



Community Advisory Committee
Division of Special Education Report
November 2019

Division of Special Education Update

2018 - 2019 SUMMARY FINDINGS OF SPECIAL EDUCATION COMPLIANCE COMPLAINTS FILED WITH THE CALIFORNIA DEPARTMENT OF EDUCATION

A. Special Education Compliance Complaints Filed with the CDE

During the 2018-2019 school year, 110 special education compliance complaints were filed. The majority of filings were by parents/educational rights holders; however, 14 cases were filed by attorneys, a 67 % decrease from the previous year, 10 by advocates, representing a 33 percent decrease, and one by a student. Special education compliance complaints filed against the LAUSD decreased by 16 %. Most complaints alleged one violation, while the remaining complaints included multiple allegations.

School Year	Mid-Year Total July 1 – December 31	Annual Total July 1 – June 30	% Increase +/ Decrease – From previous year
2018 - 2019	59	110	-16
2017 - 2018	70	131	-9
2016 - 2017	46	144	-13
2015 - 2016	73	164	+28
2014 - 2015	50	124	-25

B. Most Common Special Education Compliance Complaint Allegations Filed Against the District

During the 2018-2019 school year, there were 186 allegations of special education noncompliance filed against the District, representing an 11% decline from the previous year. The most common allegations filed (in order from most to least frequent) were regarding: implementation of the individualized education program (IEP); adhering to special education timelines as required by the Individuals with Disabilities Education Act (IDEA); and responding to pupil records requests, which remained the same as the previous year. Slightly more than half of the allegation findings were either compliant or resolved and withdrawn, with the majority of withdrawals resulting from Alternative Dispute Resolution (ADR).

1. Implementation

Local Districts (LD) Northeast (NE) and Northwest (NW) received the least number of allegations regarding IEP implementation, while Local District East (E) surpassed Local District Central (C) with the highest number of allegations. The allegations were categorized by failure to implement: the IEP; Final Settlement Agreement; and Related Services. Most filings alleged the District failed to implement the IEP's related services; however, filings regarding failure to implement the IEP decreased substantially by 60%. Final Settlement Agreement allegations in this category decreased by 29% during 2018-2019.

2. Statutory Timelines

Overall, the most common timeline allegations are that the District failed to adhere to the 15-day timeline for responding to assessment requests and to hold an IEP team meeting within 30 days of a parent's request for an IEP team meeting. Local Districts Central, South and West generated the majority of timeline allegations.

3. Pupil Records Requests

Local District East and Charter Schools received no allegations regarding pupil records requests while Local District Northeast experienced an increase of records requests from the previous year.

4. All Other Allegations

Local Districts Central and West generated more allegations than the other Districts. Allegations filed against LD Central decreased by 46% showing significant improvement from the previous year; whereas, allegations against LD West increased by 42%. LD Northwest and Charter Schools generated the fewest allegations of noncompliance.

C. Dispute Resolution

Upon commencement of the 2018-19 school year, the Educational Equity Compliance Office (EECO) fully implemented Proactive Resolution (Pro-R) as an alternative to complainants filing allegations of noncompliance with the CDE, consequently decreasing the number of formal compliance complaints. There was a substantial increase in cases resolved (situations where the District was out of compliance) via the Alternative Dispute Resolution (ADR) process for resolving complaints filed with the CDE

D. Special Education Compliance Complaint Findings, Process and Trends

The CDE special education compliance complaint investigation process involves: intake; data gathering; response; and in cases where the District is found out of compliance, corrective action/resolution and monitoring; and ultimately closure. All complaints received from the CDE are considered pending until all allegations are resolved and formally closed by the CDE. All CDE complaints filed prior to the 2018-2019 school year were resolved and closed by the CDE. During 2018-19, CDE concluded the District was out of compliance 47% of the time in contrast to 31% compliance; however, 22% of the complaints filed with the CDE were successfully resolved through ADR and withdrawn. In summary, for three consecutive years, complaint filings have declined, proactive resolution and withdrawals continue to increase, and special education compliance continues to improve overall

SELPA Update

- Compliance Committee:

On average the team processes more than 1,000 complaints annually. The top reasons for complaints filed in 2018-2019 were shared in order from #1 to #10;

- Implementation of IEP
- Implementation of IEP specific to speech
- Implementing settlement agreements
- records requests
- IEE requests
- Requirements pertaining to evaluation
- Assessing students in all areas of suspected disability
- Lack of prior written notice,
- 15-day timeline for proposed assessment plan
- Holding the IEP meeting within 30 days.

- 2019-20 Local Plan

Due June 30, 2020 will be the SELPA board approved local plan along with the annual budget and service plans. Local Plans must be posted on SELPA websites by June 30, 2020 with information regarding pending adoption by LEA school boards for one fiscal year. Local Plans must also be posted on County Office of Education (COE) websites upon their approval.



Announcement from Division of Special Education

- District Validation Reviews (DVR) have begun for the 2019-2020 school year.

Los Angeles Unified conducts the District Validation Review (DVR) at all schools with special education programs. For the 2019-2020 school year, selected schools will go through the DVR process in each of the Local Districts.

Local District	Number of Schools
Central	33
East	32
Northeast	27
Northwest	32
South	34
West	41
Grand Total	199

As of 11/6/19, we have conducted 46 DVR's

Each school's DVR will be conducted by a DVR Team consisting of team members from outside the school, 2 school staff members, and one parent team member*. Duties of the DVR Team will include: reviewing parent and staff surveys, reviewing documents and student records, conducting a parent interview meeting, interviewing staff, observing classrooms, and participating in a summary conference meeting with the school principal.

The District Validation Review school team members are required to view the web-based training, "Special Education District Validation Review (DVR) Team Member Training and School Preparation Information 2019-2020," to assist the school in preparing them for their role on the day of the review. Local District Least Restrictive Environment (LRE) Specialists work with the schools to prepare them and support they go through the DVR process.

The selection process was based on a few factors. Schools that had not participated in the DVR process in the past four years were selected. In addition, schools that demonstrated below benchmark performance in the area of IEP timelines and service delivery during the 2018-2019 school year were selected to participate even if the school had participated in the DVR process within the past four year. Lastly, independent charters schools in their first year of operation were also selected to participate in the DVR process.

As November 6, 2019, Local District LRE Specialists have completed DVRs at 46 school sites.