



REGISTERED MAIL

Postmark: August 20, 2014

VIA EMAIL AND CERTIFIED MAIL

James T. Johnson, III, Administrator

Certified Mail #: 7012 2920 0002 3908 4430

James T. Johnson

1430 K Street, Suite 2408L

RE: Pending Corrective Actions Issued to Berkeley Unified School

Dear Mr. Johnson:

On behalf of Disability Rights Education and Defense Fund (DREDF), and its Parent Training and Information Unit (PTI), I am writing to request information about your July

Administrative

... for all teachers and ... you have required, not a complete set of training materials

BYCDE

Further Compliance Concerns

... 34 C.F.R. § 300.8, including

A. Determining eligibility under each condition listed in 34 C.F.R. § 300.8, including

... and ensuring determinations are by IEP team decision, not

B. Conducting appropriate assessments, including independent educational

evaluations

... including all legally required elements

... under federal law

August 29, 2014

Page 4 of 4

providing effective Positive Behavioral Intervention Services (PBIS)

N. Offering and pro

to promote the use of positive methods of addressing

all staff across all sites

Providing information on interventions when students are struggling

The goal of the computer courses is to provide

all your attention to these specific areas

As you can see, this is a long list. We

For your attention and your responses, please contact the district with any

Thank you

Handwritten initials

Handwritten signature

Larisa Cummings, Staff Attorney

Fncs

Donald Evans, Superintendent, Berkeley Unified School District

cc:

COPY

772719
PUBLIC INSTRUCTION

STATE OF CALIFORNIA DEPARTMENT OF EDUCATION

CALIFORNIA
DEPARTMENT OF
EDUCATION

July 1, 2014

2020 Bonar Street, Suite 321

parents to ensure that their children are always in legal
parents and subjected in their individual duties. The fact that
should not interfere with their individual duties. The fact that
in question, the officers of Berkeley, California, child find training

on the basis of
reading readin
text

(p) All children with disabilities residing in the state, including children with
disabilities who are homeless children or are wards of the state, shall have the

Donald Evans, Superintendent

July 1, 2014

Private

...evidence it has conducted a ... 3 ... September 29, 2014, the District shall provide

... information and data generated

... of the ...

... including ...

... evidence of required corrective actions shall be sent to

James T. Johnson III, Administrator

Focused Monitoring and Technical Assistance Unit Three

California Department of Education

...

... CA 95814

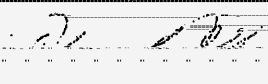
Sacramento

...

... regarding this letter please contact Shirley Sekeres

... If you have any questions

Sincerely,



James T. Johnson III, Administrator

SS

JTJ

0150

CASE NO. 001010

v.

BERKELEY UNIFIED SCHOOL

DISTRICT

DECISION

receiving educational benefit.³⁶ Student's report cards documented her progress. None of

the evidence presented at the hearing demonstrated that the student was not receiving educational benefit.

The hearing officer found that the student's educational progress was not sufficient to warrant a finding of educational benefit.

The hearing officer recommended that the student be placed in a program that provides individualized instruction.

diagnosis of dyslexia in
of math and reading instruction, and the significance of
Berkeley's psych-educational report addressed the first question to be
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she was not a...
her attendance,
Although Dr. Dimitrova felt as though Berkeley did not ask for her in

38
clear administrative services and front-line staff...
clear administrative services and front-line staff...
clear administrative services and front-line staff...

... identifying the source of student's anxiety or academic difficulty, therefore, that student's anxiety may have been triggered by the stress of the test itself.

... discover why she was not attending.

... from Dr. Williams from her mother's address to student needs was

... at level requirements and placement in husband's mathematics. He had that

... behavior that resulted in her being held back in school.

... and that she was not attending school because of anxiety.

... anxiety, an inability to concentrate, and a lack of motivation.

... anxiety, an inability to concentrate, and a lack of motivation.

... anxiety, an inability to concentrate, and a lack of motivation.

... entitled to substantive relief. Student must also demonstrate that

18 In order to be entit

¹⁸ Student solely alleged eligibility under the category of specific learning disability.

condition

53 Mr. Graham held the opinion that dyslexia could not constitute a processing