



Board of Education Report

File #: Rep-392-15/16, **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 12 Schools and Allocate \$2 Million to the Rapid Access Program

June 21, 2016

Facilities Services Division & 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 12 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. 75th Street Elementary School
2. Apperson Elementary School
3. Bonita Elementary School
4. Brainard Elementary School
5. Chandler Elementary School
6. Farmdale Elementary School
7. Haddon Elementary School
8. Harbor City Elementary School
9. Independence Elementary School
10. Manhattan Place Elementary School
11. Point Fermin Elementary School
12. Reseda Elementary School

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

- Upgrades to existing ramps as necessary
- Upgrades to existing handrails as necessary
- Upgrades to path of travel slopes
- Installation of new accessible lunch tables as necessary
- Upgrades to selective restrooms
- Installation of new stage lifts
- Upgrades to selective drinking fountains
- Upgrades to passenger loading zones and parking
- Installation of selective 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.

Staff further proposes that the Board approve the allocation of \$2 million from Bond Program Reserve funds to the Rapid Access Program (RAP) in order to ensure that rapid access projects continue without delay. Some RAP projects may not be eligible to be funded by Bond Program funds. To ensure compliance with bond language and laws, these projects will be funded with restricted maintenance funding.

The combined budget is \$13,893,440, including \$2 million for the RAP.

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 12 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. Maintain an updated ADA Title II Transition Plan that systematically identifies potential barriers to program accessibility throughout the District.

The \$3.5 million of funding allocated to the RAP on February 14, 2012 has been entirely expended or is allocated to projects underway (Board Report No. 143-11/12). Additional funding is needed to allow the District to continue to rapidly provide minor renovations as required under the MCD (Facilities, Section 10, Paragraph 78). With approval of the proposed action, the District will be able to continue the Rapid Access RAP for an additional two to four years.

The RAP is designed to quickly make minor facility improvements to enable programmatic access for students. RAP projects include minor installments and adjustments to facilities to ensure a barrier-free learning environment as required by the ADA 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 restricted maintenance funding

Staff will continue to provide the Board and Citizens' Bond Oversight Committee (BOC) with quarterly reports detailing the scope, schedule and budget of projects undertaken, which will be provided in the month following the end of the applicable quarter (April, July, October, and January). Projects will be included in the annual update to the FSD SEP.

Expected Outcomes:

Staff anticipates that the Board of Education will approve the proposed actions to define and approve 12 accessibility enhancement projects. The 12 accessibility enhancement projects will remove identified and prioritized barriers to program accessibility for students, families, and the community. Staff anticipates that the additional funding for the RAP will allow Facilities to continue to address on-demand needs for accessibility for students and qualified members of the community over the next two to four years.

Board Options and Consequences:

Approval of the proposed actions will authorize staff to proceed with the expenditure of Bond Program funds to immediately begin designing and constructing the accessibility enhancement projects at 12 school sites. In addition, allocating \$2 million in Bond Program Reserve funds to the RAP will allow that program to continue to make minor facility improvements to enable programmatic access for students.

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. In addition, the work underway as part of the RAP program will not be able to continue to make rapid physical accessibility upgrades to school facilities.

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 12 program accessibility enhancement projects is \$11,893,440. The projects will be funded by Bond Program funds in the School Upgrade Program targeted specifically for Special Education facilities. In addition, \$2 million in Bond Program Reserve will be allocated to the RAP. Some RAP projects may not be eligible to be funded with Bond Program funds. To ensure compliance with bond language and laws, these projects will be funded with restricted maintenance funding.

Issues and Analysis:

In total, this proposed action allocates \$11,893,440 in Bond Program Funds to make facility program accessibility improvements at 12 schools, and allocates \$2 million in Bond Program Reserve funds to the RAP. These actions are 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 12 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 12 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 of May 26, 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 12 Schools
Exhibit B - Student Eligibility by Program at 12 Schools
BOC Resolution

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



SHARYN HOWELL
Associate Superintendent
Division of Special Education

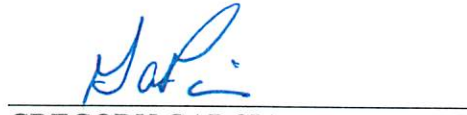
 Approved as to form.

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 12 Schools

- 1. 75th Street Elementary School (1663001) – 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) ADA ramps, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
 - *Project Budget* -- \$622,640
 - *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

- 2. Apperson Street Elementary School (1216401) – Project to Enhance Accessibility for Students and Qualified Members of the Community**
Local District North East, Board District 6 - Ratliff
 - *Project Background and Scope* – This project includes upgrades to four (4) ADA ramps, four (4) major restroom renovations, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
 - *Project Budget* -- \$942,278
 - *Project Schedule* -- Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

- 3. Bonita Street Elementary School (1247301) – 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) ADA ramps, installation of one (1) platform lift, five (5) major restroom renovations, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
 - *Project Budget* -- \$665,962
 - *Project Schedule* -- Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

- 4. Brainard Elementary School (1248601) – Project to Enhance Accessibility for Students and Qualified Members of the Community**
Local District North East, Board District 6 - Ratliff
 - *Project Background and Scope* – This project includes one (1) minor and five (5) major restroom renovations, one (1) elevator installation, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
 - *Project Budget* -- \$2,269,619
 - *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q1 2018.



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Exhibit A Continued:

5. Chandler Learning Academy (1295901) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District North East, Board District 3 - Schmerelson

- *Project Background and Scope* –This project includes upgrades to one (1) ADA ramp, three (3) major restroom renovations, installation of one (1) platform lift, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$707,813
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

6. Farmdale Elementary School (1374001) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District East, Board District 2 - Garcia

- *Project Background and Scope* –This project includes upgrades to six (6) ADA ramps, three (3) major and three (3) minor restroom renovations, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel .
- *Project Budget* -- \$819,831
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

7. Haddon Avenue Elementary School (1432901) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District North East, Board District 6 - Ratliff

- *Project Background and Scope* –This project includes upgrades to one (1) ADA ramp, one (1) minor restroom renovation, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$508,662
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

8. Harbor City Elementary School (1442501) – 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 installation of one (1) platform lift, three (3) major and one (1) minor restroom renovation(s), one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$536,266
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Exhibit A Continued:

9. Independence Elementary School (1688001) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District East, Board District 5 - Rodriguez

- *Project Background and Scope* –This project includes upgrades to six (6) ADA ramps, installation of one (1) platform lift, one (1) restroom renovation, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$535,411
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

10. Manhattan Place Elementary School (1511001) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District West, Board District 1 – McKenna III

- *Project Background and Scope* –This project includes upgrades to ten (10) ADA ramps, installation of one (1) platform lift, one (1) elevator installation, four (4) restroom renovations, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$2,584,451
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q1 2018.

11. Point Fermin Elementary Marine Science Magnet (1613701) – 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 four (4) ADA ramps, installation of one (1) platform lift, one (1) major restroom renovation, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$936,366
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.

12. Reseda Elementary School (1623301) – Project to Enhance Accessibility for Students and Qualified Members of the Community

Local District North West, Board District 3 – Schmerelson

- *Project Background and Scope* –This project includes installation of two (2) ADA ramps, three (3) major restroom renovations, installation of one (1) platform lift, one (1) passenger loading zone and ADA accessible parking stalls, and the path of travel.
- *Project Budget* -- \$764,141
- *Project Schedule* – Construction is anticipated to begin in Q2 2016, and conclude in Q4 2017.



LOS ANGELES UNIFIED SCHOOL DISTRICT Board of Education Report

Exhibit B: Student Eligibility by Program at 12 Schools

	75th St ES	Apperson St ES	Bonita St ES	Brainard ES	Chandler ES	Farmdale ES	Haddon Ave ES	Harbor City ES	Independence ES	Manhattan Place ES	Pt Fermin ES	Reseda ES	Total
Autism (AUT)	16	10	14	34	20	8	4	23	9	21	5	22	186
Deafness (DEAF)						14							14
Emotional Disturbance (ED)								1					1
Established Medical Disability (EMD) (3 and 4 year olds only)							1						1
Hard of Hearing (HH)						22	2	1	2				27
Intellectual Disability (ID)	14	1	4	3	3	1	22	4		5		1	58
Orthopedic Impairment (OI)	11	7	8	2	8	8	8	5	7		1	1	66
Other Health Impairment (OHI)	6	4	7	4	4	7	6	9	10	7	6	3	73
Specific Learning Disability (SLD)	28	15	28	13	7	37	46	25	41	8	11	25	284
Speech or Language Impairment (SLI)	29	19	10	6	18	22	29	14	23	20	6	26	222
Traumatic Brain Injury (TBI)		1						2					3
Visual Impairment (VI)			1					1					2
Total	104	57	72	62	60	119	118	85	92	61	29	78	937

LOS ANGELES UNIFIED SCHOOL DISTRICT

SCHOOL CONSTRUCTION BOND CITIZENS' OVERSIGHT COMMITTEE

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Early Education Coalition

Scott Folsom, Vice Chair
Tenth District PTSA

Susan Linschoten, Secretary
L.A. Co. Auditor-Controller's Office

Stephen English, Executive Committee
L.A. City Controller's Office

Stuart Magruder, Executive Committee
American Institute of Architects

Greg Good
L.A. City Mayor's Office

Mike Keeley
CA Charter School Association

Elizabeth Lugo
LAUSD Student Parent

Kate Mergen
Assoc. General Contractors of CA

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

Quynh Nguyen
LAUSD Student Parent

Scott Pansky
L.A. Area Chamber of Commerce

Kathryn Steinberg
31st District PTSA

Betty Valles
AARP

Barry Waite
CA Tax Reform Assn.

Arlene Barrera (Alternate)
L.A. Co. Auditor-Controller's Office

Joseph P. Buchman – Legal Counsel
Burke, Williams & Sorensen, LLP

Thomas A. Rubin, CPA
Oversight Committee Consultant

Timothy Popejoy
Bond Oversight Administrator

Clarissa Griego
Interim Asst. Administrative Analyst

RESOLUTION 2016-23

BOARD REPORT NO. 392-15/16

**PROPOSED AMMENDMENT 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 12 SCHOOLS AND ALLOCATE
\$2M TO THE RAPID ACCESS PROGRAM**

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 12 school projects to enhance accessibility with a combined budget of \$11,893,440 (collectively, the "Project") as described in attached Board Report 392-15/16; and

WHEREAS, on February 14, 2012, the Board of Education approved the establishment of the Rapid Access Program (RAP); the next phase of the District's Bond Program which will modernize, build and repair school facilities to improve student health, safety and educational quality; and

WHEREAS, District Staff further proposes that the Board of Education approve the allocation of \$2 Million from Bond Program Reserve funds to the Rapid Access Program (RAP) in order to ensure that rapid access projects continue without delay; and

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

Resolution 2016-23

**PROPOSED AMMENDMENT 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 12 SCHOOLS AND ALLOCATE \$2M TO
THE RAPID ACCESS PROGRAM**

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 will facilitate implementation of the FSD SEP, and therefore, it will 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 12 Schools, and to approve the allocation of \$2 Million from Bond Program Reserve funds to the Rapid Access Program (RAP), as defined in Board Report 392-15/16, 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 May 26, 2016, by the following vote:

AYES: 11

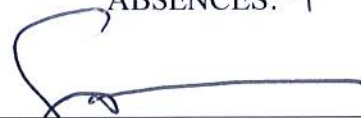
ABSTENTIONS: 0

NAYS: 0

ABSENCES: 4



Pamela Schmidt
Chair



Scott Folsom
Vice Chair