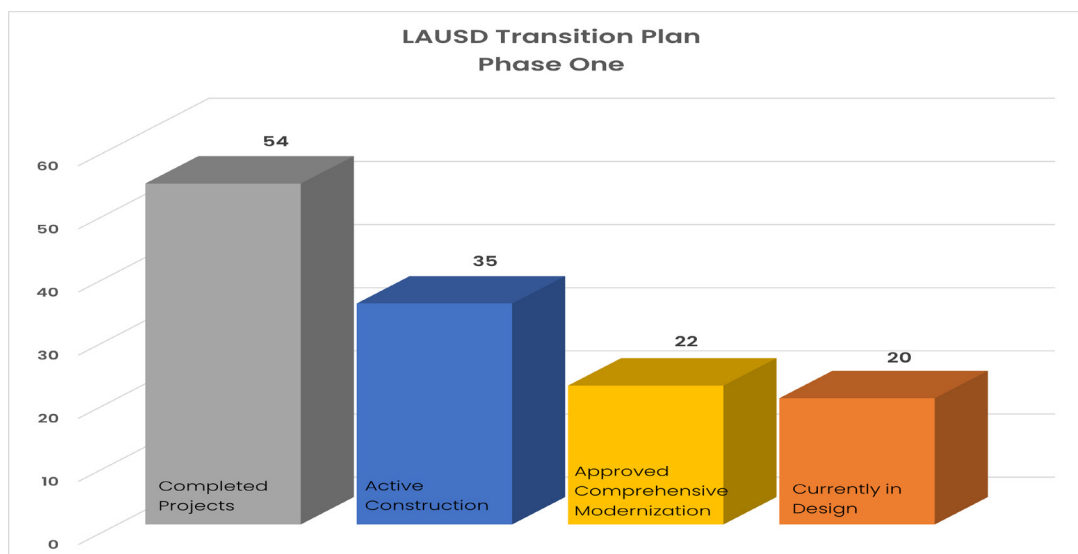
Program Accessibility extends not only to facilities but also includes equal access to effective communication and electronic and information technology, which includes software, web sites, web applications, and hardware applications such as computers, networks, and other types of electronic office equipment. Electronic and Information Technology extends to live stream and virtual learning/meeting environments, as were commonly used throughout the COVID-19 pandemic. When necessary for providing effective communication, auxiliary aids and services must be provided so students with disabilities have an equal opportunity to participate in and enjoy the benefits of the services, programs, and activities of the District.

Under LAUSD's Transition Plan, 235 existing schools are identified for corrective modifications in Phase One. Combined with the 131 new construction schools to which programs are currently accessible, this would provide over 360 schools within LAUSD that comply with program accessibility, establishing a new baseline of accessibility for the District. Additional schools identified for physical modifications to campuses will be covered in Phase Two pending future funding. The campuses to be addressed in Phase Two would ensure a larger stock of accessible facilities intended to increase the number of accessible schools and decrease reliance on operational solutions. An operational solution is effectively reassigning programs and activities to accessible locations when necessary, or quickly making necessary changes to inaccessible facilities as needed for individuals to ensure that there are no barriers that prevent and/or substantially limits access into facilities for individuals with disabilities. Operational Solutions are a cost-effective solution to physical barriers that can be implemented instead of performing construction.

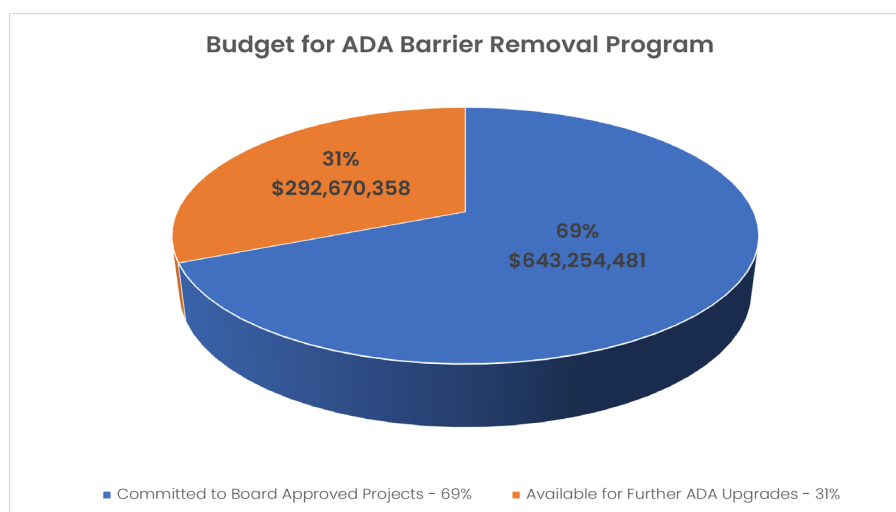
Barrier Removal Program Status

Of the 235 schools in Phase One of LAUSD's Transition Plan, the Facilities Services Division has obtained Board approval to perform accessibility enhancements to 109 campuses. At the time of this writing there are 35 schools actively in construction with ADA barrier removal work, 20 schools that are currently in design for the removal of architectural barriers, and 54 schools where projects have been completed. Along with the 22 Comprehensive Modernization projects that have been Board approved and are also incorporated into the phase one of the Transition Plan, a total of 131 construction projects of the 235 detailed in Phase One have been approved and initiated.

The following graph provides data on n Phase One of the LAUSD Transition Plan and the count of completed projects (54), active construction (35), approved comprehensive modernization projects (22), and those currently in design (20).



The first phase of the Transition Plan was originally funded with \$579,041,989 and is scheduled to have the barrier removal projects completed by 2025. After Measure RR was approved in November 2020, an additional \$430,000,000 was made available for ADA Barrier Removal projects moving forward, making the new total for ADA Barrier Removal efforts \$935,941,989. At this time, a total of \$643,254,481 has been budgeted for Board-approved projects to have the necessary accessibility upgrades completed leaving \$292,670,358 available for new projects.



The graph above displays the total cost and breakdown of the ADA Barrier Removal Program budget. \$643,254,481 (or 69%) committed to Board approved projects and \$292,670,358 (or 31%) available for further ADA upgrades.

Thus far, ADA barrier removal projects have averaged approximately \$6.1 million for each school since the inception of this program. Therefore, if current projects and past projects are indicative of the projects that will be funded by Measure RR, it would suggest that an additional 48 projects will be completed in accordance with the Transition Plan. It should be noted that these additional 48 schools will not complete the total number of 235 campuses needed to provide program accessibility throughout the entirety of the school district. However, upon completion, the District will have provided 179 ADA accessible existing facilities campuses, in addition to the 131 New Construction facilities that have already been constructed. Additional funding will need to be identified in the future to complete Phase One of the Transition Plan, and to ensure that the District continues its efforts in supporting inclusive school communities.

Operational Solutions

The ADA requires that program accessibility provide an equal opportunity to access programs, services, and activities offered by the District. This can be achieved by either performing facility modifications or implementing operational solutions. An example of implementing an operational solution would be effectively reassigning programs and activities to more accessible locations on campus rather than constructing elevators or ramps to provide for program accessibility.

The Facilities Services Division's Access Compliance Unit (ACU) has performed ADA accessibility surveys for each of the schools that have had ADA Barrier Removal projects performed. Additionally, they have identified a scope of work that has been taken to the LAUSD Board of Education for approval. If an operational solution is deemed as viable, school administration will need to implement these operational solutions to ensure there is an equal opportunity to access programs, services, and activities and that program accessibility is achieved. To date, there have been 35 schools where operational solutions have been implemented. Follow-up has been conducted to ensure the discussed recommendations offered are readily accessible for individuals with disabilities. The overall intent of these efforts was to not disrupt current active programs during the school year, but instead to implement program relocations as needed prior to the upcoming new school year. As Projects continue to be completed by Facilities Services Division, the Office of ADA Compliance will continue to engage school administrators to work with them to identify Operational Solutions that will need to be made on the campuses where physical modifications are not required to ensure Program Accessibility.

Rapid Access Program and Critical Barrier Removal Projects

The District implemented the Rapid Access Program (RAP) during the 2011-2012 school year to accommodate the program accessibility needs of individual students with disabilities under Section 504, the IDEA, and the ADA so that students are able to participate in a District program, service, or activity. RAP requests are intended to ensure a timely response and approval process for physical modifications at schools. These modifications are to be performed in a manner that is rapid and minor, as well as ensure compliant construction and inspections. RAP projects are requested by the Site Administrator (e.g., a school principal) and reviewed for approval by the Division of Special Education (DSE) and ACU.

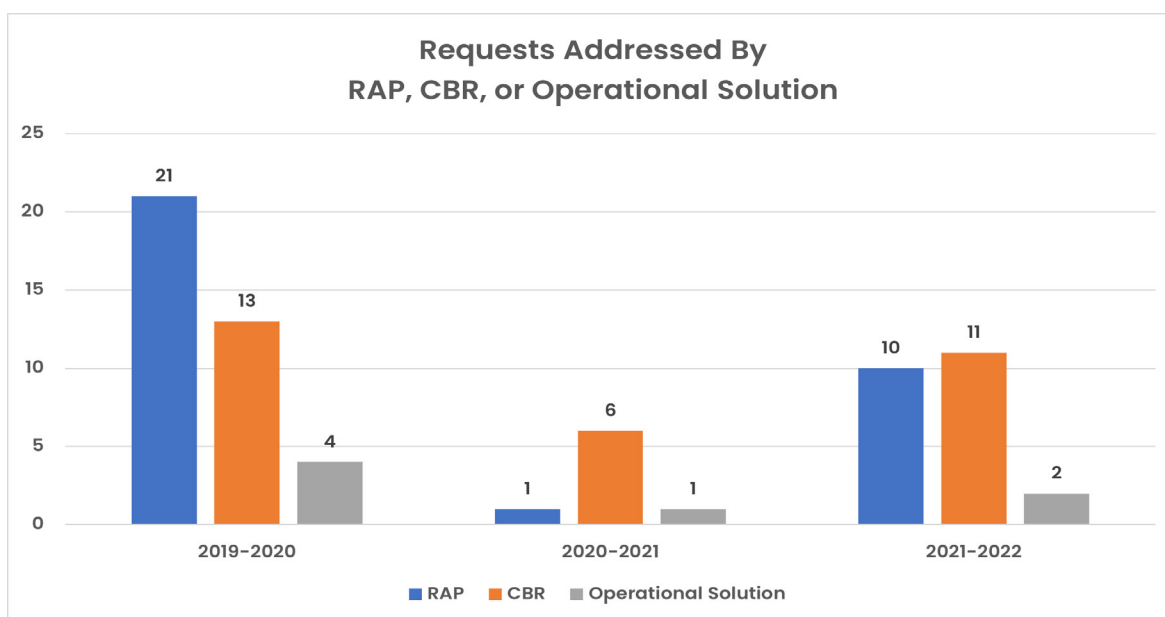
The District's primary goal for the RAP is to have an established, sustainable program with clear guidelines and protocol for responding to requests that are minor in nature and focused on providing interim solutions that quickly provide program access for students. Since the inception of the RAP, solutions for providing program access have included the installation of temporary ramps, accessible drinking fountains, electrical outlets for use at electric changing tables, and minor renovations of restrooms. In addition, operational solutions have been implemented, in some circumstances, eliminating the need to make facility modifications. Examples of these solutions include changing classroom locations and identifying an alternate accessible bathroom on site. If available, operational solutions are the primary focus of resolving a RAP request rather than facility modifications which are often absorbed into a larger ADA barrier removal project to provide Program Accessibility.

Prior to the RAP program, the District performed similar projects which did not fall into the rapid access or minor renovation programs and that took longer to implement. A majority of these requests were larger projects that typically required design, submittal to the Division of the State Architect (DSA), and a construction duration of six months rendering these projects to not be considered rapid and/or minor in nature. There is still a place for projects such as these under the Rapid Access Program, however they are now referred to as Critical Barrier Removal projects (CBR) and are not required to fall within the strict time constraints of providing program access within a 30-day maximum timeline. There have been a total of 420 projects that have resulted in facilities modifications from RAP projects and CBR's since the inception of this program, and 21 of those projects are active as of this writing.

ADAC generates quarterly reports of DSE-submitted RAP requests and CBR projects. The quarterly report captures how many RAP requests were submitted, the scope of work necessary to remove the barrier, and the duration of the project. There are a few occasions when a RAP request is cancelled. Reasons for this may include the barrier being addressed in upcoming construction work, programs being reassigned to accessible classrooms, or a student relocating to another school. ADAC reviews each RAP request and engages in consultation with DSE and ACU prior to the finalization of the quarterly report.

The chart below provides a detailed breakdown of requests addressed by either RAP, CBR, or operational solution for the 2019-20, 2020-21, and 2021-22 school years.

During the 2019-20 school year 21 requests were addressed by RAP, 13 requests were addressed by CBR, and 4 requests were addressed by operational solution. During the 2020-21 school year, 1 request was addressed by RAP, 6 requests were addressed by CBR, and 1 request was addressed by operational solution. During the 2021-22 school year 10 requests were addressed by RAP, 11 requests were addressed by CBR, and 2 requests were addressed by operational solution.



Comprehensive Americans with Disabilities Act Training

A comprehensive online ADA compliance training video is in development. The training consists of five modules covering the topics of: disability awareness, identifying and removing barriers to facilities and/or programs, effective communication, and the importance of technology and web accessibility. It also includes information related to the requirements of Section 508 of the Rehabilitation Act and online accessibility associated with live teleconferencing of IEP team meetings, trainings, and classroom instruction. The training emphasizes the new guidance regarding identifying and removing barriers to effective communication when using technology and/or communicating with individuals who use auxiliary aids. This training, once launched, will be required of all District employees and contract professionals who work on behalf of the District.

ADAC has worked closely with the Charter Schools Division (CSD) to feature information in several of the training modules that is tailored specifically for independent charter schools co-located on District sites and independent charter schools occupying private sites. Although independent charter schools occupying private sites are not mandated to take this training, the Charter Schools Division will highly encourage independent charter schools to participate and will make the ADA training video available on a secure teleconferencing platform.

Effective Communication under the ADA and Section 508 of the Rehabilitation Act of 1973

The emergence of COVID-19 compelled the District to reassess its approach to learning through technology. The District's responsibilities under Title II of the Americans with Disabilities Act, Section 508 of the Rehabilitation Act of 1973 (Section 508), and program accessibility are especially highlighted in the use of Electronic Information Technology for the purposes of learning. School Administrators' understanding of what the District is required to provide has been more important than ever. Section 508 covers access to federal programs and services in relation to electronic and information technology. This law requires that alternative, accessible information technology systems be operated in a variety of ways and does not rely on a single sense or ability of the user. It also ensures accessibility to web content provided by an agency. The ADA requires that Title II entities (State and local governments) communicate effectively with people who have communication disabilities such as individuals who are visually impaired or hard of hearing. The goal is to ensure that communication with people with disabilities is equally effective as communication with people without disabilities. LAUSD is responsible for furnishing appropriate auxiliary aids and services necessary to ensure effective and equitable communication for all constituents, regardless of disability status, in a virtual learning/meeting environment. ADAC has provided technical assistance related to Section 508 and accessibility guidance to multiple 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-time captioning (CART), sign language interpreters, etc., to ensure effective communication is provided to those who rely on assistive devices.

In an attempt to ensure compliance with Section 508 and online accessibility, ADAC modified the comprehensive ADA compliance training to include detailed information regarding how accessibility impacts the roles and responsibilities of those conducting online lessons, trainings, and/or meetings; and how to ensure that the District and/or school-based webpages are developed with accessibility in mind. In addition to updating the training, ADAC updated its ADA Toolkit for Employees to include links and printable guidance on how to conduct accessible online/virtual meetings and develop accessible webpages. Further guidance and resources have been provided at the ADAC webpage <https://achieve.lausd.net/ADA>.

Web Accessibility

Under Title II of the ADA, "A public entity shall take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others." 28 C.F.R. § 35.160(a) (2011). Additionally, "A public entity shall furnish appropriate auxiliary aids and services where necessary to afford individuals with disabilities, including applicants, participants, companions, and members of the public, an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity of a public entity." Id. § 35.160(b) (1). These programs, services, and activities are required to be accessible in all educational settings, which extends to the live stream and virtual learning/meeting environment. Furthermore, Section 508 covers technology procured by an agency under contract with a private entity or produced within the agency itself. Section 508 applies to all Electronic and Information Technology (EIT) including software, web sites, web applications, and hardware applications such as computers, networks, and other types of electronic office equipment.

Compliance with Section 508 and the effective communication requirements of the ADA has become one of the most pressing areas with compliance relating to the approximately 61 million Americans with disabilities across this country. According to the Assistant Attorney General at the U.S. Department of Justice, "The Department first articulated its interpretation that the ADA applies to public accommodations' websites over 20 years ago. This interpretation is consistent with the ADA's Title III requirement that the goods, services, privileges, or activities provided by places of public accommodation be equally accessible to people with disabilities." Web accessibility federal lawsuits hit record numbers in 2019, with 11,053 suits filed in federal court, which was an 8.8% increase from 2018. Approximately 43% of those cases were in the State of California with 4,794 web accessibility lawsuits. Further, web accessibility federal lawsuits for the mid-year of 2022 shows that 4,914 lawsuits have been filed, with 32% or 1,587 cases filed coming from California.

The Web Accessibility Federal lawsuits for the mid-year of 2022 shows that 4,914 lawsuits have been filed, with 32% or 1,587 cases filed coming from California (Seyfarth Shaw LLP, *Sayfarth 2022 ADA Title III Mid-Year Federal Lawsuit Filings Drop 22% Compared to 2021* <https://www.adatitleiii.com/2022/07/2022-ada-title-iii-mid-year-federal-lawsuit-filings-drop-22-compared-to-2021/#:~:text=The%20year%202021%20was%20a,%20stunning%2022%20percent%20reduction>).

The ADAC team has been collaborating with the Information Technology Division (ITD) staff on the development of a strategic plan that will allow the District to ensure that District's websites are developed and maintained in an accessible manner. Part of this strategic plan will review the current staffing, required funding, staff training, modifications needed to the policy bulletin BUL-2424 *LAUSD Website Development and Management Policy* and any additional tools required to develop, maintain, and monitor compliance to meet the Web Content Accessibility Guideline (WCAG) 2.0 Level AA standards.

ITD offers a web platform which provides internal testing capabilities to ensure that every website that is hosted on this platform can identify non-compliant content and perform the necessary corrections to fully comply with standards. However the District has not yet mandated that schools use this platform when developing their individual school websites. In Q1 of 2021, there were a total of 1,352 LAUSD school websites. Of those, 708 schools hosted their websites on a platform which provides the best avenue for successfully developing and verifying accessibility. The other 644 schools' websites have been hosted on third-party sites with limited tools to validate that they are compliant.

School administrators who have their websites on School Loop can request a compliance health check by submitting a ticket and have ITD's Professional Services resolve 508 errors. This process allows the schools to work with ITD to receive the necessary assistance and training to perform health checks and ensure that content is accessible on an ongoing basis. The District continues to work on a process to ensure Section 508 and ADA compliance with its websites.

ADAC and ITD continues to work towards the development of a process which will facilitate the ability to assess, report, and address individual school websites and the accessibility and compliance with ADA Title II and Section 508. Once these tools are in place, ADAC will provide oversight, guidance, and periodic audits of the accessibility of school webpages and ADA compliance.

Program Accessibility and Charter Schools

During the 2020-21 school year there were 280 charter schools overall within the District and 277 charter schools during the 2021-22 school year.

Note: As of the 2022-23 school year, the District has 276 of charter schools, 224 of which are active independent charter schools, 51 are active affiliated charter schools, and 1 is a previously approved (yet unopened) inactive independent charter school. Many charter schools operate on District-owned facilities which are included in the District's Transition Plan, including 5 charter schools authorized by the Los Angeles County Office of Education occupying District facilities via Proposition 39. There are approximately 184 private sites currently utilized by LAUSD-authorized charter schools.

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. Pursuant to the LAUSD Policy and Procedures for Charter Schools, under the Non-LAUSD Facilities section, charter schools are responsible for ensuring compliance with all applicable building codes, standards, and regulations adopted by the city and/or county agencies with jurisdiction to enforce building and safety standards for the school site, as well as federal and state accessibility requirements, and all other applicable fire, health, and structural safety and access requirements. Further, the District Board-approved LAUSD Self-Evaluation and Transition Plan extends the District's oversight authority to compel charter school operators that operate on private sites to complete transition plans.

Accordingly, charter schools operating on private sites shall develop a Self-Evaluation and Transition Plan. Within the charter school's plan, all barriers which limit access to individuals with disabilities must be identified, the best method for the removal of barriers must be determined, the removal of barriers must be scheduled, and the person responsible for executing the charter school's plan must be designated. As part of the charter school's plan, any intentional or unintentional policies and practices that discriminate against people with disabilities, their acquaintances, and others assumed to have a disability are required to be modified.

ADAC has worked closely with the CSD to provide independent charter schools with ADA compliance training as well as Section 508 guidance. Consistent with stated requirements, charter schools operating on a private site have been responsible for having an ADA Self-Evaluation and Transition Plan. In response to that requirement, the District will require the charter school's certification of compliance with Title II requirements of development and submission of the Plan by specified timelines.



Image: Elementary school age children standing and smiling in line in school hallway

Complaints Management

Pillar 1: Academic Excellence

Eliminating
Opportunity Gaps

The District's Complaint Management system is designed to receive and address parent complaints via various forums which are as follows:

- Support to parents provided by the Division of Special Education's School and Family Support Services (SFSS) Call Center;
- Dispute resolution processes to address IEP disagreements; and
- Support provided by the Educational Equity and Compliance Office, including complaint processes available for allegations that the District is failing to comply with the IDEA, the ADA, Section 504, Title VI, Title IX, and other student civil rights laws.

School and Family Support Services (SFSS) Call Center

The Division of Special Education's School and Family Support Services (SFSS) unit provides information, resources, assistance, and guidance regarding special education. The SFSS Call Center staff responds to questions, concerns, and/or complaints related to special education, including matters involving an individual student's IEP or IEPs. The SFSS Call Center also provides the following supports and services:

- Offers information about parent engagement opportunities;
- Provides information to increase understanding and awareness of special education, in support of parent participation in the educational decision-making process for their child;
- Listens to parent concerns and provides resources that support informed decision-making;
- Provides answers to IEP-related questions;
- Responds to inquiries, and helps facilitate the resolution of concerns related to the student's IEP;
- Investigates complaints of alleged special education violations, and facilitates appropriate resolutions in a timely manner; and
- Facilitates collaboration between District staff and parents



Image: Elementary school age boy laughing

IEP Dispute Resolution Processes

Parents with a child involved in the special education process are routinely oriented to the content in the publication titled, “A Parent’s Guide to Special Education Services (Including Procedural Rights and Safeguards)”. This Guide includes information regarding IEP dispute resolution processes available for parents to use, if they choose. If an IEP disagreement occurs, parents have four options to pursue a resolution to the disagreement:

Alternate Dispute Resolution

Alternate Dispute Resolution or “ADR” is an optional dispute resolution process available to parents. ADR is an expedited opportunity to address IEP concerns in a positive, engaging student-centered approach at the earliest level possible, with the goal of resolving parent IEP disagreements at the school level.

Informal Dispute Resolution

Informal Dispute Resolution or “IDR” is an optional dispute resolution process available to parents. IDR is a District process that is designed to be faster, less formal and less adversarial than mediation and due process proceedings. In the IDR process, parents identify their issues and concerns and the District attempts to work with the parent to quickly resolve the issues identified.

Mediation Only

“Mediation Only” is a state-level, voluntary dispute resolution process under the Office of Administrative Hearings (OAH). In Mediation Only, a neutral mediator assists the parent and the District in discussing and attempting to resolve the IEP disagreement. The mediators are not employees of the District and do not have any personal interest in the disagreement. The mediators are selected on an impartial basis by the State and know the laws and regulations relating to the provision of special education and related services. The Mediation Only process includes a mediation conference attended by the parent, the assigned mediator, and a District representative who has decision-making authority. Lawyers or advocates, for the student/parent or for the District, are not permitted to participate in Mediation Only.

Formal Due Process Hearing

Due process hearing requests are dispute resolution proceedings required to be available to parents and school districts under the IDEA. The parent or the District may file a due process complaint on any matter relating to a proposal or refusal to initiate or change the identification, evaluation or educational placement of the student or the provision of a FAPE to the student. The proceedings begin with the submission of a complaint notice and include a resolution period with a mandatory resolution session meeting, optional mediation, and a due process hearing before an impartial hearing officer. The District convenes the resolution session meeting. The OAH conducts the optional mediation and the due process hearing. It may not be necessary to go through all of the due process proceedings to reach resolution. A due process complaint may be resolved by mutual agreement of the parties at any stage of the proceedings.

Educational Equity and Compliance Office

The Educational Equity Compliance Office (EECO), an office within ECM Legal Services, serves as the District’s office for supporting students’ civil rights. The EECO has District-wide responsibilities to ensure compliance with applicable federal and state laws and regulations governing educational programs so that all students and community members are treated equitably in the District’s programs and activities and are provided a safe, secure environment that is free from discrimination, harassment, intimidation, and/or bullying including, but not limited to, all aspects of Section 504, Title VI and Title IX compliance.

It is the law and District policy to afford equal rights and opportunities to all persons to participate in or benefit from the District's programs and activities, regardless of actual or perceived race or ethnicity, gender/sex (including gender identity, gender expression, pregnancy, childbirth, breastfeeding/lactation status and related medical conditions), sexual orientation, religion, color, national origin (including language use restrictions and possession of a driver's license issued under Vehicle Code), ancestry, immigration status, physical or mental disability (including clinical depression and bipolar disorder, HIV/AIDS, hepatitis, epilepsy, seizure disorder, diabetes, multiple sclerosis, and heart disease), medical condition (cancer related and genetic characteristics), military and veteran status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (unless union related), a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance.

The EECO produces, updates and provides contributions to District policies on or related to nondiscrimination; provides training, support, and technical direction to District stakeholders, including students, parents/guardians, community, schools, Local Districts and central offices on harassment, discrimination, intimidation, and/or bullying issues involving protected characteristics; responds to and investigates harassment, discrimination, intimidation, and/or bullying complaint allegations, special education compliance complaints filed with external agencies; facilitates OCR complaint investigations; conducts and coordinates internal complaint investigations involving violations of federal and state laws identified under the UCP regulations; and assists with State and federal program monitoring reviews and other audits of District schools and the District overall.

As the District office for supporting students' civil rights, the EECO has responsibilities to ensure compliance with federal and state nondiscrimination laws, so that all students and community have equal access to the District's programs and activities and are provided an environment that is free from discrimination, harassment, intimidation and/or bullying. In that capacity, the EECO develops and contributes to policies and resources related to nondiscrimination, provides related training and support for District stakeholders, conducts complaint investigations and facilitates resolutions that relate to the following areas:

- Americans with Disabilities Act
- Bullying and Hazing
- Child Abuse
- Code of Conduct with Students
- Hate-Motivated Incidents/Crimes
- LGBTQ Resources
- Nondiscrimination
- Pregnant and Parenting Students Education Rights
- Pupil Fees
- Section 504 of the Rehabilitation Act of 1973
- Sexual Harassment
- Title IV and VI of the Civil Rights Act of 1964
- Title IX of the Civil Rights Act of 1972
- Transgender Student Supports
- Uniform Complaint Procedures (UCP)
- Williams Complaint Procedures

The District requires that all employees participate in a variety of trainings related to the above nondiscrimination-related content areas. EECO has provided related policies for such purposes and has developed many online training modules to facilitate the content.

Complaints Management Processes and Findings

Uniform Complaint Procedures (UCP) – District Internal Formal Investigations

The District has primary responsibility to ensure compliance with applicable state and federal laws and regulations, and shall investigate complaints alleging failure to comply with those laws as against any protected group or non-compliance with laws relating to all programs and activities subject to UCP cited in the list below. The District, and the EECO as the designated compliance office to facilitate, seek to resolve complaints in accordance with procedures in California Code of Regulations §§4600-4694 and District policies/procedures, including retaliation for participation in the UCP process and/or in appeals of District investigation report regarding such complaints. In July 2020, the California Department of Education's updated regulations resulted in allegations of special education compliance violations no longer being under the jurisdiction of UCP at the District level; however, the CDE continues to conduct direct investigations in this subject area and the District continues to receive complaints on behalf of students with disabilities under the provisions for addressing disability-based discrimination under UCP. The following areas fall under UCP jurisdiction:

- Adult education (§§8500-8538, 52334.7, 52500-52617)
- After school education and safety (§§8482-8484.65)
- Agricultural career technical education (§§52460-52462)
- Compensatory education (§54400)
- Consolidated categorical aid programs [34 CFR §§299.10-12, §64000(a)]
- Migrant child education (§§54440-54445)
- Career technical and technical education and career technical and technical training programs (§§52300-52462)
- Child care and development programs (§§ 8200-8498)
- Every Student Succeeds Act (20 United States Code §6301 et seq.; EC §52059)
- Discrimination, harassment, intimidation or bullying of protected groups under §§200, 220 and §11135 of the Government Code, including actual or perceived characteristics set forth in §422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in §210.3, that is funded directly by, or that receives or benefits from, any state financial assistance. (This applies in relation to employee-to-student, student-to-student, student-to-employee, third party to student, employee-to-third party)
- Accommodations for pregnant and parenting pupils, including reasonable accommodations for lactating pupils (§§46015, 222)
- Educational and graduation rights of foster youth, homeless youth, and other youth (e.g., former juvenile court school pupils, pupils from military families, newcomers and migratory education students) (§§48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
- Pupil fees (§§49010-49013)
- Course periods without educational content (§§51228.1-51228.3)
- Physical education instructional minutes (§51223)
- Local control and accountability plans (LCAP) (§52075)
- Regional occupational centers and programs (§§52300-52334.7)
- School plans for student achievement (§64001)
- School site councils (§65000)
- School safety plans (§§32280-32289)
- State preschools (§§8235-8239.1)
- Deficiencies related to preschool health and safety issues for a California state preschool program exempt from licensing (5 CCR §1596.7925, EC §8235.5), per public notices posted for applicable classrooms. Complaint forms can be obtained in those schools or at achieve.lausd.net/eeco.
- Any other state or federal educational program the State Superintendent of Public Instruction or designee deems appropriate.

During the 2020–21 and 2021–22 school years, the EECO responded to all UCP complaints before or by the statutory time frame⁶; 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. The 2020–21 school year was also significantly impacted by the District remaining in distance learning during the pandemic. It is likely that some of the reduction in annual filings is related to EECO’s proactive early intervention approach to resolving stakeholder equity compliance concerns. In the 2020–21 school year, EECO investigated 23 complaints under the UCP process. Of those, one case resulted in a finding of noncompliance with corrective actions. In the 2021–22 school years, the EECO investigated 49 complaints under UCP. Of those, three resulted in a finding(s) of noncompliance with corrective actions. In the same year, the EECO successfully resolved 17 complaints through mediation. EECO’s completed investigation findings have a strong track record of being upheld when appealed to the State.

Williams Complaint Procedures

The EECO facilitates a complaint response process under its Williams Complaint Procedures (*Williams*), another form of Uniform Complaint Procedure, to provide pupils with equal access to instructional materials, safe and decent school facilities and qualified teachers.

Over the years, EECO facilitates complaint responses under *Williams*, in particular of the variety related to safe school facilities and heating or air conditioning (HVAC). During the 2020–21 school year, the District remained in a distance learning environment. As a result, stakeholders had significantly less interaction with District facilities. The District saw a correlated decrease in overall *Williams* complaint filings that year. Inspections of District school facilities continued to be underway by the Los Angeles County Office of Education; the inspection results were positive as the District continued to work proactively to keep its campuses safe in anticipation of return to physical sites. When students returned to in person instruction for the 202–22 school year, the complaints naturally increased with HVAC complaints resuming its place as the most frequent type of *Williams* complaint filed.

The charts below provide the number of complaints received during each fiscal quarter of the school years mentioned as follows: Q1– July 1 to September 30; Q2– October 1 to December 31; Q3– January 1 to March 31; Q4–April 1 to June 30.

Williams Complaints by Quarter 2020/2021 School Year = 18			
Q1	Q2	Q3	Q4
5	1	1	11

Williams Complaints by Quarter 2021–2022 School Year = 98			
Q1	Q2	Q3	Q4
29	26	31	12

⁶ Senate Bill 117, Section 7, enacted on 3/17/20 provided, “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).” Senate Bill 820, Section 7, enacted on 9/18/20, rendered Senate Bill 117, Section 7 inoperative retroactive to 7/1/20.

Using a 30–45 day resolution timeline, each complaint received is investigated by designated personnel in the applicable subject area (e.g., sufficiency of instructional materials, safety or condition of facilities, and qualified teachers). At the investigative conclusion, the records are compiled into a report summary and scheduled for presentation at a public hearing.

CDE Special Education Compliance Complaints

The EECO facilitates the investigation and resolution of special education compliance complaints alleging a violation of IDEA filed with the State. It provides notice to appropriate District personnel, obtains documentation to respond to complaint allegations, notifies relevant stakeholders of required actions, and provides technical assistance and monitoring in order to complete State-stipulated corrective actions.

EECO responded to 80 investigations during the 2021–22 school year and 114 during 2020–21, representing a 35% decrease, possibly resulting from the decline in enrollment and remote and hybrid instruction. Of the most recent year's filings, 16 allegations were successfully proactively resolved and withdrawn in whole through alternative dispute resolution, and two resolved via due process. For the remaining investigations, the District had 43 allegations with a finding of compliance (no change from the previous year) and 78 instances representing a substantial increase of noncompliance with associated corrective actions to remedy each noncompliance finding.

Separately, EECO seeks to resolve compliance matters proactively. When possible, EECO provides proactive Alternative Dispute Resolution for special education compliance matters before a formal complaint is filed with the State. During the 2021–22 school year, EECO successfully resolved 100% of the 14 proactive resolutions (potentially decreasing the total filings by the same quantity).

An alternative to waiting sixty (60) days for a written decision from the CDE is to voluntarily engage in the District's Alternative Dispute Resolution (ADR) process, which is supported and recognized by the CDE. The goal of the ADR process is to resolve the complaint in an expedited manner. Within thirty (30) days of the resolution of the complaint, the CDE will contact the parent to confirm the successful resolution of the complaint. If the parent is dissatisfied with the resolution, the parent may appeal to the United States Department of Education.

OCR Discrimination Complaints

The EECO is the District designated office to respond to discrimination complaints that have been filed against the District with OCR alleging violations of federal law. For the majority of the 2020–21 school year, students in the District attended school in a distance learning environment. During this time period, the District experienced a correlated decrease in discrimination complaint filings. In the 2020–21 school year, the District received two OCR complaints, both of which involved special education and ADA/Section 504 compliance concerns.

In the 2021–22 school year, the EECO responded to an increase of eight complaint investigations conducted by the OCR. These complaints involved alleged discrimination under Title VI (race, color, national origin) or ADA/Title II (disability). Of these eight cases, three have been closed without compliance violations, and five are pending final determinations by the OCR.

Section 504 of the Rehabilitation Act of 1973

EEOC provides substantive support to District compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), a civil rights law that prohibits discrimination/harassment on the basis of disability in any program or activity receiving federal financial assistance. The District has specific responsibilities related to provision of a FAPE to school age individuals with disabilities under Section 504 and the IDEA. EEOC provides direction regarding education and civil rights laws and the District's responsibility to provide a FAPE to school age individuals with disabilities, as well as assistance and technical support to all stakeholders regarding IEP or Section 504 Plans in order to ensure protections from discrimination for students with disabilities.

Disability-based discrimination/harassment is intimidating or abusive behavior that interferes with or denies a student from participation in or receipt of benefits, services, or opportunities in District programs and activities. The EEOC provides technical direction, training, and investigates allegations concerning violations of Section 504. Support is provided to stakeholders by:

- Answering questions regarding serving students with disabilities (who do not qualify for special education services) in the general education program;
- Facilitating Section 504 plan meetings;
- Providing direction regarding program and activity access issues;
- Conducting investigations of allegations of failure to implement District Section 504 policy, including implementing administrative remedies and monitoring corrective actions for findings of noncompliance ;
- Conducting mediation or hearings in accordance with procedural safeguards, for which one hearing was initiated in the 2021-22 school year and continued into the current school year.

Reasonable Accommodations for Employees

In accordance with Section 504, ADA of 1990, Fair Employment and Housing Act (FEHA), and applicable state laws, the EEOC coordinates and facilitates meetings to review requests for reasonable accommodations that have been denied to employees at the District's Reasonable Accommodation Committee.

The reasonable accommodation process requires the cooperation of all involved to ensure that individuals with disabilities are given the accommodations necessary to perform the essential functions of their jobs and receive the benefits and privileges of employment. State and federal statutes mandate that the employer engage the employee in an interactive process to determine effective reasonable accommodations any time the employee requests a reasonable accommodation, or if the disability is known and the employer becomes aware of a potential need for accommodation. If the administrator at the site is unable to accommodate an employee or if an employee disagrees with the accommodations provided, an employee may request to meet with the District's Reasonable Accommodation Committee. If an employee disagrees with the District's Reasonable Accommodation Committee decision, the employee may request to meet with the Reasonable Accommodation Appeal Committee for reconsideration, a process overseen by EEOC. There was a substantial increase in employee requests for reasonable accommodations based on disability during the 2021-2022 school year.

Title IX of the Educational Amendments of 1972

Title IX of the Educational Amendments of 1972, Sexual Harassment and Supports for lesbian, gay, bisexual, transgender, and queer (and/or questioning) (LGBTQ). In accordance with Title IX of the Educational Amendments of 1972, a federal law that prohibits discrimination, harassment, exclusion, denial, limitation or separation based on sex or gender. EECO provides support to stakeholders in the following contexts:

Pregnant students and teen parents have a right to an equal education, full participation, and to enroll in any school or program for which they would otherwise qualify at any stage of pregnancy. They have the right to remain in their regular or current school program, including elementary or secondary schools, honors and magnet programs, special education and nonpublic school placements, alternative/options programs, migrant education, free and reduced lunch programs and services for English Learners, and any others for which they are otherwise qualified. This also includes participation in: graduation, awards, ceremonies, field trips, student clubs, councils, after-school activities, and any other school-related programs. Students cannot legally be expelled, suspended, or otherwise excluded from, or required to participate in school programs solely on the basis of their pregnancy-related conditions, or marital or parental status.

Schools are required to offer students equal opportunities to play sports. Schools must ensure that athletes receive equal benefits and services, including equal quality and quantity of equipment, supplies and facilities (locker rooms, fields, and courts), and fairness in scheduling games and practices, and in assigning quality coaches.

Title IX requires every school district or institution have a Title IX Complaint Manager to whom concerns/complaints regarding sex discrimination or harassment can be made. Verbal or written Title IX complaints can be made to the school administrator, site Title IX/Bullying Complaint Manager, or District Title IX Coordinator. Complainants have a right to a timely resolution. The District's Title IX Coordinator is the Director of the EECO.

Sexual harassment is a major offense that can result in disciplinary action to the offending employee or the suspension or expulsion of the offending student in grades four through twelve. The EECO provides direction to schools and Local Districts in responding to, answering questions, and investigating allegations (including implementing administrative remedies and monitoring corrective actions for findings of noncompliance) of student sexual harassment in any of the following areas:

- Keeping students informed of their rights;
- Supporting appropriate agency reporting;
- Analyzing complaints for site or district response and conducting required Title IX complaint investigations;
- Documenting actions taken in response to complaints, including provision of supportive measures;
- Informing parties of sexual harassment allegations and how the school responded
- Monitoring and follow-up activities involving complaints; and,
- Informing complainants of appeal rights to school and Local District decisions regarding complaints.

In August 2020, the federal government promulgated updated Title IX regulations addressing sexual misconduct and very specifically defined instances of when a formal investigation under the new Title IX grievance procedures would be implicated. Districts would be allowed to continue to address sexual harassment that did not rise to the level of conduct required for the formal complaint process to be initiated. At that time, students were primarily receiving instruction in an isolated or remote setting preventing most students from having in-person sexual misconduct type interactions that could meet the newly defined sexual harassment definitions for invoking the formal sexual harassment investigation under Title IX.

Upon returning to in-person instruction during the 2021-2022 school year, the District conducted 37 Title IX sexual harassment investigations and determinations of findings in alignment with criteria in the new regulations. Of those, 16 resulted in a determination that a respondent(s) was/were found responsible for a violation under the regulations governing Title IX.

The District has a long history of providing supports to the LGBTQ community. This originated with the District's Project 10 program, which was established to provide educational support and ensure District policies and procedures protect the rights of LGBTQ students. The District's mission is to ensure safe, supportive, and welcoming campuses free from discrimination and harassment based on actual or perceived sex, sexual orientation, gender, gender identity or expression. This continues today in accordance with the District's nondiscrimination policy and the California Student Safety and Violence Prevention Act of 2000, as various offices offer technical assistance and educational support to schools for LGBTQ students.

The following services are provided to staff and students:

- Anti-bias trainings on understanding LGBTQ youth, and on recognizing and preventing discrimination, harassment and bias;
- Assistance and support for establishment and maintenance of Gender Sexuality Alliances (GSAs);
- Technical support and referral to District and community resources to assist school personnel in addressing LGBTQ needs;
- Advocacy on behalf of LGBTQ students in interactions with District personnel, commissions, task forces, and in community, student and parent groups;
- Investigation of allegations of discrimination, harassment, bullying; and,
- Collaboration with District partners on resources and events celebrating inclusion of the LGBTQ population

Federal Program Monitoring Audits/Reviews

The CDE conducts annual federal program monitoring reviews of various programs. In preparation for this, the EECO conducts mock validation reviews and provides support during formal reviews of educational equity, civil rights and UCP to assist schools with agency audits. EECO also provides nondiscrimination information and resources in audits of the Career and Technical Education Civil Rights Review held annually at schools designated by the State.



Image: High school age students standing and laughing outside school.

Parent Engagement

Ensuring the Rights of Parents



Of paramount concern to the District is 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 IEP and You guide provides information regarding the IEP meeting process. This information supports parents in participating and making informed decisions about their child's educational program.
- *The ITP and You*: The ITP and You provides information regarding the development of the transition planning portion of the IEP for students ages 14 and over, through graduation with a diploma or 22.
- *The LRE Brochure*: The LRE Brochure provides information regarding the IEP process for determining a student's least restrictive environment taking into account that to the maximum extent appropriate, children with disabilities are educated with children who are nondisabled; and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.
- *A Parents' 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 by federal and state law to be provided annually and upon certain events.

Board of Education Committees Chaired By Board Member Schmerelson

Special Education Committee

The purpose of the Special Education Committee is to inform parents, the school community, and others about the Los Angeles Unified Special Education Local Plan Area's (SELPA) work on behalf of students with disabilities (which includes Independent Charter Schools that belong to the LAUSD SELPA). Meeting agenda items are listed below.

2020–21 School Year

March 25, 2021

- Supporting our Students with Disabilities
- Effective Efforts in Distance Learning and Planning a Safe Return to School
- Voices from the Field
- Psychological Services Supports During Distance Learning
- Special Education Success During Distance Learning and Preparation for Reopening
- Update on Dyslexia Support
- Community Advisory Committee (CAC) Update

May 12, 2021

- Supporting our Students with Disabilities
- Continuing Opportunities for Learning
- A Look at Our Early Childhood Program and a Career Transition Center During Reopening
- Early Childhood Special Education: Back to School
- Reopening at Miller Career Transition Center
- Student Voices: Student Experiences During Reopening
- Community Advisory Committee (CAC) Update

2021-22 School Year

September 9, 2021

- Supporting our Students with Disabilities
- Information and Updates
- Back to School
- Rio Vista Elementary School
- Supporting Families during the Pandemic
- Los Angeles County Department of Public Health

November 4, 2021

- Comprehensive Coordinated Early Intervening Services (CCEIS)
- Unified Champion Schools
- UCLA Arts and Healing
- Community Advisory Council (CAC) Updates

March 10, 2022

- Special Education Virtual Academy Update
- Special Education Budget Overview
- A Look at Inclusion in Our Schools

May 12, 2022

- Community Advisory Committee (CAC) Updates
- Overview of LAUSD Compensatory Education Plan for Students with Disabilities Impacted by Remote Learning During the COVID-19 Pandemic
- Willenberg Special Education Center
- Summer School Programs for Students with Disabilities

Family And Community Engagement

The Family and Community Engagement Committee discusses strategies to strengthen communication with LAUSD families, shape stakeholder engagement practices, examine emerging needs among families, and address opportunities for adult learning. Meeting agenda items are listed below.

2021-22 School Year

October 14, 2021

- LAUSD Redistricting Process: Overview and Next Steps
- 2021 Superintendent Search
- Stakeholder Engagement Timeline & Findings
- Innovative Strategies to Engage our Families

December 9, 2021

- Role, Impact, and Promise of School-Based Parent Engagement Positions
- Introduction
- Overview of Classifications
- Voices from the Field
- Update on LAUSD Adult Education and Family Empowerment Initiatives

February 10, 2022

- Addressing Oral Health Inequities in Los Angeles
- Spotlight on Senate Bill 830

April 28, 2022

- Overview of New Web Content Management System
- Committee Discussion on the LAUSD Website
- Examining what works and identifying opportunities for improvement

June 16, 2022

- GoPass Fearless Pilot Program Update
- Food Services Division: At a Glance
- COVID-19 Compensatory Education Plan Overview



Image: Father and preschool age daughter reading at home

Board Resolution: Restructure Deaf and Hard of Hearing Education: Elevate Language Equity, Eliminate Bias in Deaf Education, and Improve Educational Outcomes

Resolution-029-21/22 Restructure Deaf and Hard of Hearing Education: Elevate Language Equity, Eliminate Bias in Deaf Education, and Improve Educational Outcomes was presented for Board action on May 10, 2022 and was adopted, 7 Ayes. This Resolution was authored by Board Member Goldberg and co-sponsored by Board Member Schmerelson, Board Member McKenna and Board Member Ortiz Franklin.

Key components of the Resolution included the potential establishment of a Deaf and Hard of Hearing Education Department that is separate from the existing Low Incidence Department within the Division of Special Education. The Resolution also called for an Advisory Committee of Deaf and Hard of Hearing (including Black Indigenous and People of Color (BIPOC)) education professionals to collaborate with Human Resources to provide input into and to help develop processes for the recruitment, hiring, training, and retention of qualified Deaf and Hard of Hearing education professionals.

The Resolution required that all families of Deaf and Hard of Hearing babies (age 0-3) be given complete, accurate, and unbiased information regarding all language and program options; that the infant program be adapted to encompass an evidence-based bilingual approach of American Sign Language and English with unbiased curricula; and that all Deaf babies (age 0-3) begin the infant program in a bimodal ASL English Bilingual (AFB) program subject to parental consent through the Individuals with Disabilities Education Act (IDEA) Individualized Family Service Plan (IFSP) process.

The Resolution also directed the District to formally recognize ASL as a language of instruction for Deaf and Hard of Hearing students and to expand the number of courses in secondary schools for ASL as a world language option with a particular emphasis in the provision of such courses for Deaf and Hard of Hearing students, as well as offering ASL classes as an opportunity for parents.

Special Education Community Advisory Committee

The Community Advisory Committee serves in an advisory capacity and advises the policy and administrative entity of the special education local plan regarding the development, amendment, and review of the local plan. The District's Parent and Community Services office facilitates the District resources needed by the CAC to meet their responsibilities. The District's Division of Special Education acts as partner in providing information to the CAC and in facilitating the LAUSD SELPA's process in developing, amending, and submitting the Local Plan.

Conclusion

The District's students displayed a strong commitment to learning during the 2020–21 and 2021–22 school years as they dealt with the impact of the COVID-19 pandemic. Educators continued to teach while adapting to the demands of distance learning and ensuring that all students were able to access the technology and instructional resources needed to benefit from their education. As students and educators transitioned from distance learning back to full in-person learning in school facilities, the District instituted practices to facilitate health and safety on campus.

During this two-year time period, the implementation of distance learning was new for many and the infrastructure to do so had to be put in place quickly. The fortitude of educators and other school district staff was tested as training and systems were implemented to ensure that the education of students continued uninterrupted. The District continued to focus on improving student outcomes and ensuring rights while transitioning from in-person instruction to distance learning, then to hybrid instruction, and finally back to full-in person instruction. Processes for addressing parent concerns remained in place and receiving and addressing complaints in alignment with legal requirements continued. While in-person meetings were not feasible, the Board of Education conducted the Special Education Committee meetings remotely. The Special Education Community Advisory Committee met remotely as well. The District recognized the importance of continuing these meetings in a remote format to establish a means for parents to continue having these forums in place.

Moving forward as the District focuses on matters of academic excellence, joy and wellness, engagement and collaboration, operational effectiveness, and investing in staff, the emphasis will be on ensuring that students are Ready for the World.



Image: High school age students outside school, wearing graduation caps and gowns, holding diplomas, and smiling

Recommendations

1. **Monitoring:**
Incorporate an analysis of findings of the District's performance on the State Performance Plan Indicators, procedural compliance practices, and IEP and due process complaints into the District's internal monitoring processes. Routinely analyze District, Regional, Charter, and Non-public school/agency level data to determine trends and issues in order to prevent systemic issues of non-compliance.
2. **Messaging:**
Promote a culture of compliance and ethics by messaging the meaningful purpose of ensuring student and parent rights, improving outcomes for students, and complying with law.
3. **Governance:**
Focus on matters of access, equity, and achievement for students in senior leadership meetings, in particular as it relates to the significant disproportionality of African American students with an eligibility of emotional disturbance, and the suspension of African American students with disabilities.
4. **Policies and Procedures:**
Review, develop, and implement policies in a coordinated manner across various programs and offices in the District to address the needs of all students.

Acknowledgements from Deneen Evans Cox, Deputy General Counsel

On behalf of the Ethics and Compliance Monitoring Legal Services (ECM) team, I would like to acknowledge schools, Local Districts/Regions 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 ECM team has worked in particularly close alignment with the Division of Special Education, Facilities Services Division and Information Technology Division leadership teams throughout the 2020-21 and 2021-22 school years and looks forward to continuing those collaborative efforts into the 2022-23 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 Ethics and Compliance Legal Services teams and the ECM team leads: Mary Kellogg (Associate General Counsel I), Kenneth Arrington (ADA Compliance Office [ADAC]); Julie L. Hall-Panameño (Educational Equity Compliance Office [EECO]); Veronica Smith and Miwa Ujiie (IDEA Compliance), and Darlene Vargas (Ethics) for their technical expertise and guidance.



Image: Students outside, holding up a globe