

LOS ANGELES UNIFIED SCHOOL DISTRICT

SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE

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Dr. Clarence Monteclaro (Alternate)

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Connie Yee (Alternate)

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

Joseph P. Buchman – Legal Counsel

Burke, Williams & Sorensen, LLP

Lori Raineri and Keith Weaver – Oversight Consultants

Government Financial Strategies

Timothy Popejoy

Bond Oversight Administrator

Perla Zitle

Bond Oversight Coordinator

RESOLUTION 2021-18

BOARD REPORT NO. 372-20/21

**AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION
PLAN TO DEFINE AND APPROVE FOUR ACCESSIBILITY ENHANCEMENT
PROJECTS**

WHEREAS, Los Angeles Unified School District Staff (Staff) proposes that the Board of Education (Board) approve an amendment to the Facilities Services Division (Facilities) Strategic Execution Plan (SEP) to define and approve four accessibility enhancement projects at Chester W. Nimitz Middle School, Francisco Sepulveda Middle School, Warner Avenue Elementary School, and Westminster Avenue Elementary Math Technology Environmental Studies Magnet, to support the implementation of the Board-approved Self-Evaluation and Transition Plan under the Americans with Disabilities Act (ADA); and

WHEREAS, The total combined budget of the four proposed projects is \$30,531,659 and will be funded by Bond Program funds in the School Upgrade Program (SUP) targeted for special education facilities (compliance with ADA Title II – Transition Plan) category of capital need; and

WHEREAS, On October 10, 2017, the Board approved the Self-Evaluation and Transition Plan (Transition Plan) under the Americans with Disabilities Act (ADA) to further Los Angeles Unified efforts to comply with ADA Title II program accessibility requirements (Board Report No. 124-17/18); and

WHEREAS, Under the Transition Plan, each school is assigned to one of three levels of accessibility (Category One, Two, or Three) based on assessments of more than two dozen criteria, including school programs, matriculation options, geographic location, known (or anticipated/matriculating) population of students with disabilities or parents/guardians with disabilities, type of instructional model, and public input; and

Bond Oversight Committee

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RESOLUTION 2021-18

AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN TO DEFINE AND APPROVE FOUR ACCESSIBILITY ENHANCEMENT PROJECTS

WHEREAS, Category One: These are “key” schools and will have the highest level of access, generally in accordance with applicable physical accessibility standards; and

WHEREAS, Category Two: These will be “program-accessible” schools. The core spaces and features of these schools would be made accessible; in addition, program accessibility would be provided to all programs and activities at the school; and

WHEREAS, Category Three: These schools will have “core access,” which means that the core spaces (certain common spaces) would be made accessible, to ensure a basic level of access to the building; and

WHEREAS, The four school sites for which an accessibility enhancement project is being proposed do not yet meet their assigned category/level of accessibility and thus require facilities improvements; and

WHEREAS, Staff has concluded that this proposed amendment will help facilitate implementation of the Facilities SEP, and therefore, it will not adversely affect Los Angeles Unified’s ability to successfully complete the Facilities SEP

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The School Construction Bond Citizens’ Oversight Committee recommends that the Board approve an amendment to the Facilities SEP to define and approve four accessibility enhancement projects, as described in Board Report 372-20/21, 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 Board and posted on the Bond Oversight Committee’s website.
3. Los Angeles Unified is directed to track the above recommendation and to report on the adoption, rejection, or pending status of the recommendations as provided in section 6.2 of the Charter and Memorandum of Understanding between the Bond Oversight Committee and Los Angeles Unified.

ADOPTED on May 27, 2021, by the following vote:

AYES: 13

ABSTENTIONS: 0

NAYS: 0

ABSENCES: 2

/Rachel Greene/

Rachel Greene
Chair

/Bevin Ashenmiller/

Dr. Bevin Ashenmiller
Vice-Chair

Bond Oversight Committee

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Board of Education Report

File #: Rep-372-20/21, **Version:** 1

Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve Four Accessibility Enhancement Projects

June 8, 2021

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 (Facilities) Strategic Execution Plan (SEP) to define and approve four accessibility enhancement projects, at the following schools, as described in Exhibit A, to support the implementation of the Board-approved Self-Evaluation and Transition Plan under the Americans with Disabilities Act (ADA):

1. Chester W. Nimitz Middle School (Nimitz MS)
2. Francisco Sepulveda Middle School (Sepulveda MS)
3. Warner Avenue Elementary School (Warner ES)
4. Westminster Avenue Elementary Math Technology Environmental Studies Magnet (Westminster ES)

The total combined budget of the four proposed projects is \$30,531,659.

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

Background:

On October 10, 2017, the Board approved the Self-Evaluation and Transition Plan (Transition Plan) under the Americans with Disabilities Act (ADA) to further Los Angeles Unified efforts to comply with ADA Title II program accessibility requirements (Board Report No. 124-17/18). The Transition Plan outlined Los Angeles Unified's proposed approach to providing program accessibility, which considers the characteristics of Los Angeles Unified, student population, variety of educational programs, as well as the existing level of accessibility. The Transition Plan established a specific approach and goals for achieving program accessibility within eight years through facility modifications and operational means.

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

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

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

Expected Outcomes:

Staff anticipates that the Board will adopt the proposed amendment to the Facilities SEP to define and approve four accessibility enhancement projects, as detailed in Exhibit A. Approval will authorize staff to proceed with the implementation of the proposed projects.

Board Options and Consequences:

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

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

Policy Implications:

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

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

Budget Impact:

The total combined budget, as currently estimated, for the four proposed accessibility enhancement projects is \$30,531,659. The projects will be funded by Bond Program funds in the School Upgrade Program (SUP) targeted for special education facilities (compliance with ADA Title II - Transition Plan) category of capital need.

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

Student Impact:

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

Issues and Analysis:

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

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 May 27, 2021. Staff has concluded that this proposed Facilities SEP amendment is in alignment with BOC recommendations and will facilitate implementation of the Facilities SEP, and therefore, it will not adversely affect Los Angeles Unified's ability to successfully complete the Facilities SEP.

Attachments:

- Exhibit A - Define and Approve Four Accessibility Enhancement Projects
- Exhibit B - Student Eligibility by Program at Four Schools
- Exhibit C - BOC Resolution

Informatives:

None.

Submitted:

5/21/21

RESPECTFULLY SUBMITTED,

APPROVED BY:

AUSTIN BEUTNER
Superintendent

MEGAN K. REILLY
Deputy Superintendent
Office of the Deputy Superintendent

REVIEWED BY:

APPROVED BY:

DEVORA NAVERA REED
Interim General Counsel

MARK HOVATTER
Chief Facilities Executive
Facilities Services Division

___ Approved as to form.

REVIEWED BY:

APPROVED BY:

TONY ATIENZA
Director, Budget Services and Financial Planning

ANTHONY AGUILAR
Chief of Special Education, Equity and Access

___ Approved as to budget impact statement.

PRESENTED BY:

AARON BRIDGEWATER
Director of Facilities Planning and Development
Facilities Services Division



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Exhibit A

Define and Approve Four Accessibility Enhancement Projects

1. Chester W. Nimitz Middle School Accessibility Enhancement Project

Huntington Park/Vernon Community of Schools, Local District East, Board District 5 (Jackie Goldberg)

Project Background and Scope: The Chester W. Nimitz Middle School site spans 11.08 acres and is comprised of two 6-8 schools/programs, a science, technology, math magnet program and a traditional middle school program. The building area is approximately 166,642 square feet and includes three single-story permanent buildings, six multi-story permanent buildings and 10 relocatable buildings. The buildings were constructed between 1929 and 1973. As of the 2020-2021 Electronic Capacity Assessment Review (E-CAR), the school served 1,370 students and currently 190 have been identified as having a disability.

The site has been assigned a Category Three accessibility level. In order to meet the criteria for Category Three, various upgrades to six buildings are required, including: corrections or replacement of 22 restroom accessories, one assembly seat upgrade, four casework/counter upgrades, one new assistive listening device, three new concrete ramps three new doors/jambs, seven new door hardware, nine drinking fountain upgrades, two existing elevator upgrades, six furniture accessibility upgrades, 20 accessible path of travel upgrades, three new railings/wing guards, eight restroom upgrades, four locker room upgrades, two locker upgrade, four new signs, one sink/cabinet, four new thresholds and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$ 5,357,693

Project Schedule: Construction is anticipated to begin in Q3-2023 and be completed in Q1-2025.

2. Francisco Sepulveda Middle School Accessibility Enhancement Project

Monroe Community of Schools, Local District Northwest, Board District 6 (Kelly Gonez)

Project Background and Scope: The Francisco Sepulveda Middle School site spans 19.7 acres and is comprised of three 6-8 schools/programs, a gifted magnet program, a kinesiology sports medicine magnet program, and a traditional middle school program. The building area is approximately 169,307 square feet and includes 20 single-story permanent buildings, three multi-story permanent buildings, and 24 relocatable buildings. The buildings were constructed between 1948 and 2010, and some are identified as historical resources. As of the 2020-2021 E-CAR, the school served 1,160 students and currently 217 have been identified as having a disability.

The site has been assigned a Category Two accessibility level. In order to meet the criteria for Category Two, various upgrades to 33 buildings are required, including: corrections or replacement of 32 restroom accessories, three new assistive listening devices, two new automatic door openers, nine casework counter upgrades, 18 new concrete ramps, 49 new doors/jambs, five new door hardware, 18 drinking fountain upgrades, eight furniture accessibility upgrades, one locker room upgrade, two locker upgrades, one parking lot upgrade, three phone upgrades, 20 accessible path of travel upgrades, 19 new



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Exhibit A

Define and Approve Four Accessibility Enhancement Projects

railings/wing guards, 14 restroom upgrades, 11 new signs, 14 new sinks/cabinets, two new wheelchair lifts, 44 new thresholds, three new TMP ramps and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$ 11,300,500

Project Schedule: Construction is anticipated to begin in Q3-2023 and be completed in Q1-2025.

3. Warner Avenue Elementary School Accessibility Enhancement Project

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

Project Background and Scope: The Warner Avenue Elementary School site spans 3.25 acres and is comprised of a traditional K-5 school/program. The building area is approximately 50,453 square feet and includes three multi-story permanent buildings, three single-story permanent buildings and three relocatable buildings. The buildings were constructed between 1949 and 2006, and some are identified as historical resources. As of the 2020-2021 E-CAR, the school served 656 students and currently 28 have been identified as having a disability.

The site has been assigned a Category Two accessibility level. In order to meet the criteria for Category Two, various upgrades to six buildings are required, including: corrections or replacement of 13 restroom accessories, one assembly seat upgrade, one casework/counter upgrade, one new assistive listening device, three new concrete ramps, one new permanent stage lift with stage adapt, one new door/jamb, one new door hardware, three drinking fountain upgrades, two existing elevator upgrades, two furniture accessibility upgrades, four accessible path of travel upgrades, nine new railings/wing guards, eight restroom upgrades, two new thresholds, one intercom upgrade, three parking lot upgrades, one playground component/matting upgrade, and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$ 4,581,945

Project Schedule: Construction is anticipated to begin in Q3-2023 and be completed in Q1-2025.

4. Westminster Avenue Elementary Math Technology Environmental Studies Magnet Accessibility Enhancement Project

Venice Community of Schools, Local District West, Board District 4 (Nick Melvoin)

Project Background and Scope: The Westminster Avenue Elementary Math Technology Environmental Studies Magnet site spans 7.07 acres and is comprised of a math, technology, environmental studies K-5 magnet program. The building area is currently approximately 59,051 square feet and includes one multi-story permanent building, two single-story permanent buildings and two relocatable buildings. The buildings were constructed between 1949 and 1978. As of the 2020-2021 E-CAR, the school served 408 students and currently 49 have been identified as having a disability.



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Exhibit A

Define and Approve Four Accessibility Enhancement Projects

The site has been assigned a Category Two accessibility level. In order to meet the criteria for Category Two, various upgrades to five buildings are required, including approximately: corrections or replacement of 11 bathroom accessories, two new assistive listening devices, one new automatic door opener, three casework/counter upgrades, one new concrete ramp, seven new doors/jambs, seven new door hardware, two drinking fountain upgrades, one new elevator, eight furniture accessibility upgrades, one parking lot upgrade, one phone upgrade, one playground component upgrade, 15 path of travel upgrades, nine new railings, 10 restroom upgrades, four new signs, one new permanent stage lift, eight new thresholds, one new TMP ramp, and any other required improvements or mitigations to ensure compliance with local, state and/or federal facilities requirements.

Project Budget: \$ 9,291,521

Project Schedule: Construction is anticipated to begin in Q3-2023 and be completed in Q1-2025.

Exhibit B

Student Eligibility by Program at Four Schools

Disability Category	Nimitz MS	Sepulveda MS	Warner ES	Westminster ES
Orthopedic Impairment (OI)	<11	<11	0	0
Other Health Impairment (OHI)	14	27	<11	<11
Visual Impairment (VI)	<11	0	0	0
Autism (AUT)	40	<11	<11	<11
Deafness (DEAF)	0	0	0	0
Emotional Disturbance (ED)	0	<11	0	0
Hard of Hearing (HH)	<11	<11	0	<11
Intellectual Disability (ID)	13	19	0	0
Specific Learning Disability (SLD)	98	153	<11	20
Speech or Language Impairment (SLI)	12	<11	<11	14
Traumatic Brain Injury (TBI)	<11	<11	0	0
Grand Total	190	217	28	49

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