



## Board of Education Report

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**File #:** Rep-011-21/22, **Version:** 1

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### **Amendment to the Facilities Services Division Strategic Execution Plan to Define and Approve the Franklin High School Concrete Ramp Accessibility Project**

**August 24, 2021**

**Facilities Services Division and Division of Special Education**

#### **Action Proposed:**

Approve an amendment to the Facilities Services Division (Facilities) Strategic Execution Plan (SEP) to define and approve the Franklin High School (Franklin HS) Concrete Ramp Accessibility Project.

The project proposal was developed to address accessibility issues and a potential safety and security issue related to the tiered site and access into and out of the auditorium, which requires students and staff to exit the campus in order to access another part of the campus.

The project scope includes: construction of a new concrete ramp with railings to provide Americans with Disabilities Act (ADA) accessibility from the interior of the school campus to the auditorium assembly space, and any other improvements or mitigations to ensure compliance with related local, state and/or federal facilities requirements. The total proposed project budget is \$1,055,472.

Additionally, 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 project including budget modification and the purchase of equipment and materials.

#### **Background:**

A need to accommodate students and staff with disabilities to access the auditorium assembly space from inside the main campus has been identified. Facilities staff was previously delegated authority to execute and expend Bond Program funds for Rapid Access Program (RAP) projects in response to an individual student's need for programmatic access. These projects require minor installments and adjustments to facilities to ensure a barrier-free learning environment, do not require Division of the State Architect (DSA) approval and thus can be completed "rapidly" and have a project budget that does not-to-exceed \$250,000. The proposed project does not meet the parameters of the RAP due to its scope and budget. As such, staff is presenting the project proposal to the Board of Education (Board) for approval.

The Franklin HS site spans 18 acres and is comprised of three schools/programs, a science, technology, mathematics magnet program, a dual language academy magnet program and a traditional 6-12 span school program. The building area is approximately 311,960 square feet and includes three single-story permanent buildings, six multi-story permanent buildings and seven relocatable buildings. The buildings were constructed between 1923 and 1991. As of the 2020-2021 Electronic Capacity Assessment Review, (E-CAR), the school served 1,455 students.

Franklin High School is located in the Eagle Rock/Highland Park Community of Schools, Local District Central, Board District 5 (Jackie Goldberg). Construction of the proposed project is anticipated to begin in the third quarter of 2022 and be completed in the first quarter of 2023.

**Expected Outcomes:**

Adoption of the proposed amendment to the Facilities SEP to define and approve the Franklin HS Concrete Ramp Accessibility project. Approval will authorize staff to proceed with the implementation of the proposed project.

**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 project at Franklin HS.

If the Board does not approve the proposal, staff will be unable to initiate the proposed project, and students' access needs will not be addressed and safety and security issues will continue to remain at Franklin HS.

**Policy Implications:**

The proposal does not impact Los Angeles Unified policy. It does, however, help further the District's efforts to comply with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973.

**Budget Impact:**

The total budget, as currently estimated, is \$1,055,472. The project 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.

The project budget was prepared based on the current information known, and assumptions about the project scope, site conditions, and market conditions. The project budget 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 the project.

**Student Impact:**

The proposed project will remove barriers to program accessibility for students and qualified members of the community.

**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.

Franklin High School has been assigned a Category Three accessibility level pursuant to the District's Self-Evaluation and Transition Plan (Transition Plan) under ADA, approved by the Board on October 10, 2017. Staff considered the possibility of reprioritizing the school on the Transition Plan list and proposing a more robust scope that would address all programmatic access requirements. However, it was determined that constructing a concrete ramp at the auditorium was an immediate and pressing priority, and additional accessibility improvements could be undertaken under a new project and at a later date, as anticipated under the Transition Plan.

The Office of Environmental Health and Safety (OEHS) will evaluate the proposed project 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 August 12, 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:**

Attachment A - BOC Resolution

**Informatives:**

None.


**Submitted:**

8/6/21

**RESPECTFULLY SUBMITTED,**

  
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MEGAN K. REILLY  
Interim Superintendent

**APPROVED BY:**

  
\_\_\_\_\_  
PEDRO SALCIDO  
Interim Deputy Superintendent

**REVIEWED BY:**

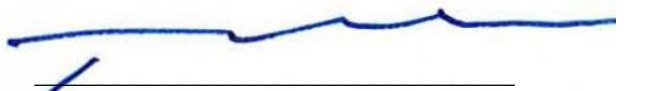
  
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DEVORA NAVERA REED  
General Counsel

Approved as to form.

**APPROVED BY:**


  
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MARK HOVATTER  
Chief Facilities Executive  
Facilities Services Division

**REVIEWED BY:**


  
\_\_\_\_\_  
TONY ATIENZA  
Director, Budget Services and Financial Planning

Approved as to budget impact statement.

**APPROVED BY:**

  
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ANTHONY AGUILAR  
Chief of Special Education, Equity and Access

**PRESENTED BY:**

  
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AARON BRIDGEWATER  
Director of Facilities Planning and Development  
Facilities Services Division

**LOS ANGELES UNIFIED SCHOOL DISTRICT****SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE****Rachel Greene, Chair**

Tenth District PTSA

**Chris Hannan, Vice-Chair**

L.A. Co. Federation of Labor AFL-CIO

**Margaret Fuentes, Secretary**

LAUSD Student Parent

**Araceli Sandoval-Gonzalez, Executive****Committee**

Early Education Coalition

**Alvin Trotter, Jr., Executive Committee**

L.A. Area Chamber of Commerce

**Tracy Bartley**31<sup>st</sup> District PTSA**Laura Baz**

LAUSD Student Parent

**Neelura Bell**

CA Charter School Association

**Jeffrey Fischbach**

CA Tax Reform Assn.

**Melanie Freeland**

American Institute of Architects

**Greg Good**

L.A. City Mayor's Office

**Karen Krygier**

L.A. City Controller's Office

**Susan Linschoten**

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

**Dolores Sobalvarro**

AARP

**Roger Uy**

Assoc. General Contractors of CA

**Celia Ayala (Alternate)**

Early Education Coalition

**Dr. Clarence Monteclaro (Alternate)**

Tenth District PTSA

**Samantha Rowles (Alternate)**

LAUSD Student Parent

**Connie Yee (Alternate)**

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**Joseph P. Buchman – Legal Counsel**

Burke, Williams &amp; Sorensen, LLP

**Lori Raineri and Keith Weaver – Oversight****Consultants**

Government Financial Strategies

**Timothy Popejoy**

Bond Oversight Administrator

**Perla Zitle**

Bond Oversight Coordinator

**RESOLUTION 2021-21****BOARD REPORT NO. 011-21/22****AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION  
PLAN TO DEFINE AND APPROVE THE FRANKLIN HIGH SCHOOL CONCRETE  
RAMP ACCESSIBILITY PROJECT**

WHEREAS, Los Angeles Unified School District (District) 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 the Franklin High School (Franklin HS) Concrete Ramp Accessibility Project; and

WHEREAS, The project proposal was developed to address accessibility issues and a potential safety and security issue related to the tiered site and access into and out of the auditorium, which requires students and staff to exit the campus in order to access another part of the campus; and

WHEREAS, The project scope includes: construction of a new concrete ramp with railings to provide Americans with Disabilities Act (ADA) accessibility from the interior of the school campus to the auditorium assembly space, and any other improvements or mitigations to ensure compliance with related local, state and/or federal facilities requirements; and

WHEREAS, A need to accommodate students and staff with disabilities to access the auditorium assembly space from inside the main campus has been identified; and

WHEREAS, Facilities staff was previously delegated authority to execute and expend Bond Program funds for Rapid Access Program (RAP) projects in response to an individual student's need for programmatic access; and

**RESOLUTION 2021-21****AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN TO DEFINE AND APPROVE THE FRANKLIN HIGH SCHOOL CONCRETE RAMP ACCESSIBILITY PROJECT**

WHEREAS, These projects require minor installments and adjustments to facilities to ensure a barrier-free learning environment, do not require Division of the State Architect (DSA) approval and thus can be completed “rapidly” and have a project budget that does not-to-exceed \$250,000; and

WHEREAS, The proposed project does not meet the parameters of the RAP due to its scope and budget; and

WHEREAS, As such, staff is presenting the project proposal to the Board of Education (Board) for approval; and

WHEREAS, As of the 2020-2021 Electronic Capacity Assessment Review, (E-CAR), the school served 1,455 students; and

WHEREAS, Construction of the proposed project is anticipated to begin in the third quarter of 2022 and be completed in the first quarter of 2023; and

WHEREAS, Approval will authorize staff to proceed with the implementation of the proposed project; and

WHEREAS, Adoption of the proposed action will authorize staff to proceed with the expenditure of Bond Program funds to immediately begin designing the project at Franklin HS; and

WHEREAS, The proposal will help further the District’s efforts to comply with Title II of the ADA and Section 504 of the Rehabilitation Act of 1973; and

WHEREAS, The total budget, as currently estimated, is \$1,055,472 and will come from bond funds allocated to the School Upgrade Program (SUP) categories targeted for special education facilities (compliance with ADA Title II – Transition Plan) category of capital need; and

WHEREAS, The project budget 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 the project; and

WHEREAS, The proposed project will remove barriers to program accessibility for students and qualified members of the community; and

WHEREAS, Franklin High School has been assigned a Category Three accessibility level pursuant to the District’s Self-Evaluation and Transition Plan (Transition Plan) under ADA, approved by the Board on October 10, 2017; and

WHEREAS, District staff considered the possibility of reprioritizing the school on the Transition Plan list and proposing a more robust scope that would address all programmatic access requirements; and

**RESOLUTION 2021-21****AMENDMENT TO THE FACILITIES SERVICES DIVISION STRATEGIC EXECUTION PLAN TO DEFINE AND APPROVE THE FRANKLIN HIGH SCHOOL CONCRETE RAMP ACCESSIBILITY PROJECT**

WHEREAS, It was determined that constructing a concrete ramp at the auditorium was an immediate and pressing priority, and additional accessibility improvements could be undertaken under a new project and at a later date, as anticipated under the Transition Plan; and

WHEREAS, The Office of Environmental Health and Safety (OEHS) will evaluate the proposed project in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, District staff has concluded that this proposed Facilities SEP amendment is in alignment with the Bond Citizens' Oversight Committee (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.

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 the Franklin HS Concrete Ramp Accessibility Project, as described in Board Report No. 011-21/22, 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 and posted on the Bond 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 Bond Oversight Committee and the District.

ADOPTED on August 12, 2021, by the following vote:

AYES: 11

ABSTENTIONS: 0

NAYS: 0

ABSENCES: 4

*/Rachel Greene/*

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Rachel Greene  
Chair

*/Chris Hannan/*

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Chris Hannan  
Vice-Chair