



Board of Education Report

File #: Rep-433-17/18, **Version:** 1

Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve Three Critical Barrier Removal Projects

June 12, 2018

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 (FSD) Strategic Execution Plan (SEP) to define and approve three critical barrier removal projects, at the following schools, as described in Exhibit A:

1. 116th Street Elementary School
2. Glassell Park Elementary School
3. Charles Leroy Lowman Special Education Center

The total combined budget for the three proposed projects is \$2,516,000. Projects are funded by Bond Program funds.

Staff further proposes that the Board authorize the (Interim) 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 modification and the purchase of equipment and materials.

Background:

A critical barrier removal project proposal is developed when an urgent need to accommodate individual students/staff with disabilities arises that requires facility improvements to be made quickly; and the scope and/or budget for which is outside of the parameters of the Rapid Access Program (RAP). The RAP, which was previously referred to as the On-Demand Program Accessibility Program, was restructured in 2012 in order to make the program sustainable and to provide a more timely response and approval process to ensure that minor facility improvements to enable programmatic access for students could be made quickly. RAP projects include minor installments and adjustments to facilities to ensure a barrier-free learning environment as required by the Americans with Disabilities Act and have a budget cap of \$250,000 per project. Projects are developed by FSD in consultation with the Division of Special Education and school administrators. RAP projects are reviewed prior to commencing work to ensure bond eligibility. To ensure compliance with bond language and laws, some RAP projects may be funded with non-bond sources.

The scope and/or budget of the three proposed critical barrier removal projects do not meet the parameters of the RAP. Moreover, campus-wide accessibility enhancement project proposals, to support the implementation of the District's Self-Evaluation and Transition Plan under the ADA (Plan), have not yet been developed for the three sites. Based on information gathered and assessments undertaken as part of the development of the Plan, the three sites were assigned to achieve a certain level of accessibility, and prioritized for the development of an accessibility enhancement project in future years. As such, to address the urgent accessibility needs, a critical barrier removal project is being proposed for 116th Street Elementary School, Glassell Park Elementary

School, and Charles Leroy Lowman Special Education Center. The work to be undertaken under the proposed critical barrier removal projects will ensure program accessibility needs of individual students may be accommodated as quickly as possible. However, in order for each site to meet the criteria for their assigned accessibility level, an accessibility enhancement project proposal is anticipated to be presented at a future date.

On October 10, 2017 the Board approved the Plan to further District efforts to comply with ADA Title II program accessibility requirements (Board Report No. 124-17/18). The Plan outlined the District's proposed approach to providing program accessibility, which considers the characteristics of the District, student population, variety of educational programs, geographic dispersion, as well as the existing level of accessibility. Based on assessments of each school, its programs, and the programs as a whole campus-wide, as well as public input, each school is assigned to one of three groups (Category One, Two, or Three), by level of accessibility. Accessibility enhancement projects are proposed for schools that do not yet meet their assigned category/level of accessibility and thus require facilities improvements.

Expected Outcomes:

Staff anticipates that the Board will approve the proposed amendment to the FSD-SEP to define and approve three critical barrier removal projects, as detailed in Exhibit A. Approval will authorize staff to proceed with the proposed bond-funded projects.

Board Options and Consequences:

Approval of the proposed action will authorize staff to proceed with the expenditure of Bond Program funds to further implementation of the three proposed critical barrier removal projects. If the Board does not approve the proposed action, staff will be unable to implement the proposed projects and access to programs will be delayed.

Policy Implications:

The proposal to address critical needs to remove barriers to student program accessibility furthers implementation of the Board-approved Self-Evaluation and Transition Plan.

Budget Impact:

The total combined budget, as currently estimated, for the three proposed critical barrier removal projects is \$2,516,000. The projects will be funded by Bond Program funds in the School Upgrade Program targeted for increasing special education facilities on general education campuses (transition program improvements) category of capital need. Due to an urgent need to accommodate students with disabilities as quickly as possible, a portion of the scope of each project was expedited, and the activities were front funded. With this approval, any prior expenditures will be transferred to the proposed projects.

Each project budget was prepared based on the current information known, and assumptions about the site conditions, market conditions, and the project scope needed to provide timely program accessibility to the student, or qualified community member. 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 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 the District's implementation of the Board-approved Self-Evaluation and Transition Plan.

The Office of Environmental Health and Safety (OEHS) will evaluate, as appropriate, 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 31, 2018. 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 Three Critical Barrier Removal Projects
- Exhibit B - Student Eligibility by Program at Three Schools
- BOC Resolution

Informatives:

None.

Submitted:

5/25/18

RESPECTFULLY SUBMITTED,



AUSTIN BEUTNER
Superintendent

APPROVED BY:




MARK HOVATTER
Chief Facilities Executive
Facilities Services Division

REVIEWED BY:



DAVID HOLMQUIST
General Counsel

 Approved as to form.

APPROVED BY:




BETH KAUFFMAN
Associate Superintendent
Division of Special Education

REVIEWED BY:



CHERYL SIMPSON
Director, Budget Services and Financial Planning

 Approved as to budget impact statement.

PRESENTED BY:



GREGORY GARCIA
Director of Project Execution
Facilities Services Division



LOS ANGELES UNIFIED SCHOOL DISTRICT

Board of Education Report

Exhibit A

Define and Approve Three Critical Barrier Removal Projects

1. 116th Street Elementary School Critical Barrier Removal Accessibility Enhancement Project

Local District South, Board District 7 – Dr. Richard A. Vladovic

Self-Evaluation and Transition Plan Category 3; Accessibility Program Priority List No.: 470

- *Project Background and Scope* – A Multiple Disabilities/Orthopedic (MDO) program for students with severe disabilities will be added to classroom #2 in the main building of 116th Street Elementary School for the 2018-2019 school year. The project scope includes renovation of one boys' and one girls' restroom in the main building, and various improvements to classroom #2, including: upgrades to the door hardware, construction of a changing room including one high-low electric table, and cabinetry upgrades. Ten accessible lunch tables will also be installed in the outdoor lunch area.
- *Project Budget* -- \$330,000 (Due to an urgent need to accommodate the new program and students with disabilities as quickly as possible, and in time for the 2018-2019 school year, a portion of the project was expedited, and the activities were front funded. With this approval, any prior expenditures will be transferred to this project, which is funded by Bond Program funds).
- *Project Schedule* – Construction is anticipated to begin in Q2-2018 and complete in Q3-2018.

2. Glassell Park Elementary School Critical Barrier Removal Project

Local District Central, Board District 5 – Dr. Ref Rodriguez

Self-Evaluation and Transition Plan Category 3; Accessibility Program Priority List No.: 390

- *Project Background and Scope* – Students and staff with disabilities do not have access to the main entrance at Glassell Park Elementary School. The scope of the proposed project includes the construction of an alternate entrance, and a secure single-point of entry including a camera/intercom/buzzer. Due to the historic significance of this building, an alternate entrance will be provided via construction of a new concrete ramp from the public right-of-way at the side of building.
- *Project Budget* -- \$766,000 (Due to an urgent need to accommodate existing students/staff with disabilities as quickly as possible, a portion of the project was expedited, and the activities were front funded. With this approval, any prior expenditures will be transferred to this project, which is funded by Bond Program funds).
- *Project Schedule* – Construction is anticipated to begin in Q3-2018, and complete in Q1-2019.



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Exhibit A Define and Approve Three Critical Barrier Removal Projects

3. Charles Leroy Lowman Special Educating Center Critical Barrier Removal Project

Local District Northeast, Board District 6 – Kelly Gonez

Self-Evaluation and Transition Plan Category 2; Accessibility Program Priority List No.: 88

- *Project Background and Scope* – The programs offered at Lowman Special Education Center have recently been expanded to include a Career Transitional Center (CTC) for older students. This program requires accessible restrooms. There are seven locations of non-compliant restrooms that need immediate upgrades; three of which are in the main building and four of which are in the Development Building. The scope for the proposed project includes upgrades to existing restrooms to provide additional accessible restroom stalls, age appropriate fixtures, and exhaust fans.
- *Project Budget* -- \$1,420,000 (Due to an urgent need to accommodate existing students with disabilities as quickly as possible, a portion of the project was expedited, and the activities were front funded. With this approval, any prior expenditures will be transferred to this project, which is funded by Bond Program funds).
- *Project Schedule* – Construction began in Q4-2017 and is anticipated to complete in Q3-2018.

LOS ANGELES UNIFIED SCHOOL DISTRICT
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Exhibit B:
Student Eligibility by Program at 3 Schools

	116th Street ES	Glassell Park ES	Lowman Special Education Center	Total
Orthopedic Impairment (OI)	2		94	96
Other Health Impairment (OHI)	7	1		8
Visual Impairment (VI)			4	4
Sub Total	9	1	98	108

	116th Street ES	Glassell Park ES	Lowman Special Education Center	Total
Autism (AUT)	2	4	10	16
Deafness (DEAF)				0
Emotional Disturbance (ED)				0
Hard of Hearing (HH)			1	1
Intellectual Disability (ID)	25		18	43
Specific Learning Disability (SLD)	10	25		35
Speech or Language Impairment (SLI)	9	13		22
Traumatic Brain Injury (TBI)			1	1
Sub Total	46	42	30	118

	116th Street ES	Glassell Park ES	Lowman Special Education Center	Total
Grand Total	55	43	128	226

LOS ANGELES UNIFIED SCHOOL DISTRICT

SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE

Quynh Nguyen, Chair
LAUSD Student Parent
Susan Linschoten, Secretary
L.A. Co. Auditor-Controller's Office
Stuart Magruder, Executive Committee
American Institute of Architects
Rachel Greene, Executive Committee
Tenth District PTSA

Bevin Ashenmiller
LAUSD Student Parent
Araceli Sandoval-Gonzalez
Early Education Coalition
Greg Good
L.A. City Mayor's Office
Michael Keeley
CA Charter School Association
Karen Krygier
L.A. City Controller's Office
Kate Mergen
Assoc. General Contractors of CA

Ron Miller
L.A. Co. Federation of Labor AFL-CIO
Scott Pansky
L.A. Area Chamber of Commerce
Dolores Sobalvarro
AARP
Kathryn Steinberg
31st District PTSA
Celia Ayala (Alternate)
Early Education Coalition
Arlene Barrera (Alternate)
L.A. Co. Auditor-Controller's Office
(Vacant)
CA Tax Reform Assn.

Joseph P. Buchman – Legal Counsel
Burke, Williams & Sorensen, LLP
(Vacant)
Oversight Committee Consultant

Timothy Popejoy
Bond Oversight Administrator
Daniel Hwang
Asst. Administrative Analyst

RESOLUTION 2018-24

BOARD REPORT NO. 433-17/18

**AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC
EXECUTION PLAN TO DEFINE AND APPROVE THREE
CRITICAL BARRIER REMOVAL PROJECTS**

WHEREAS, District Staff proposes that the Board of Education approve an amendment to the Facilities Services Division Strategic Execution Plan (SEP) to define and approve three critical barrier removal projects, with a total combined budget of \$2,516,000 as described in Board Report No. 433-17/18, a copy which is attached hereto; and

WHEREAS, the three school sites for which a critical barrier removal project is being proposed have an urgent need to accommodate individual students/staff with disabilities that require facility improvements to be made quickly, and the scope and/or budget for each is outside the parameters of the Rapid Access Program; and

WHEREAS, the Board-approved Self-Evaluation and Transition Plan (Transition Plan) under the Americans with Disabilities Act (ADA) furthered District efforts to comply with ADA Title II program accessibility requirements and outlined the District's proposed approach to providing program accessibility, which considers the characteristics of the District, student population, variety of educational programs, as well as the existing level of accessibility; and

WHEREAS, the work to be undertaken at 116th Street Elementary School, Glassell Park Elementary School, and Charles Leroy Lowman Special Education Center will ensure that the program accessibility needs of individual students may be accommodated as quickly as possible; and it is understood that in order for each site to meet the criteria for their assigned accessibility

Resolution 2018-24

AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN TO DEFINE AND APPROVE THREE CRITICAL BARRIER REMOVAL PROJECTS

level, an accessibility enhancement project proposal is anticipated to be presented at a future date; and

WHEREAS, the proposed critical barrier removal projects are in alignment with the District's implementation of the Transition Plan;

WHEREAS, approval of the proposed action will authorize District Staff to proceed with the expenditure of Bond Program funds to further implementation of the three critical barrier removal projects; and

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

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The School Construction Citizens' Bond Oversight Committee (BOC) recommends that the Board of Education approve an amendment to the Facilities Services Division Strategic Execution Plan to define and approve three critical barrier removal projects, with a total combined budget of \$2,516,000 as described in Board Report No. 433-17/18, a copy 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 May 31, 2018, by the following vote:


AYES: 8

ABSTENTIONS: 0

NAYS: 0

ABSENCES: 6


Quynh Nguyen
Chair


Stuart Magruder
Executive Committee