

- 3) By 10/3/08, CDE will provide to the Court Monitor, Plaintiffs' Counsel, and the District a plan indicating the steps it will take, person/people responsible, and timeline for each step in order to implement the Compensatory Services section of the Court's 12/20/07 *Order* fully, effectively, and in a timely manner.

Steps:

On a weekly basis TES will provide CDE with schedule of services to be provided, including names of students, the service provided, minutes provided, balance owed and planned dates to continue service. CDE will monitor that the students are receiving the services and determine whether or not alternate steps should be taken to ensure the services are provided.

The district will work towards making its facilities and transportation available for the provision of compensatory services; however, the availability of transportation services and/or district facilities will not preclude TES from providing services to students.

Where feasible and not to interfere with the ongoing duties of district providers, CDE will work with the District to support the efforts of TES in providing compensatory services. The system developed collaboratively by the CDE and District to support TES in the provision of court ordered compensatory services will be a model the District can use to address future compensatory service needs. The district will be able to monitor implementation of IEP services, identify when compensatory services are owed and provide compensatory services timely.

CDE will ensure that all parties, (District, Plaintiffs' Attorneys, and Federal Court) are aware of the status of completing the compensatory services through CDE's quarterly status reports. CDE will also discuss issues that arise as a result of monitoring the implementation of compensatory services and provide technical assistance.

As TES completes all the compensatory services in one group, TES will increase the level of services being provided to students in other groups who are owed more minutes. The projected completion date for each group identified by minutes owed does not preclude TES from beginning services for the next group.

Compensatory services in all service groups will be completed either by TES, other contracted services, or District staff as measured by CDE's review of all service provider logs, compensatory tracking logs provided by TES, observations, and a random sampling of telephone surveys by CDE staff of not less than 10% of the parents of students receiving

compensatory services. Projected completion dates for the groups are as follows:

- students with 200 minutes or less - October 31, 2008
- students with 201 to 2500 minutes – January 15, 2009
- students with 2501 to 15,000 minutes – April 30, 2009
- students with over 15,000 minutes – June 30, 2009