

## Consultation on 'A New Primary School for Halesowen?' 2003

### Analysis of consultation responses (overall)

#### Introduction

*There were 166 responses to the consultation, including 51 Existing Parents/Carers, 1 Future Parent/Carer, 18 Staff, 11 Governors, 21 Local Residents and 64 Others. Some responses were on behalf of several respondents.*

*All responses are available for inspection on request. This summary sets out the key themes of the consultation responses and the Directorate reply in italics.*

*The responses were thoughtful and very helpful. Thanks are due to all those who responded.*

### **1 Background to the proposal**

Do you have any comments on the reasons for the proposals being made including matters related to falling birthrate and school rolls, buildings and the communities served by the existing schools?

Comments	LEA response
<p>For</p> <ul style="list-style-type: none"> <li>• No alternative for falling rolls</li> <li>• Accept rationale; known for some time – rationale discussed; sensible proposals</li> <li>• Ensure the new school can accommodate future rise in birth rate (plenty of new housing around and increased immigration)?</li> <li>• Fully understand need but must maintain primary provision in all large residential areas</li> <li>• Important to maintain the heritage of both schools</li> <li>• Best for children to be educated on best accommodation possible</li> <li>• Welcome proposals to provide new viable school meeting full day-care standards in place of two oversized, outdated schools</li> </ul> <p>Against</p> <p><u>Rolls</u></p> <ul style="list-style-type: none"> <li>○ Falling rolls may change in time (esp. with housing developments and change in age profile of residents)</li> <li>○ Birth rates fluctuate – schools should be given breathing space</li> <li>○ Numbers at Halesowen are rising, would be big loss to area; nursery &amp; reception are full – future projections?</li> </ul> <ul style="list-style-type: none"> <li>• Small class sizes are advantageous</li> <li>• Hasbury site needs modernizing – inappropriate for children today</li> <li>• Concern at impact on other schools</li> </ul>	

	<ul style="list-style-type: none"> <li>• Profligate waste of money to replace the two schools; good buildings already</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Walton Campus too far and too crowded</li> <li>• Maintain school in residential area rather than town centre</li> <li>• Maintain location at Hasbury to serve local community</li> <li>• Pleased it's still a church school being proposed</li> <li>• Keep historic building if possible</li> <li>• Need strategic plan for whole borough</li> </ul>	
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

## 2 Why a Church School?

The proposal aims to maintain Church of England education in the town by constituting the new school as a Church of England Voluntary Aided Primary School. Do you support this element of the proposal?

Yes

141

No

4

	Comments	LEA response
	<p>For</p> <ul style="list-style-type: none"> <li>• Faith based education is essential; church schools offer excellent education; better education for children</li> <li>• Important to provide education that reflects Christian beliefs &amp; moral values</li> <li>• Parents must have opportunity to choose a church school Would be the only CE school in the area; need to keep church and school on same site</li> <li>• Distance between church and school not a problem; location next to church a great benefit</li> <li>• VA best to allow more direct input from church</li> <li>• Commitment to minorities valued</li> </ul> <p>Against</p> <ul style="list-style-type: none"> <li>• Faith schools are anachronisms in our modern society</li> <li>• Off-site visits would need risk assessments</li> <li>• Employees must not be disadvantaged by VA control rather than VC control.</li> <li>• Should be VC not VA</li> </ul>	

## 3 What will the new school be called?

Do you have any suggestions as to how the name of the new school could be decided or a proposal for the name?

Comments	LEA response
	<ul style="list-style-type: none"> <li>• Don't include old names; need new name; something reflecting local history</li> <li>• Keep 'Halesowen' in the name</li> <li>• Governing Bodies to decide</li> <li>• Ask parents, children, teachers</li> <li>• Link name to local church</li> <li>• Name after the two churches or the two saints</li> <li>• The Church of England School of St John &amp; St Margaret</li> <li>• St John's &amp; St Margaret's CE Primary School</li> <li>• St Margaret &amp; St John's Primary School</li> <li>• St Margaret's Hasbury CE School</li> <li>• St Margaret's Combined CE Primary School</li> <li>• St Margaret's CE (VA) Primary School</li> <li>• St Margaret's Well CE VA Primary School</li> <li>• Church of England at Halesowen</li> <li>• Church of England Unified School</li> <li>• The Parish of Hales CE Primary School (old name of the area)</li> <li>• Not Halas – confused with Halas House</li> <li>• Include HALAS in the name; new parish name</li> <li>• HALAS CE VA Primary School</li> <li>• Francis Brett Young School</li> <li>• Walton CE Primary School</li> <li>• Clent View CE Primary School</li> <li>• Halesbury CE Primary School</li> <li>• Halesbury Combined VA CE Primary School</li> <li>• Owenbury CE Primary School</li> <li>• Halesowen &amp; Hasbury CE Primary School</li> <li>• Halesowen Combined VA CE Primary School</li> <li>• Halesowen Link CE Primary</li> <li>• Hasbury CE (VA) Primary School</li> <li>• Hasbury United PS</li> <li>• Hasbury &amp; District Primary School</li> <li>• New Hasbury</li> </ul>

#### **4 What does the Council hope to achieve?**

The Council has set out a number of objectives for the scheme in the consultation document - do you have any comments on these objectives?

Comments	LEA response
	<ul style="list-style-type: none"> <li>• Objectives fine, recognizable – adequately covered; excellent to achieve all objectives</li> <li>• Strengthen education system in the area</li> <li>• Build best possible school – to last 100 years</li> <li>• School to be provided for local community</li> <li>• Maintain standards of achievement and care</li> <li>• Move children together before schools' small sizes affect education</li> <li>• Minimal disruption to pupils is key objective</li> <li>• Change process is very important – Council must</li> </ul>

	<p>handle this sensitively; must avoid instability.</p> <ul style="list-style-type: none"> <li>• Church school needed</li> <li>• Must look at community needs</li> <li>• Need new identity in new location</li> <li>• One larger school more viable</li> <li>• Why build a new large school when there are surplus places elsewhere in Halesowen?</li> <li>• Why build for 450 of the existing numbers add up to 420 and the birth rate is falling?</li> <li>• What about nursery provision at Newfield Park? – Halesowen CE Nursery ‘feeds’ other schools</li> <li>• Too much disruption to build at Hasbury</li> <li>• Security of salary same for all (3/4 years)</li> <li>• Option C not acceptable – parking, traffic, accidents; also local passageway intimidating and dangerous</li> <li>• Must avoid children crossing busy roads where possible</li> <li>• Out of touch with the local people; driven by finance not needs of children</li> <li>• LEA doesn’t want to listen to parents’ views</li> </ul>	
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

### **5 Who will be in charge of setting up the new school?**

The new school would be a joint project between Dudley Council and the Diocese of Worcester, and a shadow governing body would be set up to oversee the planning of the new school. Do you have any comments on how the membership of the shadow governing body should be decided?

<b>Comments</b>	<b>LEA response</b>
	<ul style="list-style-type: none"> <li>• Representatives from <ul style="list-style-type: none"> <li>○ previous Governing Bodies;</li> <li>○ the clergy of Halesowen (especially locally to the two schools)</li> <li>○ new people from community</li> <li>○ LEA,</li> <li>○ parents,</li> <li>○ staff</li> <li>○ local residents,</li> <li>○ children</li> </ul> </li> <li>• Independent Chair</li> <li>• Both Headteachers</li> <li>• Equal partnership between LEA &amp; Diocesan Board of Education, balance between existing constitution of 2 schools</li> <li>• By election; exactly equal numbers/proportions</li> <li>• Must be open and transparent; invitations to all interested &amp; impartial parties</li> <li>• DfES guidelines for VC/VA Governing Bodies</li> <li>• Completely new Board for a new school</li> <li>• Someone unbiased with experience of this situation and someone with local knowledge.</li> </ul>

## 6 The Options

### Option A - Closure of Halesowen CE VA and Hasbury CE VC Primary Schools and the opening of a new 450 place school in new buildings on the current Hasbury site.

#### *The Council's preferred option.*

Are you:

In favour

101

Against

51

	Comments	LEA response
	<p>For</p> <ul style="list-style-type: none"> <li>• Best option, least disruption, best facilities, easily accessible, best location, bigger site etc.</li> <li>• Need new building for 21<sup>st</sup> century education</li> <li>• Near to where children are – local to need</li> <li>• Proximity and links to church</li> <li>• PCC agree with this proposal; PCC values the shared campus and close relationship between church and school</li> <li>• Flagship CE school would be wonderful</li> <li>• Chance to have purpose built nursery, language unit, full inclusion facilities,</li> <li>• Happy to have new school backing onto my property</li> <li>• Ideal site, flat, near bus route, next to church, in residential area</li> </ul> <p>Against</p> <ul style="list-style-type: none"> <li>• Too expensive</li> <li>• Disruptive to Hasbury pupils whilst building</li> <li>• Too far from town center and wouldn't best serve local community</li> <li>• Traffic congestion and parking problems</li> <li>• Neutral site required</li> <li>• Need to plan for the future</li> <li>• Halesowen would lose identity &amp; heritage</li> <li>• This is a short term option</li> <li>• Use land for housing or sport</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Ensure safety of children during re-build</li> <li>• Phase the build as at Colley Lane to minimize disruption</li> <li>• Aim for maximum class size of 25</li> <li>• Can construction take place whilst education continues on existing site? If not how will children be catered for?</li> <li>• This proposal increases the number of places in Halesowen</li> <li>• Needs to be fit for local community</li> <li>• Public right of way still an issue</li> </ul>	

**Option B - Closure of Halesowen CE VA and Hasbury CE VC Primary Schools and the opening of a new 450-place school in improved buildings on the current Hasbury site.**

Are you:

In favour

42

Against

86

Comments	LEA response
	<p>For</p> <ul style="list-style-type: none"> <li>• Upgrade Hasbury and add buildings; inject 'spare' money into school</li> <li>• Keep the history and integrate into new build</li> <li>• Least expensive (and safest); best value/most cost-effective</li> <li>• Least disruptive to children</li> </ul> <p>Against</p> <ul style="list-style-type: none"> <li>• New buildings essential; second best not good enough;</li> <li>• New build has longer term benefit than improvements</li> <li>• Needs too much modernization, e.g. better dining facilities, no steps, covered waiting area for parents, better toilet facilities</li> <li>• New school costs less over time; high maintenance costs</li> <li>• Uncertainties of costs in refurbishment plus compromises in arrangement of space</li> <li>• Poor design esp. disabled access</li> <li>• Disruptive to children</li> <li>• This proposal increases the number of places in Halesowen</li> <li>• Replacement facilities should be provided for the church</li> <li>• Prefer a smaller school</li> <li>• This would be merging on the cheap</li> <li>• Disadvantageous to Halesowen staff and children</li> <li>• Public right of way a problem</li> </ul>

**Option C - Closure of Halesowen CE VA and Hasbury CE VC Primary Schools and the opening of a new 450-place primary school in all new buildings in the vicinity of the former Walton Campus of Halesowen College.**

Are you:

In favour

43

Against

106

	<b>Comments</b>	<b>LEA response</b>
	<p>For</p> <ul style="list-style-type: none"> <li>• Fresh positive start; neutral and central site best for both schools; New location – better mixing</li> <li>• Better accessibility on foot and public transport (to bus station)</li> <li>• Reduced travel distance (low car ownership in central Halesowen)</li> <li>• More space – less traffic problems</li> <li>• Increased traffic in busy main road at Hasbury site</li> <li>• More inclusive</li> <li>• Least disruption</li> <li>• Closer to secondary schools (sibling support)</li> <li>• Benefits to local traders and local economy</li> <li>• More suitable for future</li> </ul> <p>Against</p> <ul style="list-style-type: none"> <li>• Poor accessibility</li> <li>• Too far to walk</li> <li>• Increased use of cars – safety, congestion and parking problems</li> <li>• Site too small</li> <li>• Take away green space for locals</li> <li>• Too close to OLSK &amp; Huntingtree; conflict with existing primary schools</li> <li>• Poor location – would leave large areas without a local school; deprive Halesowen South of a primary school</li> <li>• Would tear the heart out of the community and exclude close church links</li> <li>• Lack of provision for Yemeni population &amp; loss of youth club</li> <li>• Planning difficulties would slow it down</li> <li>• Timescale too long</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Site of Highfields Clinic best</li> <li>• This proposal increases the number of places in Halesowen and impacts on other local schools</li> <li>• Collaborative opportunities with Health trust to swap with Hasbury (Working Party had agreed to explore this but hasn't happened yet)</li> </ul>	

### Option D - Closure of Halesowen Church of England VA Primary School.

Are you:

In favour

31

Against

71

	<b>Comments</b>	<b>LEA response</b>
	<p>For</p> <ul style="list-style-type: none"> <li>• Necessary but regrettable; inevitable</li> <li>• Only as second option</li> <li>• Over 100 years old and not suitable for 21<sup>st</sup> century education</li> </ul>	

	<ul style="list-style-type: none"> <li>• Too small to be viable</li> <li>• Does not serve a local community, no immediate residents</li> </ul> <p>Against</p> <ul style="list-style-type: none"> <li>• School has good reputation</li> <li>• Oldest school around (1838) – unique role in community plus rising population</li> <li>• Retrograde step to close it – serves a valuable purpose in the community</li> <li>• Why assume a school with 140 pupils is not viable? Works in rural schools.</li> <li>• Why not share building with e.g. Health?</li> <li>• Would reduce educational choice</li> <li>• Loss of care and support for local vulnerable families</li> <li>• More disruptive to children concerned</li> <li>• Close part of the school as numbers decrease</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Only if new school is built; not without replacement of combined school</li> <li>• Fill surplus places elsewhere</li> <li>• Existing building kept as historic building and used e.g. as Health Clinic, Museum, Community Hall, etc.</li> <li>• Incorporate some of the historical features in the new build</li> <li>• Must be away from town center (dangerous &amp; intimidating)</li> </ul>	
--	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

**Option E - No change to the current situation.**

Yes

21

No

80

	<b>Comments</b>	<b>LEA response</b>
	<p>For</p> <ul style="list-style-type: none"> <li>• Rising numbers – no need for change; predictions re. new housing and immigration?</li> <li>• Hasty decision in 1980s re closure of Girls School, Bundle Hill</li> <li>• Big is not always beautiful nor more effective</li> <li>• Maintenance of architectural integrity and historical aspect of Halesowen CE School and St John’s church</li> </ul> <p>Against</p> <ul style="list-style-type: none"> <li>• Not a viable option</li> <li>• Currently not an economic use of resource at both schools</li> <li>• Need to address surplus places in Halesowen</li> <li>• Need to act before Government impose solution</li> <li>• New build needed for 21<sup>st</sup> century education (see Colley Lane)</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Sustain St John’s church rights to use school facilities</li> </ul>	

## 7 Community Resources

The proposal suggests that a new building would be able to offer enhanced community provision. Are there particular opportunities or needs that you would like to see being addressed by the new school?

Comments	LEA response
	<p>Out of school hours</p> <ul style="list-style-type: none"> <li>• Pre-school provision; child-care; crèche; toddlers; out of school clubs; Brownies; adult education; etc.</li> <li>• Purpose built 45 place nursery, language unit, ethnic minorities, counseling,</li> <li>• Family support inc. opportunities for childcare, holiday schemes, parent support groups, training.</li> <li>• Breakfast, after school &amp; holiday provision; out of hours activities for adults and teenagers</li> <li>• After-school &amp; weekend sports &amp; arts provision</li> <li>• Evening classes e.g. computing, literacy, numeracy, languages, etc. plus recreational courses e.g. yoga, flower/cake decorating, etc.</li> <li>• Youth &amp; community, adult education, Youth Centre, Health Centre; mental health unit on Hasbury site; enhanced recreation on Walton Site</li> </ul> <p>Access</p> <ul style="list-style-type: none"> <li>• Inclusion important – no child should be excluded, needs must be met</li> <li>• Access and links to external agencies, e.g. health, social services</li> <li>• Parish committed to community use of buildings</li> <li>• Links with local community groups built up</li> <li>• Links with secondary schools enhanced</li> <li>• Removal of 'right of way' through the grounds</li> <li>• Better disabled access and for pushchairs</li> <li>• Improved car parking facilities &amp; safe drop-off area</li> <li>• On-site caretaker</li> </ul> <p>Facilities</p> <ul style="list-style-type: none"> <li>• Need to study lack in provision</li> <li>• Not like Colley Lane – too clinical and not child-friendly</li> <li>• Do model on Roberts Primary – wood paneling, brickwork, colourful;</li> <li>• ICT facilities, library, space for learning support groups, storage space, dining &amp; PE halls, swimming pool, separate, cloaks, family room, etc.</li> <li>• SEN provision</li> <li>• Large hall, stage lighting</li> <li>• More playground facilities</li> <li>• Place for supervised private functions; hall and community rooms (for income)</li> <li>• Built in fire safety facility (as in Stourbridge)</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Question need for new building; share resources with other agencies/community users.</li> <li>• Concern at viability of St John's Church – new facilities too far away</li> </ul>

	<ul style="list-style-type: none"> <li>• must be centrally located</li> <li>• Keep community informed</li> </ul>	
--	------------------------------------------------------------------------------------------------------------------	--

**8 Are there any other comments or suggestions you would like to make about the proposals and options set out in the consultation document?**

	Comments	LEA response
	<p>Management of change</p> <ul style="list-style-type: none"> <li>• Manage change sensitively and carefully</li> <li>• Act quickly to end heartache; swift decisions to avoid further unrest &amp; uncertainty</li> <li>• Don't act in haste – must be joint venture not take-over</li> <li>• Must consider impact on neighbouring schools as well as the two concerned; long term issues need addressing – must not impact negatively on Our Lady &amp; St Kenelm; involve someone from OLSK on the consultation team; no threat to OLSK school – CE not RC</li> <li>• Communication at every step with parents &amp; local resident community</li> <li>• Decision should not be in the hands of the schools but the LEA and Diocese</li> </ul> <p>Negatives</p> <ul style="list-style-type: none"> <li>• Waste of money – should not build new school but put money into other existing schools</li> <li>• Why do this? Fill other local schools before building new.</li> <li>• Closing both schools is disruptive to all children</li> <li>• Concern about traffic issues with some options</li> <li>• Concern about security of tenure for staff (esp. where two staff for one position)</li> <li>• Staff need guarantee of positions (inc support staff); concerned at different protections/transitions – all staff should be protected for 3 years</li> </ul> <p>Suggestions</p> <ul style="list-style-type: none"> <li>• Maintain the current staff to minimize disruption to children – good teachers at both schools</li> <li>• Enable children to contribute to design of new school</li> <li>• Must retain strong link to St Margaret's</li> <li>• Full-time nurse would be a good idea</li> <li>• School must be 'state of the art'</li> <li>• Detailed attention to access, egress &amp; parking</li> <li>• Provide free bus from old site(s) to help stop families moving children and keep traffic down</li> <li>• Purpose built space for health professionals, music teachers, therapists, etc.</li> <li>• Ensure long life by installing sprinkler system</li> </ul> <p>Other</p> <ul style="list-style-type: none"> <li>• Good to see positive action being taken</li> <li>• Paper consultation exercise excellent; public meeting intimidating</li> </ul>	

	<ul style="list-style-type: none"> <li>• Regrettable that funding new build is now in doubt</li> <li>• No mention of the pre-school staff</li> <li>• Public transport access to Hasbury is difficult</li> <li>• Walton site most cost-effective solution</li> <li>• Strategic plan for all Halesowen schools?</li> <li>• Parking easy on Highfields</li> </ul>	
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--

Existing Parents/Carers	51
Future Parents/Carers	1
Staff	18
Governors	11
Local Residents	21
Others.	64

### Summary:

#### General

- There was **acceptance of the rationale** that there was no alternative to addressing the falling rolls situation and that the Directorate is right in taking control of the situation
- The **Council's objectives** received general agreement, often expressed in terms of the desire to strengthen the education system in the area and build the best possible school for the children of the area.
- Putting **children's needs first** was a widely held position with the needs of the community also recognised as being very important
- Questions were raised about the **projected numbers of children** (e.g. is 450 too big if rolls are falling, what if birth rate rises as demographic changes take place?)
- Building plans must **accommodate future anticipated needs** as far as possible and the opportunity to build a state of the art facility for education and community need was often expressed

#### Church connections

- The opinions on **retention of church school status** was overwhelming in all categories of respondent (141:4 overall)
- The value of the **church connection** to the future education of the children, whatever option, was strongly supported as were the historic links to an existing church
- There was almost universal support for the proposed **VA status** from all categories of respondent

#### The options:

- Overall **Option A was favoured** (2:1) with Options B, C, D, and E being rejected by at least 2:1 overall in each case
- This was **reflected in all groups** with only one exception (that of Staff who were nearer 50:50 with Option A but generally followed the overall pattern elsewhere)
- **Option E (No change) was opposed** in a ratio of 6:1 except for staff and parents who opposed in a ratio of 2:1.

#### Issues

- There was general consensus that the **interim Governing Body** should be made up of representatives from all stakeholder groups with a locally informed and impartial contribution (or Chair); the presence of a **children's perspective** on the interim Governing Body might be valuable
- Naming a new school is unlikely to satisfy all stakeholders – the **range of names** offered is an indication of this

- **New build** was preferred to improvement/re-build in order to secure the best school for the future needs of the children.
- **Value for money** was questioned with views including 'waste of money', 'cheapest option is to build and develop', 'build and develop is most expensive because of hidden costs' and 'new build is best value in long term'.
- Caution was frequently expressed about the **impact on other schools** (especially with regard to Option C, the Walton site). Understandably this was most frequently expressed by members of the communities of those other schools that might be affected
- Concern was expressed over the potential **disruption to children's education** during a building programme and **lessons learned elsewhere** would be valued
- Concerns were expressed about the **increase distance to travel** for some or many children whatever the preferred option
- Concern remains over the **security issues** of a right of way through school grounds
- **Community use** generated many ideas that are based on current needs and also gives opportunity for **creative thinking** about integrated services and community needs
- It was noted that whatever outcome is decided the Council should **act quickly yet sensitively** to end uncertainty and insecurity, communicating with, engaging and involving stakeholders where possible
- Several respondents chose more than one option in Section 6, sometimes with conflicting choices.

#### Observations/recommendations:

- The inclusion of **categorisation of respondents** was useful in seeking to analyse and describe any differences in views between groups of stakeholders
- A concern was expressed about the unwelcoming tone of the **public meeting** whilst the written consultation was described very favourably
- The area of **community use** would benefit from a more detailed exploration of the needs and potentials once the decision is made and announced. A consultative group of stakeholders might be a positive way forward to build for the community and engage representative members in the planning
- The need to integrate the outcomes of this consultation with other strategies including the **Inclusion and Early Years** will be important
- The **psychological impact** of decisions was noted as very important especially given the long timescales of any actions
- The Council should consider carefully strategies to **unify the two existing communities** in whatever developments ensue, ensuring the involvement of children, staff, parents and other stakeholders
- The **proposed school size** will need further explanation. Why 450? Is this calculated from 7 year groups each with 64 children (existing typical numbers in reception)? If so, does the calculation ignore nursery provision and legislation about infant class size? Is there a lost opportunity to plan for reduced adult-child ratios as intended by LEA?