

LOS ANGELES UNIFIED SCHOOL DISTRICT

SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE

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Joseph P. Buchman – Legal Counsel

Burke, Williams & Sorensen, LLP

Thomas A. Rubin, CPA

Oversight Committee Consultant

Timothy Popejoy

Bond Oversight Administrator

(Vacant)

Asst. Administrative Analyst

RESOLUTION 2016-46

BOARD REPORT NO. 200-16/17

**PROPOSED AMENDMENT TO THE FACILITIES SERVICES DIVISION
STRATEGIC EXECUTION PLAN TO DEFINE AND APPROVE PROJECTS TO
ENHANCE ACCESSIBILITY FOR STUDENTS OR QUALIFIED MEMBERS OF
THE COMMUNITY WITH DISABILITIES AT 10 SCHOOLS**

WHEREAS, District Staff proposes that the Board of Education approve an amendment to the Facilities Services Division (FSD) Strategic Execution Plan (SEP) to define and approve 10 school projects to enhance accessibility with a combined budget of \$15,149,918 (collectively, the "Project") as described in attached Board Report 200-16/17; and

WHEREAS, on November 10, 2015 (Board Report No. 157-15/16) the Board allocated \$528.25 million of Bond Program funding to enable staff to undertake necessary and prioritized structural changes to school facilities in order to comply with the program accessibility requirements of the Americans with Disabilities Act (ADA) Title II Regulations, and the provisions of the *Chanda Smith* Modified Consent Decree (MCD); and

WHEREAS, in addition to this specific funding allocation, \$41.75 million of Bond Program funds already targeted for special education facilities are being utilized for program accessibility improvements, and at least \$30 million of program accessibility improvements will be undertaken as part of the major/comprehensive modernization projects; and

WHEREAS, in total, more than \$600 million is anticipated to be invested in the effort; and

WHEREAS, the 10 proposed accessibility enhancement projects are part of this larger District plan and commitment to comply with ADA Title II program accessibility requirements and the provisions of the MCD; and

WHEREAS, the proposed projects will remove identified and prioritized barriers to program accessibility for students, families, and the community; and

Resolution 2016-46

**PROPOSED AMENDMENT TO THE FACILITIES SERVICES DIVISION
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WHEREAS, District Staff advises that the Project is necessary to improve student health, safety and educational quality; and

WHEREAS, the Board of Education's approval of the project would authorize District Staff to proceed with the expenditure of bond funds to undertake the Project in accordance with the provisions set forth in Measures K, R, Y and Q; and

WHEREAS, District Staff advises that the Project is consistent with the District's commitment to address unmet school needs and provide students with a safe and healthy learning environment; and

WHEREAS, District Staff has concluded that the proposed SEP amendment would facilitate implementation of the FSD SEP, and therefore, it would not adversely affect the District's ability to successfully complete the FSD SEP;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The School Construction Citizens' Bond Oversight Committee recommends that the Board of Education adopt the Proposed Amendment to the Facilities Division Strategic Execution Plan to Define and Approve Projects to Enhance Accessibility for Students or Qualified Members of the Community with disabilities at 10 Schools, as defined in Board Report 200-16/17, a copy of which is attached hereto in the form it was presented to the BOC and is incorporated herein by reference.
2. This resolution shall be transmitted to the Los Angeles Unified School District Board of Education and posted on the Oversight Committee's website.
3. The District is directed to track the above recommendation and to report on the adoption, rejection, or pending status of the recommendations as provided in section 6.2 of the Charter and Memorandum of Understanding between the Oversight Committee and the District.

ADOPTED on December 1, 2016, by the following vote:

AYES: 12

ABSTENTIONS: 0

NAYS: 0

ABSENCES: 1

Pamela Schmidt

Pamela Schmidt
Chair

Quynh Nguyen

Quynh Nguyen
Vice Chair



Board of Education Report

File #: Rep-200-16/17, **Version:** 1

Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve Projects to Enhance Accessibility for Students or Qualified Members of the Community with Disabilities at 10 Schools

December 13, 2016

Facilities Services Division and Division of Special Education

Action Proposed:

Staff proposes that the Board of Education (Board) approve an amendment to the Facilities Services Division Strategic Execution Plan (FSD-SEP) to define and approve 10 projects to enhance accessibility at the following schools with budgets and schedules listed in Exhibit A (attached), and incorporate them into the FSD-SEP:

1. 10th Street Elementary School
2. 68th Street Elementary School
3. 135th Street Elementary School
4. Academy of Enriched Sciences Magnet
5. Anatola Elementary School
6. Dodson Middle School
7. Fair Avenue Elementary School
8. Glenwood Elementary School
9. Union Avenue Elementary School
10. Vinedale Elementary School

The accessibility enhancement projects will remove identified and prioritized barriers to program accessibility for students, families, and the community. The scope for each project may include, but is not limited to the following:

1. Installation of ramps
2. Installation of handrails
3. Upgrades to path of travel slopes
4. Installation of new accessible lunch tables as necessary
5. Upgrades to restrooms
6. Installation of new stage lifts
7. Upgrades to drinking fountains
8. Upgrades to passenger loading zones and parking
9. Installation of elevators

As part of this action, Staff proposes that the Board authorize the Chief Procurement Officer and/or his designee to execute all instruments necessary to execute the projects including the purchase of equipment and materials in support of facilities program accessibility.

The total budget for these projects is \$15,149,918.

Background:

On November 10, 2015 (Board Report No. 157-15/16) the Board allocated \$528.25 million of Bond Program funding to enable staff to undertake necessary and prioritized structural changes to school facilities in order to comply with the program accessibility requirements of the Americans with Disabilities Act (ADA) Title II Regulations, and the provisions of the *Chanda Smith* Modified Consent Decree (MCD). In addition to this specific funding allocation, \$41.75 million of Bond Program funds already targeted for special education facilities are being utilized for program accessibility improvements, and at least \$30 million of program accessibility improvements will be undertaken as part of the major/comprehensive modernization projects. In total, more than \$600 million is anticipated to be invested in the effort. The 10 proposed accessibility enhancement projects are part of this larger District plan and commitment to comply with ADA Title II program accessibility requirements and the provisions of the MCD. The proposed projects will remove identified and prioritized barriers to program accessibility for students, families, and the community.

As part of the MCD under the category of “Making Schools Accessible,” there are four requirements to achieve compliance of the MCD listed in Sections 10 and 17. They are:

Section 10 of the MCD

- (1) All new construction and renovation or repairs by the District shall comply with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA).

The Independent Monitor (IM) has acknowledged improvement on this requirement.

- (2) The District shall enter into binding commitments to expend at least \$67.5 million on accessibility renovations or repairs to existing school sites consistent with Section 504 of the Rehabilitation Act and ADA.

The IM acknowledges that this target was met on August 10, 2011.

- (3) The District shall establish a unit to address “on-demand” requests related to accessibility. The District shall expend up to \$20 million for task orders related to requests for program accessibility.

Section 17 of the MCD

- (4) The IM must also determine that there are no systemic program accessibility problems within the District’s schools that prevent substantial compliance with the program accessibility requirements of federal special education laws and regulations.

This requirement, listed under Section 17, is the final step in achieving the goal of “Making Schools Accessible.” There are two key components to ensuring the District has no systemic program accessibility problems, they are:

- i. Continue to train staff to ensure that special education students and staff are provided equal access to programs. This includes ADA technical experts’ involvement during the scoping, design and construction of all projects. This responsibility is being achieved through Facilities Design and Access Compliance staff.
- ii. Demonstrate that the District has the capacity to comply with the transition plan requirements under ADA Title II regulations by showing that it has a plan for complying with the federal

requirements for transition plans by identifying barriers to program accessibility throughout the District and including a schedule for the removal of those barriers.

Expected Outcomes:

Staff anticipates that the Board will approve the proposed actions to define and approve 10 accessibility enhancement projects. The 10 accessibility enhancement projects will remove identified and prioritized barriers to program accessibility for students, families, and the community.

Board Options and Consequences:

Approval of the proposed action will authorize staff to proceed with the expenditure of Bond Program funds to immediately begin designing and constructing the accessibility enhancement projects at 10 school sites. If the Board does not approve the proposed action, staff will not be able implement the execution of these program accessibility improvements as referred to in the MCD and required for compliance with Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.

Policy Implications:

As special education classrooms are identified and facility investments are made in ADA program accessibility improvements, Special Education room changes by Administrators or Principals should be reviewed by the Division of Special Education and the Facilities Services Division to ensure that accessibility problems are not created as a result of the classroom moves. This will be done in close coordination with school staff to ensure disruptions are minimized.

Budget Impact:

The total of the project budgets for the 10 program accessibility enhancement projects is \$15,149,918. The projects will be funded by Bond Program funds in the School Upgrade Program targeted specifically for Special Education facilities.

Issues and Analysis:

In total, this proposed action allocates \$15,149,918 in Bond Program Funds to make facility program accessibility improvements at 10 schools. This action is consistent with the District's obligations and pursuant to the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, the ADA and the MCD will be in direct support of staff and approximately 83,000 special education students currently attending District schools.

Facilities staff regularly meets with the Division of Special Education, the Office of the General Counsel, and other District stakeholders including Local District representatives to review changing school conditions and to identify schools with the highest need for an accessibility enhancement project. The 10 proposed projects were prioritized in large part due to the number of students with qualified disabilities that are currently attending each school (See Exhibit B for detailed list of student eligibility by program for the 10 schools).

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

Bond Oversight Committee Recommendations:

This item was considered by the School Construction Bond Citizen's Oversight Committee (BOC) at its meeting on December 1, 2016. Staff has concluded that this proposed FSD-SEP amendment is in alignment with Bond Oversight Committee recommendations and will facilitate implementation of the FSD SEP, and therefore, it will not adversely affect the District's ability to successfully complete the FSD-SEP.

Attachments:

- Exhibit A - Define and Approve Projects to Enhance Accessibility at 10 Schools
- Exhibit B - Student Eligibility by Program at 10 Schools

Informatives:

None.

RESPECTFULLY SUBMITTED,

APPROVED BY:

MICHELLE KING
Superintendent

MARK HOVATTER
Chief Facilities Executive
Facilities Services Division

REVIEWED BY:

APPROVED BY:

DAVID HOLMQUIST
General Counsel

BETH KAUFFMAN
Interim Associate Superintendent
Division of Special Education

___ Approved as to form.

REVIEWED BY:

PRESENTED BY:

CHERYL SIMPSON
Director, Budget Services and Financial Planning

GREGORY GARCIA
Director of Project Execution
Facilities Services Division

___ Approved as to budget impact statement.



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Exhibit A: Define and Approve Projects to Enhance Accessibility at 10 Schools

1. 10th Street Elementary (1708201) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Central, Board District 2 - Garcia

- *Project Background and Scope* – This project includes upgrades to twelve (12) paths of travel, seven (7) restroom modifications, two (2) drinking fountain rework, one (1) assistive listening installation, three (3) ADA ramp installations, and one (1) passenger loading zone.
- *Project Budget* -- \$1,467,584
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.

2. 68th Street Elementary (1679501) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District South, Board District 7 - Vladovic

- *Project Background and Scope* – This project includes upgrades to three (3) paths of travel, eight (8) restroom modifications, one (1) drinking fountain rework, one (1) assistive listening installation, two (2) ADA ramp installations, one (1) stage lift, and one (1) passenger loading zone.
- *Project Budget* -- \$1,464,244
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.

3. 135th Street Elementary (1587701) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District South, Board District 1 – McKenna III

- *Project Background and Scope* – This project includes upgrades to seven (7) paths of travel, seven (7) restroom modifications, two (2) drinking fountain rework, one (1) assistive listening installation, one (1) ADA ramp, and one (1) passenger loading zone.
- *Project Budget* -- \$1,050,704
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.

4. Academy of Enriched Sciences Magnet (1225001) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Northwest, Board District 3 - Schmerelson

- *Project Background and Scope* – This project includes upgrades to five (5) paths of travel, six (6) restroom modifications, three (3) drinking fountain rework, one (1) assistive listening installation, five (5) ADA ramp installations, and one (1) parking area modifications including work on accessible parking stalls.
- *Project Budget* -- \$1,425,321
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.



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(Exhibit A – Continued)

5. Anatola Avenue Elementary (1211001) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Northwest, Board District 6 - Ratliff

- *Project Background and Scope* – This project includes upgrades to three (3) paths of travel, seven (7) restroom modifications, one (1) assistive listening installation, one (1) ADA ramp installation, one (1) stage lift, and two (2) passenger loading zones.
- *Project Budget* -- \$1,205,225
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.

6. Dodson Middle School (1811001) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District South, Board District 7 - Vladovic

- *Project Background and Scope* – This project includes upgrades to thirteen (13) paths of travel, ten (10) restroom modifications, six (6) drinking fountain rework, two (2) assistive listening installations, four (4) ADA ramp installations, three (3) stage lifts, and one (1) passenger loading zone.
- *Project Budget* -- \$2,609,805
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q3 2018.

7. Fair Avenue Elementary (1371201) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Northeast, Board District 6 - Ratliff

- *Project Background and Scope* – This project includes upgrades to two (2) paths of travel, six (6) restroom modifications, one (1) drinking fountain rework, one (1) assistive listening installation, four (4) ADA ramp installations, one (1) stage lift, and two (2) passenger loading zones.
- *Project Budget* -- \$1,514,251
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.

8. Glenwood Elementary (1419201) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Northeast, Board District 6 - Ratliff

- *Project Background and Scope* – This project includes upgrades to thirteen (13) paths of travel, six (6) restroom modifications, four (4) drinking fountain rework, one (1) assistive listening installation, four (4) ADA ramp installations, and one (1) passenger loading zone.
- *Project Budget* -- \$1,427,610
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.



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(Exhibit A – Continued)

9. Union Avenue Elementary (1735601) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Central, Board District 2 - Garcia

- *Project Background and Scope* – This project includes upgrades to three (3) paths of travel, eleven (11) restroom modifications, three (3) drinking fountain rework, one (1) assistive listening installation, one (1) ADA ramp installation, one (1) parking area modification including work on accessible parking stalls, and one (1) passenger loading zone.
- *Project Budget* -- \$1,452,146
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.

10. Vinedale Elementary (1754801) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District Northeast, Board District 6 - Ratliff

- *Project Background and Scope* – This project includes upgrades to fourteen (14) paths of travel, five (5) restroom modifications, seven (7) drinking fountain rework, one (1) assistive listening installation, two (2) ADA ramp installations, one (1) parking area modification including work on accessible parking stalls, one (1) stage lift, and one (1) passenger loading zone.
- *Project Budget* -- \$1,533,028
- *Project Schedule* – Construction is anticipated to begin in Q4 2017, and conclude in Q2 2018.



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Exhibit B: Student Eligibility by Program at 10 Schools

Eligibility/Site	10 th Street ES	68 th Street	135 th Street ES	Academy of Enriched Sciences Magnet	Anatola ES	Dodson MS	Fair ES	Glenwood ES	Union ES	Vinedale ES	Total
Autism (AUT)	10	15	17	5	7	20	30	17	38	9	168
Deafness (DEAF)											0
Emotional Disturbance (ED)			1							1	2
Hard of Hearing (HH)	5	2	1		1				1		10
Intellectual Disability (ID)	16	29	1		14		6		2	1	69
Orthopedic Impairment (OI)	4	5	7	12	3	3	2		5		41
Other Health Impairment (OHI)	6	10	22	4	4	25	10	3	14	2	100
Specific Learning Disability (SLD)	32	39	42	10	33	78	50	24	40	12	360
Speech or Language Impairment (SLI)	18	20	22	2	15	5	35	5	35	10	167
Visual Impairment (VI)						1	2		1		4
Total	91	120	113	33	77	132	135	49	136	35	921