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06/04/21 11:48 AM

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OUR FILE NUMBER:

005297.00673
33106181.1

June 4, 2021

VIA E-PERB PUBLIC PORTAL

Seth P. Williams, Regional Attorney
Public Employment Relations Board
425 W. Broadway, Suite 400
Glendale, CA 91204-1269

**Re: Long Beach Unified School District and Teachers Association of Long Beach
Response to Order to Show Cause (LA-UM-1013-E)**

Dear Mr. Williams:

Long Beach Unified School District (“District”) hereby files this response to your Order to Show Cause dated April 30, 2021, relating to the District’s opposition to the Teachers Association of Long Beach’s (“TALB”) Unit Modification Petition in Case No. LA-UM-1013-E.

Your Order to Show Cause determined that the District’s initial response focused on localized or specific programs and policies and not on the exercise by Counselors and Psychologists of independent judgment in developing or modifying District-wide policies or programs and District-wide institutional goals and priorities.

The attached declaration concerns only the Psychologists, and not Counselors. This declaration from Steve Rockenbach, Director of Employee Relations and Ethics, will serve to supplement and clarify the District’s initial response to TALB’s Unit Modification Petition and show that on a regular basis Psychologists have significant responsibilities for formulating District policies and administering District programs. This includes discretionary authority to develop or modify District-wide goals and practices and discretionary authority to implement District-wide programs through the exercise of independent judgment, resulting in the Psychologists being fully assimilated into the management structure as part of the management team.

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Seth Williams, Regional Attorney

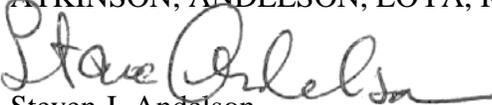
June 4, 2021

Page 2

It is the District's position that Mr. Rockenbach's declaration presents sufficient evidence to raise a material question of fact concerning the management status of Psychologists to warrant progressing to an evidentiary hearing.

Respectfully submitted,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO



Steven J. Andelson

SJA/mln

Attachment

cc: Dr. Jill Baker, Superintendent (*via email*)
David Zaid, Assistant Superintendent of Human Resource Services (*via email*)
Steve Rockenbach, Director of Employee Relations and Ethics (*via email*)

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5 Attorneys for Defendants LONG BEACH UNIFIED SCHOOL
DISTRICT

6
7 **STATE OF CALIFORNIA**
8 **PUBLIC EMPLOYMENT RELATIONS BOARD**

9 IN THE MATTER OF THE UNIT
10 MODIFICATION PETITION OF:

Case No. LA-UM-1013-E

11 TEACHERS ASSOCIATION OF LONG
12 BEACH,

**DECLARATION OF STEVEN
ROCKENBACH IN RESPONSE TO
ORDER TO SHOW CAUSE**

Petitioner

13 v.

14 LONG BEACH UNIFIED SCHOOL
15 DISTRICT,

Respondent.

16
17
18 I, STEVE ROCKENBACH, declare as follows:

19 1. I am an individual over the age of 18 and currently employed by Long Beach Unified
20 School District in the position of Director of Employee Relations and Ethics. I have personal
21 knowledge of the facts stated herein, except as to those matters stated upon information and belief,
22 which I believe to be true; and, if called to testify thereto, I could and would do so competently.

23
24 2. In my capacity as Director of Employee Relations and Ethics, I serve as the District
25 spokesperson in meeting and negotiating with exclusive bargaining unit representatives; direct the
26 formulation of policy and implementation of regulations concerning employee relations; prepare
27 and coordinate all written materials pertaining to employee relations; serve as the chief District
28

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1 resource person in conducting in-service training for management staff on matters related to
2 employee relations; and administer employee contracts.

3 3. Long Beach Unified School District (LBUSD) operates as its own Special Education
4 Local Plan Area (SELPA) and as such is charged with developing its own policies and practices to
5 ensure our students with special needs receive a quality education and have access to all of the
6 services outlined in their Individualized Education Plan (IEP). Unlike most districts who are in
7 multi-district SELPAs, Psychologists have discretionary authority to develop institutional goals and
8 priorities relating to the district's Special Education Program. They are charged with designing and
9 implementing district wide policies with the ability to exercise independent judgement. (Please see
10 Attachment A – California Special Education Local Plan Overview for more details regarding the
11 key the responsibilities of SELPAs in the State of California)

12 4. In an effort to create an efficient system that ensures we are able to respond to current
13 identified student needs, monitor and adapt services, and create and monitor effective assessment
14 protocols for over 9,900 special education students at 85 school sites, the District Board of Education
15 has empowered our Psychologists with a significant level of autonomy and ability to develop and
16 modify district-wide goals, and discretionary authority to implement district-wide programs through
17 the exercise of independent judgment on a regular basis.

18 5. As a result of this additional autonomy, Psychologists are regularly active in and
19 have discretionary authority to exercise independent judgement in establishing and modifying
20 district policy and procedures affecting special education programs; ensuring school sites across the
21 district are implementing appropriate special education services to meet the needs of students, and
22 creating district wide processes and systems to enhance its special education services. Examples
23 of these discretionary district-wide activities include:
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- Regularly and independently formulating, adjusting, and managing district-wide programs for Educationally Related Mental Health Services (ERMHS). For example, if the existing referral protocol is proving to be ineffective at processing requests, Psychologists are able to revise the district wide protocol at their discretion. (See Attachment B – ERMHS Program Overview);
- Establishing policies and guidelines for school staff and outside agencies in regards to ERMHS services across all school sites. For example, Psychologists independently develop referral district-wide guidelines that are compatible with needs of both the district and service contractors;
- Regularly serving as liaison with community partners like Starr Behavioral Health for the purpose of implementing and adjusting district-wide services to enhance student support at home and in the community using independent judgment. For example, working with service providers like Starr Behavioral Health in monitoring the effectiveness of provided services to independently determine needed changes, (See Attachment B – ERMHS Overview);
- Independently formulating and administering district-wide Family Resource Centers for the purpose of providing social, emotional and behavioral health-related support to students and partner with families on connecting to community and school-based services. For example, using independent judgement to develop site specific programs across the district to accommodate individualized needs for families in underserved communities.
- Regularly creating, implementing, and modifying district-wide procedures and programs using independent discretion to provide ease of access for families and broaden the effectiveness of the program. For example, establishing and/or revising

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outreach processes that assist in connecting families to much needed services through the district and community partners. (See Attachment C – Family Resource Center Overview);

- Using their discretionary authority to develop district-wide programs to accommodate neighborhood special education needs. For example, creating and implementing parent education workshops on topics including crisis intervention, suicide prevention, and attendance related issues (See Attachment C – Family Resource Center Overview);
- Developing, implementing and revising on-going district-wide assessment strategies for special education students using their independent discretion. For example, Psychologists use independent discretion to regularly evaluate and revise the Psychologist Test Inventory (See Attachment D – Psychologist Test Inventory);
- Formulating district-wide policies regarding psychoeducational/ERMHS evaluation processes and instruments using independent discretion. Requiring a comprehensive interview with the student regarding the student’s perspective of their social-emotional strengths and needs for the basis of qualifying for services in an example of a district-wide policy psychologists developed and are charged to ensure it is carried out with fidelity. (See Attachment B – ERMHS Program Overview);
- Creating district-wide policies regarding necessary steps in identifying students with an Emotional Disability (ED) with an emphasis on reducing the over-identification of minority specific racial groups. For example, Psychologists use independent discretion to review and modify district-wide identification protocols to ensure they are leading to accurate diagnosis of students with ED

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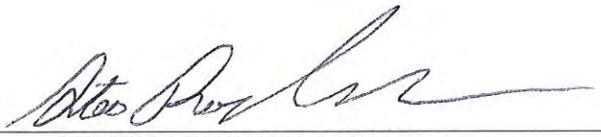
- 1 • Establishing institutional protocols and procedures for the assessment of bilingual
2 students for special education using independent judgement. For example,
3 independent discretion is used to identify, review and adjust district wide assessment
4 tools to ensure that the appropriate assessments are utilized to prevent language
5 barriers from being the basis of identifying English Language Learners for special
6 education; (See Attachment D – Psychologist Test Inventory);
- 7
- 8 • Implementing and/or modifying district-wide procedures to evaluate institutional
9 assessment practices to validate the reasons for students qualify for special education
10 and ensure recommended services address student needs. For example: Psychologists
11 use their discretionary authority to ensure the Review, Interview, Observation, and
12 Test (RIOT) method and the Instruction, Curriculum, Environment, and Learner
13 (ICEL) assessment matrix are used district wide to establish eligibility for special
14 education services.
- 15
- 16 • Using their discretionary authority and judgment to develop and implement on-going
17 district-wide IEP services and the effective writing and monitoring of IEPs. For
18 example, ensuring case carriers are familiar with and implementing academic support
19 options that address students individualized needs. (See Attachment E – Options for
20 Academic Support);
- 21

22 As a result of the type of activities illustrated above, Psychologists have become fully assimilated
23 into the management structure as part of the management team.

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I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th day of June, 2021.


STEVEN ROCKENBACH

Attachment A – California Special Education Local Plan Overview

California Special Education Local Plan Areas

Service area covered by a special education local plan and the governance structure created under any of the planning options of Section 56205, 56206, 56208, 56211, 56213, 56241, 56243, 56244, & 56245 of the Education Code.

What is a SELPA?

In 1977, all school districts and county school offices were mandated to form consortiums in geographical regions of sufficient size and scope to provide for all special education service needs of children residing within the region boundaries. Each region, Special Education Local Plan Area (SELPA), developed a local plan describing how it would provide special education services.

SELPA's are dedicated to the belief that all students can learn and that special needs students must be guaranteed equal opportunity to become contributing members of society. SELPA's facilitate high quality educational programs and services for special needs students and training for parents and educators. The SELPA collaborates with county agencies and school districts to develop and maintain healthy and enriching environments in which special needs students and families can live and succeed.

Legal Background

The Rehabilitation Act of 1973 (PL 93-112), amended in 1992, includes Section 504, which affirms the right of any student or adult who has a mental or physical impairment which inhibits a major life activity including learning; has a history of such an impairment; or is considered by a team of knowledgeable individuals to have such an impairment, from being discriminated against program or activity receiving federal financial assistance. This Act also requires that students be given a free appropriate public education in regular education classes, with necessary supplementary aids and services, if they are determined by a school team to be disabled under Section 504 or the Americans with Disabilities Act (ADA). Such eligibility may exist without concurrent eligibility for special education under the Individuals with Disabilities Education Act (IDEA).

The Rehabilitation Act was followed in 1975 by the passage of PL 94-142, the Education of Handicapped Act, which was changed in 1990 to the IDEA. This is the legislation that provides that all students who are eligible for special education must be provided with a free appropriate public education in the least restrictive environment.

The California Legislature implements the provisions of IDEA through the California Master Plan for Special Education. This plan was first implemented statewide in 1980 with the passage of Senate Bill 1870.

Some of the major areas covered by state and federal laws are the following:

- Child Find - Each public school system is responsible to find children with disabilities in its area
- Free Appropriate Public Education (FAPE) - Each public school system is responsible for ensuring that each child with disabilities is served appropriately, at no expense to the parent
- Least Restrictive Environment (LRE) - Each child is assured of his/her right of education with non-disabled peers to the maximum extent appropriate to the needs of both
- Due Process - The right of parent participation, and challenge, in all aspects of assessment, identification and placement is assured; involves mediation or administrative hearing procedures and complaint procedure in case of disputes
- Individualized Educational Planning (IEP) - The right of a child to an educational program designed to meet his/her individual needs and based on adequate assessment is assured. At age 14 to 16 this includes the development of an Individual Transition Plan (ITP) to provide for transition into the world of work.

These concepts have been reinforced and interpreted by a number of court cases since the passage of the law. Two notable cases in the State of California are the Larry P. Case, which established strict rules concerning the use of standardized intelligence tests with minority populations, and the Diana Case, which has caused school systems to revise their bilingual special education assessments. The complexity of these rules and responsibilities has created the need for skilled and knowledgeable administrators who must understand the laws and apply them fairly. The SELPA Administrator is responsible for assuring that:

- All individuals with disabilities receive a free appropriate public education in the least restrictive environment.
- All regular education resources are considered and, where appropriate, utilized on a local or regional basis to meet the needs of students with disabilities.
- A system exists at the regional level for identification, assessment and placement of disabled students.
- A viable system for public education is functioning in the community, with broad participation and interaction involving parents and other agencies serving children and young adults.
- An annual compliance monitoring system implemented, that continues to assure non-compliant items that have been identified through Self Reviews, Verification Reviews, Focused Monitoring or Complaints have and continue to be rectified.

Overview

Significant changes have occurred in services and programs provided for children with exceptional needs in the public schools of California. These changes have stemmed from new laws and regulations at both the state and national levels, as well as from the spirit of fairness, balance and equality that characterize the public school system in America. New interpretations of existing laws by the courts have further modified and expanded the services required for exceptional students.

Previously, children with disabilities were identified only if their educational needs were obvious. Then, they tended to be placed into programs designed to serve children with similar disabilities in special schools or located separately on comprehensive school sites. Such categorical programs were usually effective in providing specialized services for the populations they served; but in many cases, expectations for these groups were inappropriate in relation to the students' actual potential.

Gradually, the community and public agencies have become aware that children with disabilities can be educated with their non-disabled peers, guaranteeing equal opportunities for all children... including children with disabilities.

This required the sharing of program resources, including transportation, through regional cooperation among public and non-public schools and non-educational agencies.

In the early 1970s, a simultaneous movement across the country resulted in the passage of important federal and state laws. The federal laws were PL 93-112 and PL 94-142. In 1987, PL 99-457 was passed which expanded services to preschool children. In response to these laws, legislation was passed in California which provides the legal foundation for a comprehensive plan in special education and requires local districts and agencies to establish SELPAs to address the needs of all children with disabilities.

These laws and regulations promote changes and procedures leading to such things as the following:

- Accountability
- Annual Reviews of Progress
- California Special Education Management Information System (CASEMIS) Reporting
- Career Training
- Community Involvement and Support
- Compliance Reviews
- Coordination of Resources Among Districts by Regions
- Desired Results Developmental Profile (DRDP) Assessment and Data Reporting
- Due Process Rights
- Educational Benefit
- Full Service to All Students with Disabilities
- Guaranteed Equality of Access
- Improved Self-Esteem for Children with Disabilities
- Increased Parent Participation
- Individualized Educational Programs (IEP)
- Less Restrictive Placements (LRE)
- Local Governance Systems
- Program Evaluation
- Quality Program Reviews
- Social Acceptance of Children with Disabilities
- Staff Development Programs

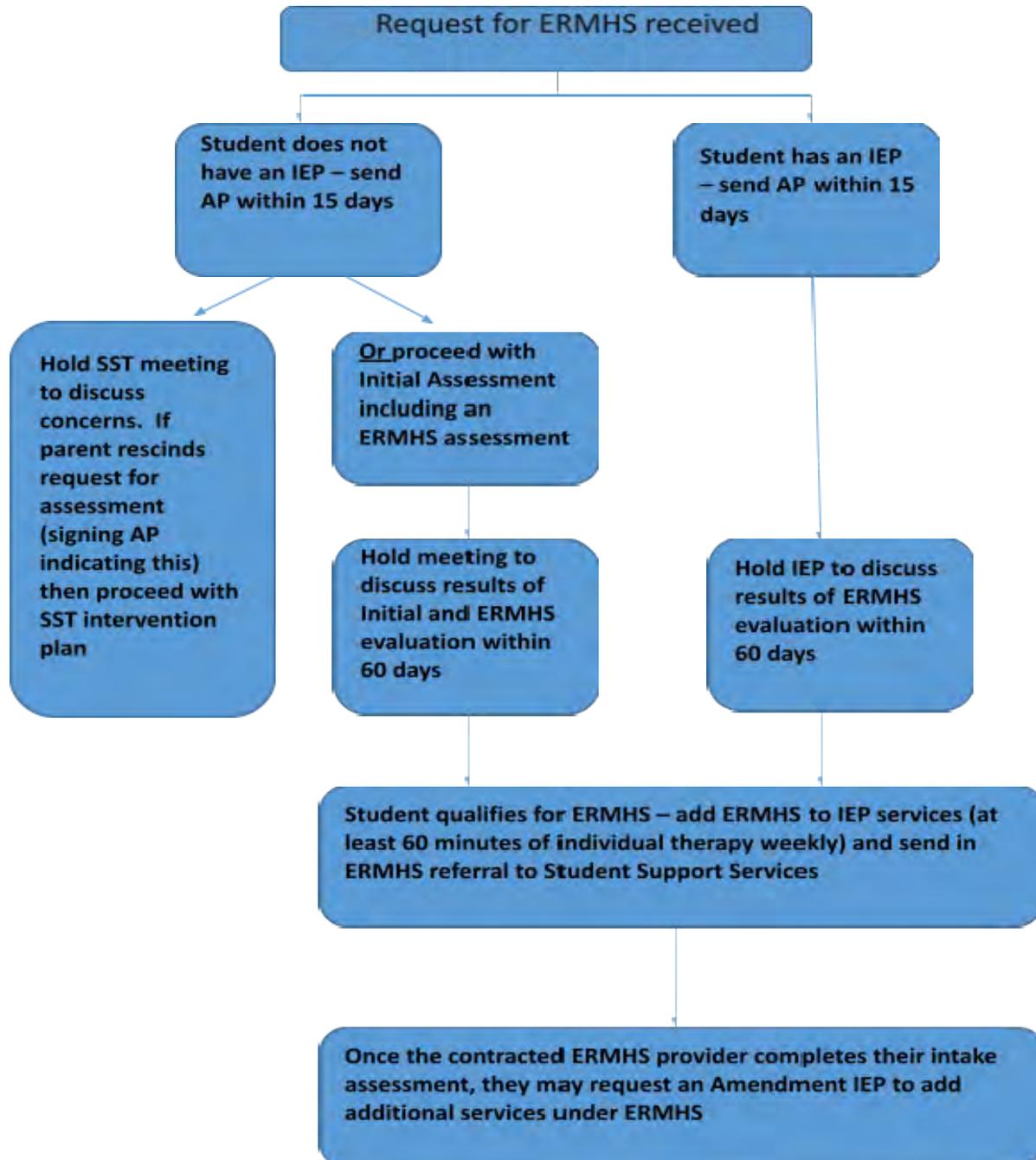
- State Performance Plan Indicator Data Collection
- Transition from School to Post-Secondary Education and Employment

Today, as never before, parents, students and staff work together to make certain that the appropriate services are provided on an individualized basis for every child with a disability. The services are provided through the SELPAs. The Local Plan developed and maintained in each community by the people who live there, is the basis of these improvements and the foundation of services.

Attachment B – ERMHS Program Overview

What is ERMHS?

Educationally Related Mental Health Services (ERMHS) are provided after assessments have determined that ERMHS are needed to support academic progress pursuant to an IEP. The purpose of ERMHS is to support adjustments related to education and academic functioning when educationally related mental health services have been deemed necessary for a student to benefit from his or her education.



What is needed in an ERMHS assessment?

An ERMHS assessment is a comprehensive social-emotional assessment to consider whether a student requires mental health services to access their educational program. An ERMHS assessment should include (but is not limited to) the following:

- Reason for referral
- Review of records to indicate a brief overview of the following relevant information:
 - Health/developmental
 - Current eligibility and services (if this is not an initial psychoeducational evaluation)
 - Estimate of cognitive skills based on records or current assessment for an initial evaluation
 - Brief statement about the present academic performance based on review of records or initial evaluation results
 - Brief statement about the student's communication skills
- Comprehensive parent/guardian interview regarding student's social-emotional development, strengths, and needs - may include health history, history of trauma, etc.
- Comprehensive interview with the student regarding student's perspective of their social-emotional strengths and needs – may use an abbreviated mental status examination when appropriate
- Interview with teacher(s) about student's social-emotional strengths and needs
- Interview with current mental health service provider if applicable to include
- Social-emotional rating scale(s) from parent/guardian(s) and teacher(s) and other data to support need for ERMHS
- Classroom observations (and observations in other settings if necessary)
- Any other relevant information
- Conclusion of determination of need for ERMHS which states something such as *“Based on the information gathered, there is evidence to support that ERMHS is necessary for XXX to access their educational program and services.”*

(Please make sure that the heading of the report states “Educationally-Related Mental Health Services Evaluation.” This can go under the Initial Psychoeducational Evaluation/Reevaluation. Please make sure you have a section in the body of your report for the ERMHS if it is embedded in an Initial/Reevaluation.)

What needs to be done at the IEP if it is determined that the student should receive ERMHS for the first time?

- Develop social emotional goal(s) – goals should address the needs determined in the assessment
- Add ERMHS to the services to start with 1 hour of individual therapy weekly
 - Program/Service: Using the dropdown box “Ed. Related Mental Health Services”
 - Provider: NPA under contract with LBUSD
 - Location: Campus
 - Mode Individual/Direct
 - Frequency/Min 1 time weekly/60 minutes
 - Check “see notes” and in the notes section write, “Individual therapy by an ERMHS contracted provider”
- This is part of the offer of FAPE. If the educational right's holder does not agree with ERMHS, please leave the service and have them check “I CONSENT to this Individualized Education Program EXCEPT the following”
- Submit the ERMHS Referral form to Claudia for either The Guidance Center or Star View with a

copy of the signed IEP with the ERMHS report attached. You can submit this as a PDF electronically via email.

- The ERMHS provider will conduct their assessment of mental health needs and contact the referring psychologist to set up an IEP meeting to discuss adding additional services as part of ERMHS.
- The psychologist will work with the case manager to arrange an Amendment IEP to discuss and add additional services such as Family/Collateral; Consultation with school staff; Psychiatric consultation for medication management; etc. Additional weekly therapy can be an option if deemed necessary. *(Note: ERMHS does not cover medication)*

(Please make sure that the heading of the report states "Educationally-Related Mental Health Services Evaluation." This can go under the Reevaluation Psychoeducational Evaluation. Please make sure you have a section in the body of your report for the ERMHS if it is embedded in an Reevaluation.)

What needs to be completed during a Reevaluation IEP for a student that is currently receiving ERMHS?

A student that is currently receiving ERMHS that is due for their Reevaluation IEP should have an ERMHS assessment included as part of their evaluation using the steps outlined previously. Review of records may be used for some of the information if it is considered to be valid (e.g., estimate of cognition, etc.). The reevaluation of ERMHS should include current interviews, observations, and assessment.

What should be completed when exiting a student from ERMHS?

A student that is being considered for discontinuing ERMHS should have an ERMHS assessment included as part of their evaluation using the steps outlined previously. You can use records for some of the information (e.g., estimate of cognition, academic skills, etc.). This should also include current interviews, observations, and assessment.

What if a parent/guardian no longer wants their child to receive ERMHS and/or the student is not participating in these services?

If the parent no longer wants their child to receive ERMHS or the student is not participating in these services, the IEP team should meet to discuss any concerns. If the IEP team continues to feel that ERMHS is warranted, but the parent disagrees, the services should remain as part of the offer of FAPE. The service(s) related to ERMHS would be left in the IEP document and the educational right's holder can check "I CONSENT to this Individualized Education Program EXCEPT the following."

The ERMHS contracted provider is responsible for keeping track of the student's attendance for ERMHS therapy sessions. Each agency has a threshold of how many missed appointments are necessary before they will discontinue services. The ERMHS contracted provider will reach out to the school psychologist at the student's school of attendance if the student has met the threshold for discontinuing services. The school psychologist will work with the student's current case manager to set up an IEP meeting to address ERMHS with the ERMHS therapist present. You can remove the various services for ERMHS. In the Additional Notes section (or on the front page if holding an Amendment), please note the number of absences "Per the ERMHS contracted provider, the student has not attended any ERMHS therapy sessions for XX weeks." Then note that the student is still eligible, "ERMHS is still part of the offer of FAPE. However the student is no longer interested in these services."

What if the ERMHS provider discontinue the services without contacting the IEP team?

The contracted ERMHS providers are aware that they cannot discontinue ERMHS without holding an IEP meeting. However, in the event that this does happen, you should contact the supervisor for the ERMHS provider to try to find a solution. In the event that this is not resolved in a timely manner, you may make a referral to another ERMHS contracted agency to continue these services.

What if the parent who previously did not agree to ERMHS, now wants their child to receive ERMHS?

If a student has an ERMHS assessment within the last year that indicated the student requires mental health services to access their educational program, an Amendment IEP is held to begin the services by following the steps outlined in the previous section *“What needs to be done at the IEP if it is determined that the student should receive ERMHS for the first time?”*

If the student’s ERMHS assessment is over 1 year old, an Assessment Plan should be provided to the parent for a new ERMHS assessment and the steps for the initial ERMHS evaluation should be followed.

Attachment C – Family Resource Centers

Family Resource Centers

Dear students, parents and families,

During distance learning, the Family Resource Center staff members are providing services visually on a computer and/or by phone. Please continue to submit the Google Family Resource Center referral below or call the appropriate Family Resource Center based on the school of attendance. There is no cost for students and families who receive Family Resource Center services. **No Medi-Cal or insurance is required to receive services from the Family Resource Center.**

[Family Resource Centers - Welcome Letter](#)

[Family Resource Centers - Welcome Letter](#)

Referrals

[Student / Parent / Guardian / Staff - Referral Form](#) (English)

[Student / Parent / Guardian - Referral Form](#) (Spanish)

[Student / Parent / Guardian - Referral Form](#) (Khmer)

FRC Resources

For more information on our monthly parent webinars and additional resources, visit our [LinkTree page](#).

Mission Statement

To support the personal and intellectual success of every student, every day.

Vision Statement

“Empowering students and families to move forward and thrive”

Purpose of the FRCs

Purpose of the FRC's

The purpose of the Family Resource Centers (FRCs) is to provide social, emotional and behavioral health-related support to students within a cluster of **26 schools** in LBUSD, and partner with families on connecting to community and school-based services.

Locations of the FRCs

The centers are located at Chavez Elementary School, Signal Hill Elementary School, Lindbergh Middle School and Stephens Middle School

FRCs provide:

Short-term social, emotional and behavioral health related services by LBUSD school counselors and psychologists. Services will be for current LBUSD students who are enrolled in the following locations/regions.

FRCs Locations/Regions:

(Downtown/Central Region)

Chavez Elementary School

730 West 3rd Street, Long Beach, CA 90802

Phone: (562) 590-0904

(serving students and families attending Washington MS, Edison ES, Chavez ES, Lincoln ES, Oropeza ES, Roosevelt ES, Willard ES)

FRC Staff: Roxanne Carboni; Samson "Will" Safotu; Kimberly Leremia

(North Region)

Lindbergh Middle School

1022 East Market Street, Long Beach, CA 90805

Phone: (562) 422-2615

(serving students and families attending Lindbergh MS, Addams ES, Hamilton MS, Lindsey MS, Powell K-8, Barton ES, McKinley ES, King ES, Dooley ES)

FRC Staff: Elizabeth (Lisa) Gallo; Stephanie Kubicek; Bryan Dilts; Yunjee Cho

(East Region)

Signal Hill Elementary School

2285 Walnut Avenue, Signal Hill, CA 90755

Phone: (562) 426-8170

(serving students and families attending Franklin MS, Hoover MS, Jefferson MS, Nelson MS, Smith ES, Whittier ES)

FRC Staff: Dana Workman; Thomas Sopp; Teresa Mora

(West Region)

Stephens Middle School

1830 West Columbia Street, Long Beach, CA 90810

Phone: (562) 981-8990

(serving students and families attending Stephens MS, EPHS, Robinson K-8, Garfield ES)

FRC Staff: Georgia Du Vernet; Wendy Flores

Services can help students with:

- Trauma Related Behaviors
- Depressive Behaviors
- Disruptive Behaviors
- Anxious Behavior

Parent Education Workshops are offered for parents, guardians and caregivers seeking the following strategies:

- Parenting
- Behavior Management
- Crisis Intervention
- Suicide Prevention
- Attendance Related Issues

Referrals and Assistance for Community Resources are available to families via the FRCs. FRCs staff can connect families with appropriate resources and can also help complete applications. Examples of referrals and assistance may include but are not limited to:

- Food/Clothing Resources
- Mental Health Referrals
- Family Assistance Programs
- Medi-Cal for Low Income/Uninsured
- Health Care Resources
- Immigration Information

Attachment D – Psychological Assessment Protocol

Psychologist Test Inventory - 2020-2021

Adaptive Behavior						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
ABAS-3	0-89	Manual only	Yes	Yes (5-21 only)	Yes (5-21only)	NA
Vineland-3	0-90	Manual only	Yes	Yes	Yes	NA
Academic						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
FAM	PreK - College	Yes	No	No	Yes	Loaners only (4)
FAR	PreK - College	Yes	No	No	Yes	Loaners only (2)
FAW	PreK - College	Yes	No	No	Yes	Loaners only (4)
GORT-5	6-23:11	Yes	No	No	No	Loaner only
KTEA-3	4:0–25:11	iPad only	No	iPad users only	iPad users only	NA
WIAT-4	4:0 - 50:11	Yes or iPad	No	iPad users only	Yes	Yes
WJ-4 Ach	2-90+	Yes	No	No	Yes	No
Autism						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
ADOS-2	1-adult	Yes	No	No	No	Yes
ASRS	2-18	No	Yes	No	No	NA
CARS-2	2 & up	No	Yes	No	No	NA

Cognitive						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
CAS-2	5-18	Yes	Yes	No	Yes	Yes
KABC-2 NU	3-18	Yes	Yes	No	Yes	Yes
Leiter-3	3-75+	Yes	All nonverbal	No	No	Loaner only
WJ-4 Cognitive	2-90+	Yes	No	No	Yes	No
NEPSY	3-16	Yes	No	No	No	Loaner only
Developmental/PreK						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
CAYC	2 -5. - 5.11	Yes		No	No	Yes
DP-4	0 - 21.11	No	Yes	Yes	Yes	NA
Brigance- IED	Intended for use with students functioning at a developmental age from birth through age 7	Yes	No	No	Yes	Loaner only
Processing						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
BRIEF-2	5-18	No	Yes	Yes	Yes	NA
ChAMP	5-21	Yes	No	No	Yes	Yes
WJ-Oral	2-90+	Yes	Yes	No	Yes	No
TAPS-4	5-21	Yes	No	No	No	No
TVPS-4	5-21	Yes	No	No	No	Loaner only
VMI-6	2-100	No	No	No	No	NA

CTOPP-2	4-24:11	Yes	No	No	No	Yes
ADDES-4		Manual only	Yes			
Social-Emotional						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
BASC-3	2.0-21.11	No	Yes	Yes	Yes	NA
Conners-3	6-18	No	Yes	Yes (English only)	Yes with online administration	NA
Spanish						
Test	Age range?	Test kit required?	Spanish version?	Online administration?	Online scoring?	Loaner?
WMLS-3 English	3-22	Yes	Yes	No	No	Yes
WMLS-3 Spanish	3-22	Yes	Yes	No	No	Yes
Bateria-Cog	2-90+	Yes	Yes	No	Yes	Yes
Bateria-Ach	2-90+	Yes	Yes	No	Yes	Yes

Attachment E – Options for Academic Support	
Elementary School	
ELA	Math
<p>Site Specific Interventions (varied across sites)</p> <p>Site-based TOSAs (School Site Determined Structure and Focus)</p> <ul style="list-style-type: none"> ● Varied Intensity and Frequency ● Varied Instruction and Delivery Models <ul style="list-style-type: none"> ○ Co-teaching ○ Small Group pull-out ○ Saturday School ○ After School 	
<p>Resources</p> <p>Lexia Core5</p> <ul style="list-style-type: none"> ● Targeted <p>Lexia Lessons</p> <p>Wonders</p> <ul style="list-style-type: none"> ● Small Group Differentiated Instruction ● Tier II Intervention Lessons <ul style="list-style-type: none"> ○ Phonemic Awareness ○ Phonics/Word Study ○ Fluency ○ Comprehension ○ Vocabulary (aligned to instructional units) ○ Writing and Grammar ● Tier 3 Foundational Skills (Grades 3-5) 	<p>Resources</p> <p>Go Math!</p> <ul style="list-style-type: none"> ● Strategic Intervention ● Intensive Intervention <ul style="list-style-type: none"> ○ Skill-based ○ Learn the Math/Do the Math ○ Includes emphasis on CRA approach (Concrete/Representational/Abstract) ● Counting Collections ● ST Math (Puzzle Talks)
<p>Reading Recovery (Targeted Intervention Program)</p> <p>Reading Recovery at 11 sites</p>	
Middle School	
ELA	Math
<p>Intervention Elective</p> <p>Taken Concurrently with General Ed Language Arts Course</p> <p>CCS MS Grade 6 Course Outline</p> <p>CCS MS Grade 7 Course Outline</p> <p>CCS MS Grade 8 Course Outline</p> <p>College and Career Ready (CCR)</p>	<p>Intervention Elective</p> <p>Taken Concurrently with General Ed Math Course</p> <p>CCS MS Grade 6 Course Outline</p> <p>CCS MS Grade 7 Course Outline</p> <p>CCS MS Grade 8 Course Outline</p> <p>Math 6 Development</p> <p>Math 7 Development</p> <p>Math 8 Development</p>

<p>Taken Concurrently with SDC Language Arts Course SDC College and Career Ready (CCR) (A, B, C, yearly letter rotation)</p> <p>Site Specific Interventions (varied across sites) K-8 Sites: Power Up</p>	<p>Taken Concurrently with SDC Math Course SDC Math 6 Development SDC Math 7 Development SDC Math 8 Development</p> <p>Site Specific Interventions (varied across sites) ST Math Middle School Supplement</p>
<p>High School</p>	
<p>ELA</p>	<p>Math</p>
<p>Intervention Elective Taken Concurrently with General Ed English Course CCS HS Literacy Grade 9 Course Outline CCS HS Literacy Grade 10 Course Outline CCS HS Literacy Grade 11 Course Outline CCS HS Literacy Grade 12 Course Outline</p> <p>Literacy Workshop 1-2 Literacy Workshop 3-4 Literacy Workshop 5-6</p> <p>Taken Concurrently with SDC English Course SDC Literacy Workshop 1-2 SDC Literacy Workshop 3-4 SDC Literacy Workshop 5-6 Language Live!</p> <p>Site Specific Interventions (varied across sites)</p>	<p>Intervention Elective Taken Concurrently with General Ed Algebra 1 CCS HS Algebra Course Outline Algebra 1 Development (3165)</p> <p>Taken Concurrently with SDC Math Course SDC Pre-Algebra (Gr. 9)</p> <ul style="list-style-type: none"> • SDC Pre-Algebra <p>Development SDC Algebra AB</p> <ul style="list-style-type: none"> • SDC Algebra AB <p>Development SDC Algebra CD</p> <ul style="list-style-type: none"> • SDC Algebra CD Development <p>Site Specific Interventions (varied across sites)</p>
<p>Study Skills Support</p>	
<p>Elective Course Option *Based on site offering SDC Study Lab 1-2 Study Lab 3-4 Study Lab 5-6 Study Lab 7-8</p>	

PROOF OF SERVICE
(CODE CIV. PROC. § 1013A(3))

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and am not a party to the within action; my business address is 12800 Center Court Drive South, Suite 300, Cerritos, California 90703-9364.

On June 4, 2021, I served the following document(s) described as **LONG BEACH UNIFIED SCHOOL DISTRICT'S RESPONSE TO ORDER TO SHOW CAUSE (LA-UM-1013-E)** on the interested parties in this action as follows:

Seth Williams, Regional Attorney
Public Employment Relations Board
Los Angeles Regional Office
425 W. Broadway, Suite 400
Glendale, CA 91204
Telephone: (818) 551-2806
(VIA E-FILE: ePERB PUBLIC PORTAL)

Megan L. Degeneffe, Esq.
CTA Staff Counsel
11745 E. Telegraph Road
Santa Fe Springs, CA 90670
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Email: mdegeneffe@cta.org
(VIA EMAIL)

- BY MAIL:** I caused to be placed a true and correct copy of the document(s) in a sealed envelope for collection and mailing following the firm's ordinary business practices. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
- BY EMAIL:** My electronic service address is mneedham@aalrr.com. I sent such document(s) to the email address(es) listed above or on the attached Service List. Such document(s) was scanned and emailed to such recipient(s) and email confirmation(s) will be maintained with the original document in this office indicating the recipients' email address(es) and time of receipt.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on June 4, 2021, at La Mirada, California.



Michelle L. Needham