

**IMPROVING
SPECIAL EDUCATION SERVICES
IN THE
SACRAMENTO UNIFIED
SCHOOL DISTRICT**

**Submitted to the Board of Education
of the
Sacramento City Unified School District
by the
Strategic Support Team
of the
Council of the Great City Schools**



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First, we thank, José L. Banda, the school district's superintendent. It is not easy to ask one's colleagues for the kind of reviews conducted by the Council's teams. It takes courage and openness and a real desire for change and improvement. He has these in abundance.

Second, we thank the SCUSD school board, which approved and supported this review. We hope this report meets your expectations and will help improve special education services across the school system.

Third, we thank staff members of the school district who contributed to this effort, particularly Becky Bryant, who together with Chief Academic Officer Iris Taylor organized and facilitated the interviews and provided the detailed data and documents requested by the team. The time and effort required to organize a review such as this are extraordinary, and their work was much appreciated.

Fourth, the Council thanks the many individuals who met with us, including central office administrators and personnel, principals, general and special educators, paraprofessionals and aides, related-services personnel, representatives from the SCTA and SEIU, and Community Advisory Council members. They work passionately to support children with disabilities and ensure the school district serves these students in the best possible manner.

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Finally, I thank Julie Wright Halbert, the Council's legislative counsel, who facilitated the work of the team prior to and during the team's site visit, and Sue Gamm, a nationally recognized expert in special education and a long-time consultant to the Council, who worked diligently with Ms. Halbert to prepare the final report. Their work was outstanding, as always, and critical to the success of this effort. Thank you.

Michael Casserly
Executive Director
Council of the Great City Schools

CHAPTER 1. PURPOSE AND ORIGIN OF THE PROJECT

José L. Banda, the superintendent of Sacramento City Unified School District (SCUSD), asked the Council of the Great City Schools (the Council) to review the district's services for students with disabilities and provide recommendations to improve performance and narrow the achievement gap between these students and their nondisabled peers. It was clear to the Council's team that the superintendent and his staff had a strong desire to improve student outcomes in this area. This report was designed to help SCUSD achieve its goal and to maximize the district's capacity to educate all students effectively.

The Work of the Strategic Support Team

To conduct its work, the Council assembled a team of experts who have successfully administered and operated special education programs in other major urban school districts across the country. These individuals also have firsthand expertise with the Individuals with Disabilities Education Act (IDEA) and are well versed in best practices in the administration and operation of special education programming.

The Council's Strategic Support Team (referred to throughout this report as the Council team or the team) visited the district on November 16-18, 2016. During this period, the Council team pursued its charge by conducting interviews and focus groups with district staff members and California Department of Education personnel, the Community Advisory Council executive committee, representatives from the SCTA and SEIU, and many others. (A list of those interviewed is presented in the appendices of this report.) In addition, the team reviewed numerous documents and reports, analyzed data, and developed initial recommendations and proposals before finalizing this report. (See the appendices for a list of documents reviewed.) On the final afternoon of its site visit, the team briefed the superintendent on the team's observations and preliminary recommendations.

This approach of providing technical assistance to urban school districts by using senior managers from other urban school systems is unique to the Council and its members. The organization finds it to be an effective approach for a number of reasons.

First, it allows the superintendent and staff members to work with a diverse set of talented, successful practitioners from around the country. The teams provide a pool of expertise that superintendents and staff can call on for advice as they implement the recommendations, face new challenges, and develop alternative solutions.

Second, the recommendations from urban school peers have power because the individuals who develop them have faced many of the same challenges encountered by the district requesting the review. No one can say that these individuals do not know what working in an urban school system is like or that their proposals have not been tested under the most rigorous conditions.

Third, using senior urban school managers from other urban school communities is faster and less expensive than retaining large management consulting firms that may have little to no

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programmatic experience. The learning curve is rapid, and it would be difficult for any school system to buy on the open market the level of expertise offered by the Council's teams.

Members of the Strategic Support Team for this project were:

<i>Dr. Judy Elliot</i> Former Chief Academic Officer Los Angeles Unified School District	<i>Sowmya Kumar</i> Former Assistant Superintendent Office of Special Education Houston Independent School District
<i>Sue Gamm, Esq.</i> Former Chief Specialized Services Officer Chicago Public Schools	<i>Julie Wright Halbert, Esq.</i> Legislative Counsel Council of the Great City Schools
<i>Dr. Neil Guthrie</i> Assistant Superintendent Student Support Services Wichita Public Schools	

Methodology and Organization of Findings

The findings in this report are based on information from multiple sources, including documents provided by SCUSD and other organizations; electronic student data provided by SCUSD; group and individual interviews; documents; and legal sources, including federal and state requirements and guidance documents. No one is personally referred to or quoted in the report, although school district position titles are referenced when necessary for contextual reasons.

Chapter 2 of this report provides background information about the district. Chapter 3 presents the Council Team's findings and recommendations. These findings and recommendations focus specifically on areas that the superintendent and district leadership asked the Council's team to address. These include the achievement of students with disabilities, including pathways to graduation; instructional supports and their relationship to student placements; organizational effectiveness; school leadership and oversight of special education; and use of fiscal resources.

A discussion of these areas is divided into four broad sections.

- I. Multi-tiered System of Supports
- II. Special Education Demographics and Eligibility for Services
- III. Teaching and Learning for Students with IEPs
- IV. Support for Teaching and Learning for Students with IEPs

The findings and recommendations sections of the report contain a summary of relevant information, along with descriptions of the district's strengths, opportunities for improvement, and recommendations for change. Chapter 4 lists all recommendations for easy reference, and

provides a matrix showing various components or features of the recommendations. Finally, Chapter 5 presents a synopsis of the report and discusses the team's overarching conclusions.

The appendices include the following information:

- Appendix A compares special education student percentages and staffing ratios in 68 major school systems across the country.
- Appendix B lists the district's special education department's current and proposed organization.
- Appendix C lists documents reviewed by the team.
- Appendix D lists individuals the team interviewed individually or in groups, and presents the team's draft working agenda.
- Appendix E presents brief biographical sketches of team members.
- Appendix F presents a description of the Council of the Great City Schools and a list of Strategic Support Teams that the organization has fielded over the last 18 years.

CHAPTER 2. BACKGROUND AND OVERVIEW

TIME magazine's issue of August 25, 2002, highlighted Sacramento in an article entitled "America's Most Diverse City."¹ The article described the city as one in which "everyone's a minority—including whites." According to the *TIME* article, Sacramento's diversity is due in part to affordable real estate for middle-class households and innovative housing programs for low-income families. Also, the presence of state government agencies and college campuses located throughout the city provides a stable source of employment.

Of the city's inhabitants, 34.7 percent are white, 26.4 percent are Hispanic, 13.9 percent are African American, 18.3 percent are Asian, and 6.7 percent are smaller racial/ethnic groups.² SCUSD's demographics are also diverse, but the district has a higher composition of Hispanic students (37 percent) and a smaller composition of white students (18 percent) than the city. The composition of students who are Asian (17 percent), African American (18 percent), and smaller groups (10 percent) are more comparable to the city's composition. In addition, some 13.9 percent of all district students receive special education instruction. Furthermore, English learners (EL) comprise 18.6 percent of the total student enrollment while 38 percent of the district's students do not speak English at home. Some 28.7 percent of all ELs receive special education services. Overall, residents within SCUSD speak more than 40 languages.³

Established in 1854, SCUSD is one of the oldest school districts in the western part of the nation. With over 43,000 students, it is the state's 11th largest school district. The district directly educates students on roughly 77 campuses, and has some 6,000 students in 16 independent charter schools.⁴ In 2010-11, the district earned a California Distinguished School award, and California Achievement Awards for two schools. Also, SCUSD is home to the only public Waldorf-inspired high school in the U.S.

Like many other members of the Council of the Great City Schools, SCUSD is in a state that has adopted the Common Core State Standards (CCSS). In addition, the California Assessment of Student Performance and Progress (CAASPP) system is based on the Smarter Balanced Summative Assessments (Smarter Balance) in English language arts/literacy (ELA) and mathematics in grades three through eight and in grade eleven. An alternative ELA and math assessment for students with significant cognitive disabilities, which is based on alternative achievement standards derived from the CCSS, has been field-tested. Additional assessments are provided in science. Finally, Standards-based Tests in Spanish (STS) for reading/language arts in grades two through 11, which are optional, are for Spanish-speaking ELs who either receive instruction in their primary language or have been enrolled in a U.S. school for less than 12 months.

¹ Retrieved from <https://mail.aol.com/webmail-std/en-us/suite>. The research was conducted for TIME by the Civil Rights Project at Harvard University.

² Data from the US Census Bureau, updated April 18, 2015, retrieved from <http://statisticalatlas.com/place/California/Sacramento/Race-and-Ethnicity#overview>.

³ EL data provided by SCUSD, and other data retrieved from the district's website at <http://www.scusd.edu/about-us>.

⁴ Retrieved from <http://www.scusd.edu/charter-schools>.

SCUSD offers a wide variety of choices for its students. Some of these options are described below.

- ***Child Development and Preschool Programs.*** Early care and education is provided to some 3,000 typically developing infants, toddlers, and preschoolers and those with disabilities. Program options and approaches include center-based and home-based services, full-day/part-day preschool, infant/toddler playgroups, and before/after school-age care.
- ***Early Kinder (Transitional Kindergarten) Programs.*** Children who are five years of age between September 2nd and December 2nd have the option of enrolling in a two-year kindergarten program, which gives children an additional year of preparation so they enter kindergarten with stronger academic, social, and emotional skills needed for future success in school.
- ***Basic Schools.*** Two schools with admissions criteria and lottery entry provide successful traditional and new methods of instruction, which together emphasize rigorous academic achievement and good study habits.
- ***STEAM Schools.*** Two schools have a focus on science, technology, engineering, art, and mathematics. By integrating the arts into core subjects, students learn to be more creative, more innovative, and better problem solvers as they plan and construct complex projects across disciplines.
- ***Waldorf Schools.*** With an educational approach developed at the beginning of the 20th century, SCUSD's Waldorf schools take a "head, heart, and hands" approach to learning, addressing each child as an individual with innate talents and abilities. The district has two elementary schools, and the first Waldorf-inspired high school in the country.

CHAPTER 3. FINDINGS AND RECOMMENDATIONS

This chapter presents the Council team's findings in four areas: the multi-tiered system of supports; special education demographics and eligibility for services; teaching and learning for students with IEPs; and support for teaching and learning for students with IEPs. Each section summarizes the team's findings and describes areas of strength, opportunities for improvement, and recommendations for improving SCUSD special education services.

I. Multi-Tiered Systems of Support

As discussed in the Council of the Great City Schools document, *Common Core State Standards and Diverse Urban Students*, a multi-tiered system of supports (MTSS)⁵ is meant to improve educational outcomes for all students. It focuses on prevention and on the early identification of students who may benefit from instructional interventions that remove barriers to learning or who might benefit from acceleration. And it is intended to include all students, including those who are gifted.

In a functioning MTSS framework, schools have systems in place to identify the needs of all students, as well as systems to monitor and evaluate progress throughout the school year, using multiple data measures (e.g., district assessments, attendance, suspension, grades, number of office referrals, etc.). Data are analyzed, and differentiated instruction and intervention are delivered. Teachers and leaders regularly review and monitor student progress to determine trends and identify instructional adjustments needed for remediation, intervention, and acceleration.

When a student fails to make adequate progress toward the academic standards after robust core instruction has been delivered and monitored, interventions are then put into place and their effects are tracked. Without this system in place, it is unlikely that schools will have the documentation necessary to determine whether the underachievement was due to inappropriate instruction and intervention or something else. In these cases there can be little confidence that students have been given the instruction, targeted interventions, and supports they needed. Nevertheless, when teachers and parents observe students who are struggling to learn and behave appropriately, there is a predictable desire to seek additional supports and/or legally protected special education services.

It is imperative that districts and schools have processes in place to help educators determine why a student is not performing or when they might need acceleration. When implemented as intended, the MTSS framework focuses on rigorous core instruction and provides strategic and targeted interventions that are available without regard to any particular disability status. When well implemented, MTSS leads to better student engagement and lowered disciplinary referrals, as well as fewer students requiring special education services. The framework can also help reduce the disproportionate placement of students from various

⁵ The MTSS framework reflects the merger of RTI, which typically focuses on academic achievement, and systems used to focus on improving positive student behavior. The term is used in the remaining portion of this report and includes RTI, Positive Behavior Intervention and Supports (PBIS), or other systems for supporting positive student behavior.

racial/ethnic groups and those with developing levels of English proficiency who may fall into the ranks of those requiring at risk or special education services.

In recognition of MTSS as an appropriate systemwide framework for supporting student achievement and positive behavior, the Every Student Succeeds Act (ESSA)⁶ includes MTSS as a permissible use of Title I funds. The Act defines MTSS as “a comprehensive continuum of evidence-based, systemic practices to support a rapid response to students’ needs, with regular observation to facilitate data-based instructional decision-making.”

This section focuses on the California Department of Education’s (CDE) guidance on MTSS, and the extent to which SCUSD has implemented this framework to support student achievement/positive student behavior and to guide action when student progress is not evident, including referrals for special education services.

State Guidance for MTSS

According to the March 2015 report issued by California’s Statewide Task Force on Special Education, *One System: Reforming Education to Serve ALL Students*, as knowledge of MTSS grows, the benefits to all students, especially those with disabilities, becomes more evident. “Alignment of resources, professional learning, training, resources, leadership, and curriculum all uniquely benefit the special education environment to meet the individual goals for every student.”⁷

According to CDE’s webpage, which provides information on MTSS, the framework is integrated and comprehensive, focusing on CCSS, core instruction, differentiated learning, student-centered learning, individualized student needs, and the alignment of systems necessary for all students’ academic, behavioral, and social success.⁸ The framework incorporates response to instruction and intervention (RTI²) processes and supports special education, Title I, and Title III supports for English language learners (ELs), American-Indian students, and those in gifted and talented programs. CDE views MTSS as having the potential to provide intentional design/redesign of services/supports to quickly identify and match the needs of all students.

CDE describes MTSS as having a scope that is broader than the agency’s initial description of RTI² since it:

- Focuses on aligning the entire system of initiatives, supports, and resources.
- Promotes district participation in identifying and supporting systems for aligning resources.
- Systematically supports all students, including gifted students and high achievers.
- Enables a paradigm shift in student support by setting higher expectations for all students through the intentional design and redesign of integrated services, rather than the selection of a random components of RTI and intensive interventions.
- Endorses Universal Design for Learning (UDL) strategies so all students have opportunities

⁶ The Elementary and Secondary Education Act was reauthorized in 2015 as the Every Student Succeeds Act (ESSA).

⁷ California’s Statewide Task Force on Special Education, *One System: Reforming Education to Serve ALL Students*, page 6, retrieved from <http://www.corestandards.org/assets/application-to-students-with-disabilities.pdf>.

⁸ CDE webpage for MTSS, retrieved at <http://www.cde.ca.gov/ci/cr/ri/mtsscompri2.asp>.

for learning through differentiated content, processes, and products.

- Integrates instructional and intervention support so that systemic changes are sustainable and based on CCSS-aligned classroom instruction.
- Challenges all school staff to change the way they have traditionally worked across all school settings.

Core Components of MTSS Framework

CDE describes the framework for MTSS, including RTI², as having the following core components.⁹

- ***Systemic and sustainable change.*** MTSS principles promote continuous improvement at all levels of the system (district, school site, and grade/course levels). Collaborative restructuring efforts are made to align RTI² and CCSS, as well as identify key initiatives; collect, analyze, and review data; and implement supports and strategies that can sustain effective processes.
- ***Problem-solving systems approach.*** Collaborative teams use a ‘problem-solving systems’ method to identify learning issues, develop interventions, and evaluate the effectiveness of interventions in a multi-tiered system of service delivery.
- ***High-quality, differentiated classroom instruction and research-based interventions.*** All students receive high-quality, standards-based, culturally and linguistically relevant instruction in their general education classrooms by highly qualified teachers, who have high academic and behavioral expectations and use differentiated instructional strategies, such as UDL. When monitoring efforts indicate a lack of student progress, an appropriate research-based intervention is implemented. The interventions are designed to enhance the intensity of a students’ instructional experience.
- ***Positive behavioral support.*** District and school personnel collaboratively select and implement schoolwide, classroom, and research-based positive-behavior supports for achieving important social and academic outcomes. A strong focus on integrating instructional and intervention strategies supports systemic changes with strong, predictable, and consistent classroom management structures across the entire system.
- ***Integrated data system.*** District and site staff collaborate on creating an integrated data system that includes assessments, such as state tests, universal screening devices, diagnostics, progress-monitoring tools, and teacher observations to inform decisions about where and how to place tiered support, as well as data from parent surveys.
- ***Fidelity of program implementation.*** Student success requires the faithful implementation of MTSS and the effective delivery of instruction and content specific to the learning and/or behavioral needs of students.
- ***Staff development and collaboration.*** All school staff are trained on assessments, data analysis, programs, and research-based instructional practices, along with positive behavioral supports. Building-level, grade-level, or interdisciplinary teams use a collaborative approach

⁹ Also see CDE webpage for RTI², retrieved at <http://www.cde.ca.gov/ci/cr/ri/rticorecomponents.asp>.

to analyze student data and work together on the development, implementation, and monitoring of the intervention process.

- ***Parent/ family involvement.*** The involvement and active participation of parents/families at all stages of the instructional and intervention process are essential to improving the educational outcomes for their students. Parents/families are told about the progress of their students, and their input is valued in the decision-making process.
- ***Specific Learning Disability determination.*** Moreover, the RTI² approach may be an important component in determining whether a student has a specific learning disability. As part of determining eligibility for special education, the data from the RTI² process may be used to ensure that a student has received research-based instruction and interventions.

Although CDE's website provides a variety of resources useful for district implementation of MTSS, the state educational agency (unlike others, such as the Tennessee Department of Education and the Florida Department of Education) has not required its school districts to implement MTSS. Several districts have published information on their use of MTSS that SCUSD might find helpful. For example, the Los Angeles Unified School District (LAUSD) published a board policy setting forth expectations for all schools on MTSS implementation and practices.¹⁰ Also, the San Francisco Unified School District (SFUSD) incorporates the use of MTSS and RTI² as critical elements of its strategic plan.¹¹

Sacramento City MTSS Practices

The district's development and use of the MTSS framework is in its infancy. Several years ago, an approach to implementing Response to Intervention (RTI), which addresses academic components of MTSS, was developed by a small group of individuals. While some schools have implemented MTSS to varying degrees, there is no consistency across the system in how core MTSS components described in CDE's framework are implemented.

The district's 2016-2021 Strategic Plan Implementation in the area of College, Career, and Life Ready Graduates calls for the expansion and improvement of interventions and academic supports for all students in order to close the achievement gap by:

- Building systems that lead to positive outcomes for students of color, low income students, English learners, foster care and homeless youth, students with disabilities, and all underperforming demographic groups.
- Expanding access to preschool and early kindergarten
- Implementing MTSS in order to provide a broad set of solutions for struggling students, and to reduce disproportional representation of subgroups in special education.

¹⁰ April 7, 2014 board policy (BUL-6269.0), retrieved from http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/FLDR_ORGANIZATIONS/FLDR_SPECIAL_EDUCATION/BUL-6269.0%20MULTI%20TIERED%20BEHAVIOR%20SUPPORT%20SWD%20W%20ATTACHMENTS.PDF.

¹¹ Retrieved from <http://www.sfusd.edu/en/about-sfusd/strategic-plans-and-projects.html>.

- Offer more options for personalized learning including, but not limited to, tutoring, independent study, and credit recovery.

The chief academic officer is leading an inclusive cross-functional team of people, including relevant directors, principals, technology and finance representatives, etc., to develop a systemic MTSS framework. The district has contracted with the Orange County Office of Education to provide professional learning, and it is in a cohort of districts that are in the process of developing MTSS. The goal is to have a written plan for MTSS implementation by April 2017, which will then be taken to the Board of Education for approval.¹²

Academic Multi-Tiered Support

According to district representatives, SCUSD has engaged in a process of developing CCSS-aligned curriculum maps for English Language Arts (ELA) and math to guide what students should know, understand, and be able to do. The writing team has partnered with staff from various departments to outline differentiated supports for students with disabilities, English learners, and gifted and talented students. The maps are electronic and will be revised and updated on an annual basis. Communication about this and other curriculum-related information is shared with the district's academic team leaders, who meet on a monthly basis. To involve principals and to enable them to champion this work at their schools, the principals regularly attend professional learning sessions and periodically are accompanied by a team of their teachers. The goal is for these teams to collaboratively bring their knowledge back to school sites. Instructional rounds are used to provide feedback regarding the extent to which information is becoming embedded in teaching and learning. These processes are intended to increase the rigor of instruction required by the common core standards, and the pursuit of academic discourse to promote communication based on a common language and understanding.

Universal Design for Learning (UDL)

UDL is an evidence-based approach that is designed to meet the needs of students with a wide range of abilities, learning styles, learning preferences, and educational backgrounds, and includes those with low academic achievement, disabilities, and limited English proficiency. By applying the principles of UDL, students with varying abilities are able to access education and training. UDL supports educational practice that:

- Provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and
- Reduces barriers to instruction, provides appropriate accommodations, supports, and challenges and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.¹³

¹² Subsequent to the Council team's on-site visit, the Superintendent placed this committee on hold to allow for an analysis of the composition of the committee, the timeline for development of the plan, and the need for external technical assistance and support.

¹³ See the National Center on Universal Design for Learning, retrieved at <http://www.udlcenter.org/>. UDL is referenced in the 2016 Every Student Succeeds Act, the U.S. Department of Education's National Educational 2010 Technology Plan, the 2008 High Education Opportunity Act (HEOA), and the 2006 National Instructional Materials Accessibility Standard (NIMAS). Retrieved at <http://www.udlcenter.org/advocacy/referencestoUDL>.

Last summer, five district staff members attended a Harvard's Graduate School of Education course, Universal Design for Learning: Leading Inclusive Education for All Students. Staff members representing curriculum and instruction (C/I) were from English language arts, math, and special education. Inclusive learning specialists, including those working with English learners, have provided training on UDL for schools, and at a centralized location for interested personnel. Special education personnel are working to embed UDL in the context of professional learning sessions, which have focused on Academic Discourse and Quality tasks. As discussed above, these sessions are used to enable principals and teachers from each school to try out instructional strategies in classrooms and share practices with peers.

The small group of district personnel who are providing training on UDL would like to expand their base to all curricular areas and training specialists. One challenge to UDL implementation is related to the involvement of all instructional technology (IT) personnel and the need for UDL activities to interface with the district's various technology tools. There are also concerns that special educators alone are expected to carry the initiative forward. A districtwide coordination and implementation strategy for these components would establish a universal foundation for the use of this evidence-based practice.

Academic Strategic and Intensive Interventions

Currently, SCUSD does not have increasingly intensive interventions and support available systemwide for students. Schools eligible to use Title I funds have academic and behavior resources such as those described in the section below. Under the Every School Succeeds Act (ESSA), the district now has more flexibility for determining how it provides supplemental education services. The district's plan for Title I (Alternative Supports Program) outlines how schools will provide supports to students who are not achieving academically. Although these services only impact students in schools that are P1 years 2 and above, the district views this outline as an initial step in the provision of evidenced-based interventions and supports. The activities will expand to other schools in 2017-18, if feasible.

Many schools that do not have access to Title I funds struggle to find effective ways to address the academic needs of students falling behind. For example, a school that had funds last year for an intervention teacher was having difficulty maintaining the same level of support as before. As a general rule, strategic and intensive interventions at these schools depend on the creativity of individual principals and teachers.

SCTA Concerns

According to Sacramento City Teachers Association (SCTA) representatives, while they indicate they support the concept of MTSS, they do not support its implementation without a well thought out plan that has supports and resources provided. The district is expecting that an SCTA proposal will be forthcoming during contract negotiations. While there is merit to some issues raised by the SCTA, we know of no other major urban school district where union concerns explicitly and significantly delayed development and implementation of MTSS.

Social/Emotional Multi-Tiered Support

In 2011, SCUSD was a charter member of the Collaborating Districts Initiative (CDI) partnership between the Collaborative for Academic, Social, and Emotional Learning (CASEL), the American Institutes for Research (AIR), and initially eight large school districts across the country.¹⁴ In addition, the district's work on SEL is being funded by a three-year, \$750,000 implementation grant from the NoVo Foundation. According to information posted on CASEL's website about SCUSD's implementation:¹⁵

A dedicated team supports all schools to build and sustain systemic SEL implementation and integration. Using the CASEL school guide, the district has trained 60 percent of its 75 schools on SEL schoolwide implementation. Most of these schools have developed SEL leadership structures and a clear vision and purpose, and are using a curriculum to teach SEL skills. They also are integrating SEL into their school culture and climate. The district aims to expand SEL teaching and practice to the remaining 40 percent of schools and deepen professional learning for all stakeholders.

In a study conducted for CASEL, the CDI's independent evaluator determined that, since implementation, SCUSD:

- Elementary school attendance increased in all years of CDI implementation.
- SEL implementation was significantly associated with reductions in elementary school suspensions.
- Suspension rates declined about 92 percent during the two years that high-implementation schools focused on restorative practices.¹⁶

Board Policy

Some focus group participants indicated that the district did not have a school board policy on social emotional learning and that work in this area was school specific. SCUSD's board policy on discipline (BP 5144, revised June 45 2014), however, is based on a foundation of social-emotional learning and restorative justice within a multi-tiered system of supports for core elements. It says--

Before consequences are given, students must first be supported in learning the skills necessary to enhance a positive school climate and avoid negative behavior. To that end, consistent and clear guidelines will be utilized to avoid disparate application and treatment, promote equity, and encourage individualized and customized responses to student behavior. ... Discipline practices should eliminate disparities in applying discipline by assuring equitable interventions and consequences across all schools and for all students, with special attention to those who have been disproportionately impacted. It is the intent of this policy to

¹⁴ Retrieved from <http://whhttp://www.casel.org/partner-districts/sacramento-city-unified-school-district/www.casel.org/partner-districts/sacramento-city-unified-school-district/>.

¹⁵ Retrieved from <http://www.casel.org/partner-districts/sacramento-city-unified-school-district/>.

¹⁶ Retrieved from <http://www.casel.org/cdi-results/>.

minimize the excessive use of willful defiance as a reason to impose in-school and off-campus removals that often lead to poor educational outcomes, and encourage schools to use alternative means of correction such as participation in programs that are *restorative with positive behavior supports that include tiered interventions and other forms of correction that focuses on keeping students in school and learning*. (Emphasis added.)¹⁷

The board policy also requires the superintendent or designee to give the school board an annual plan designed to ensure that all district employees are provided mandatory professional development in the areas of:

- School-wide positive behavior interventions & supports (PBIS),
- Restorative practices and social and emotional learning,
- Implicit bias, and
- Cultural proficiency.

Schools are free to implement their own student discipline protocols consistent with the board policy as long as they are not in conflict with restorative justice practices.

SPARK Initiative

The Equity Office has taken the lead in developing a comprehensive plan for the district's **SPARK** initiative that serves as the first MTSS tier, which incorporates the following social emotional learning, PBIS, and restorative practices components:

- ***Social Emotional Learning*** designed to better academic performance, improved attitudes and behaviors, and reduced emotional distress;
- ***Positive Relationships*** through positive school climates;
- ***Analysis of Data*** by all staff to regularly inform and improve learning opportunities for all students;
- ***Restorative Practices***. All staff will empower students to create restorative relationships with each other and will embody and model those principles themselves.
- ***Kindness***. All staff will treat each student with respect and kindness every day.

As a part of the SPARK initiative, a subset of district schools received professional learning in the areas of PBIS and restorative practices. Also, the Equity Office and Curriculum Office have partnered to integrate SEL into the district's curriculum maps and professional learning.

¹⁷ Retrieved from <http://gamutonline.net/DisplayPolicy/277866/>.

SCTA Concerns

According to SCTA representatives, union members first became aware of SPARK when the initiative's activities were shared with the board of education.¹⁸ Union officials indicate that they support activities associated with SPARK, including worthwhile alternatives to suspension. However, they have significant concerns that the district has not put into place a comprehensive structure, including human and material resources, that is necessary to support successful implementation. As an example, they cite the 2014 board policy that did not produce anticipated outcomes because it was not accompanied by an effective infrastructure. Focus group participants indicated that because PBIS was introduced without sufficient support, its spotty implementation was exacerbated by high staff turnover and little accountability for ensuring that new staff were adequately trained. Based on the union's concerns, the district halted central office SPARK activities,¹⁹ and only some schools are implementing various components based on prior training and current resources. Although both the district and SCTA informed the Council's team of their desire to resolve these issues, there had not been much progress toward resolution when the team visited.

Social/Emotional Strategic and Intensive Interventions

Some 24 schools use Title I or other grants to fund student support centers. Under this model, a designated staff member coordinates external and school-based resources to support student's social/emotional needs. The schools operate their centers anywhere from an everyday activity to a one-day-per-week model. Center resources vary by school, and there is no formal relationship between each school's psychologists, social workers, and other support staff who could be leveraged to address students' social/emotional and mental health issues. Any coordination of these staff is dependent on the school site and the principal's leadership and commitment.

A common theme among focus group participants involved the extensive need to support the growing and more intensive mental health needs of students, which are not limited to those with identified disabilities. The district does not appear to have a structure for Tier 1 and 2 interventions and supports other than the student support centers and attention provided by individual psychologists, social workers, and other staff.

English Learners

SCUSD has held English language development (ELD) summer institutes for teachers of students who are ELs with the use of nine training specialists. One purpose of the institutes is to show teachers how they can embed ELD standards in instruction based on the common core curriculum. This training also supports ELs with disabilities. Some of this work is supported with a grant and assistance by WestEd, a national nonprofit research and service agency. Focus group

¹⁸ The district, however, indicated that the assistant superintendent for equity met with SCTA on Feb. 19, 2016, and presented the entire SPARK packet for SCTA comment prior to the April 21, 2016 board meeting. The district has dedicated 1.5 million dollars in resources to the Equity Office for training and staff to support SPARK.

¹⁹ The MOU states that only schools practicing SEL, PBIS, or RP at the time of the Board meeting where SPARK was introduced (4/21/16) may continue to do so.

participants indicated that more information and professional development was needed to improve ELD instructional practices.

Data Collection and Usage

Focus group participants and information provided by the district revealed several challenges facing the district with respect to the collection and use of data to inform instruction.

- **Data Dashboard.** SCUSD has developed a data dashboard that is in its beginning stages of implementation. In the near future, the dashboard will post real-time achievement data, student demographics and other information that school and central office staff can access. The dashboard, however, does not enable personnel to use search queries, nor does it have an early warning system that provides alerts for students, such as those with a high number of suspensions, poor attendance, or low academic achievement. Reportedly, an upcoming version of the dashboard will have this capability.
- **Benchmark Assessments.** School or district-wide benchmark assessments are a supplement to classroom assessments and provide consistency across classrooms and grade levels. Typically, teachers administer common benchmark assessments to all students in the same course and grade level in the district at prescribed intervals. Through these uniform benchmark assessments, teachers can evaluate how well their students are doing relative to the selected standards in not only their classrooms but also other grade-level classrooms in the district.²⁰

According to information provided in response to the Council team's request, the district uses Illuminate for its benchmark assessments. Use of this program, however, is based on a pool of items²¹ linked to state standards from which teachers self-select for their classroom assessments. Concerns were expressed about the extent to which the benchmark items were relevant, strategically selected, consistent, and sufficiently rigorous.²²

- **Problem Solving.** Schools inconsistently use student support teams (SSTs), problem solving, and data to inform decision-making, resulting in part from the absence of written protocols and district expectations.
- **Universal Screeners and Progress Monitoring Tools.** The district currently does not have a universal screening tool or progress monitoring tools to initially identify students in need of interventions and to support and measure student progress. There is interest in giving Title I schools access to a common universal screener with Every School Succeeds Act (ESSA) funds.

²⁰ California Department of Education, retrieved from <http://pubs.cde.ca.gov/tcsii/ch2/comnbchmrkassess.aspx>.

²¹ The Benchmarks are pre-built assessments from a pool of items. These were developed centrally in collaboration with SCTA and a team of teachers. Teachers also have the option of creating classroom level assessments in Illuminate using an item bank.

²² The district informed the Council team that in November it entered into an MOU with SCTA that suspended benchmark testing and established a committee to develop a system for monitoring student progress. The committee began meeting in February and no new assessments or processes for monitoring student progress have been agreed upon to date, April 2017.

- ***School Walk Throughs.*** The district has a common protocol for instructional rounds. The tool is used primarily for coaching, but it is also a data collection tool. The tool is being digitalized to facilitate the use of easy data collection and reporting.

Written Guidance for the Use of MTSS to Identify Students in Need of Special Education Evaluations

Nationwide, the referral of students for special education evaluations is increasingly embedded in the framework of multi-tiered systems of support. This trend is based on growing research showing that there is a difference between identifying students with obvious disabilities, e.g., blind/visual impairments, deaf/hearing impairments, physical disabilities, etc., and those with less obvious and more judgmental disabilities, e.g., specific learning disabilities, emotional disturbance, etc. For the latter category of disabilities, there are large disparities in incidence rates within and between school districts and states. In addition, disparities are large when considering race/ethnicity and ELL status. In some disability areas, e.g., autism and intellectual disabilities, the disability of students with more significant needs will be more obvious than the disability of students with higher achievement and less significant needs. For example, researchers reviewed data on all 305 school districts in Indiana. They found that disparities increased inversely with the severity of the disability. In other words, the more severe a disability, the more likely students were to be proportionately represented across all races/ethnicities.²³ Conversely, minority students were more likely to be over-represented when more mild disabilities were considered.

Although the SCUSD does not have written guidance for MTSS, the district's special education and multilingual departments both have written guidance, but with differing degrees of specificity, as well as varying requirements for the use of tiered interventions.

Special Education Procedural Handbook References to SSTs and RtI

The district's 2015-16 Special Education Procedural Handbook (Handbook) describes two processes for supporting the appropriate identification of students with disabilities: student support teams (SSTs) and response to intervention (RtI), which has been viewed as the academic component of MTSS.

- ***SSTs*** are described as school-based problem-solving groups to assist teachers, administrators, and school staff with interventions and strategies for dealing with the academic, social/emotional, and behavioral needs of students. Once activated, this proactive process is designed to assist teachers and students by generating additional classroom instructional strategies, classroom accommodations, and/or intervention plans. The team may also act as a resource for additional services or programs (i.e., reading comprehension groups, anger management groups, social skills groups, or 1:1 mental health counseling).

²³ S.J. Skiba, S.B. Simmons, S. Ritter, K. Kohler, M. Henderson, and T. Wu. "The Context of Minority Disproportionality: Local Perspectives on Special Education Referral – A Status Report (Indiana Education Policy Center, 2003) p. 18, retrieved at <http://www.indiana.edu/%7Esaefeschl/contextofmindisp.pdf>.

One purpose of the SSTs is to reduce the number of inappropriate referrals for special education. This provision references the Board of Education policy (§6164.5) of April 15, 2002, which states:

The Superintendent or designees shall establish Student Study Teams at each school site to address student needs. The Board expects Student Study Teams to identify the areas in which a student is having learning or behavior problems, and to develop plans or approaches that will enable the student to be successful. The Board expects that Student Study Teams will engage in a problem solving process, which will improve communications between the school and parents, provide support to teachers and monitor the effectiveness of interventions.

In addition, the Board's Administrative Rule §6164.5 of June 11, 2002 sets forth more specific requirements for the principal or designee at each school for the implementation of SSTs.

- ***Response to Intervention (RtI)***, which the Handbook describes as a “mandated requirement of IDEA 2004,”²⁴ is an effort to incorporate three tiers of intervention in order to ensure that all students succeed. Each of the three tiers, however, are described in vague terms, but the intensity of instruction/intervention for students is expected to be in direct proportion to their individual needs pursuant to a student's individual intervention plan. The interventions and student supports are to be research-based, and monitored for effectiveness in an ongoing manner. Referencing California law, “a student shall be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized.”²⁵

Master Plan for English Learner Programs and Services

SCUSD's Master Plan for English Learner Programs and Services (ELL Master Plan) also describes the SST and RtI processes as they relate to referrals for special education services. The ELL Master Plan establishes that:

A student may not be referred for special education services unless and until it can be established that if the student has been provided with an effective instructional program and that research-based interventions, which have been implemented with fidelity over a significant period of time, have been confirmed not to work. ... The district has adopted a tiered service-delivery model to ensure that English learners received a complete and appropriate range of instructional services and interventions, through the general education program, prior to referral for special education.²⁶

²⁴ See page 9.

²⁵ 30 EC 56303

²⁶ See page 30.

An EL shall be referred for special education instruction and services only after the resources of the general education program have been **utilized and confirmed to be** insufficient or ineffective.²⁷ (Emphasis added.)

Relationship between SCUSD's MTSS Practices and Special Education Referrals

While the Special Education Procedural Handbook and ELL Master Plan have provided some guidance with respect to SSTs and RtI, these guidance documents are somewhat irrelevant given that SCUSD does not have a comprehensive district framework and the resources and professional learning necessary to support systemic practice with fidelity.

The absence of a comprehensive MTSS framework and implementation is having a demonstrably negative effect on the manner in which students are referred to and identified for special education services. Despite board policy, the SSTs are not consistently and effectively used. While some schools use them as intended, other schools appear to use these teams only as a means to justify a student's special education referral or to delay evaluations. Where strategic and intensive resources sufficient to meet students' academic and social/emotional needs are unavailable, special education is viewed as the only "place" in which a student can receive intervention and support. The next section of this report, which presents various demographic data about students who receive special education services, describes several areas that illustrate this concern.

AREAS OF STRENGTH

The following are areas of strength in the district's disability-prevalence rates and evaluation results.

- ***Multi-tiered System of Supports.*** The district's 2016-2021 Strategic Plan Implementation includes MTSS, along with other actions, as means to close achievement gaps.
- ***Curriculum Maps and Principal Leadership.*** SCUSD is using a multi-disciplinary process to develop CCSS-aligned curriculum maps for English Language Arts (ELA) and math to guide what students should know, understand, and be able to do. Principals and teacher teams attend professional learning sessions to collaboratively bring their knowledge back to school sites.
- ***Common Protocol.*** The district has a common protocol for conducting instructional rounds to support coaching, and collecting data from classroom visits.
- ***Universal Design for Learning.*** Last summer, five district staff members representing different departments attended Harvard's Graduate School of Education course, Universal Design for Learning: Leading Inclusive Education for All Students, and are providing training on UDL to schools.
- ***English Learners.*** The district has held English language development (ELD) summer institutes for teachers of students who are ELLs with the use of nine training specialists. This

²⁷ See page 31. Note that the EL Master Plan does not correctly cite the California provision, which is referenced correctly in the Special Education Procedural Handbook. Rather than ensuring that general education resources are "utilized and confirmed to be insufficient and ineffective," they must be "considered and, where appropriate, utilized

training also supports ELLs with disabilities.

- ***Social/Emotional Support.*** The district benefits from its participation in the Collaborating Districts Initiative (CDI) partnership with the Collaborative for Academic, Social, and Emotional Learning (CASEL) and the American Institutes for Research (AIR). An independent study conducted for CASEL showed positive outcomes for the district. The district has attempted to initiate SPARK, which comprises five components, as Tier 1 universal practices.

OPPORTUNITIES FOR IMPROVEMENT

The following describes opportunities for improvements in the district's disability prevalence rates and student evaluation results.

- ***Multi-tiered System of Supports Implementation.*** The district's development and use of the MTSS framework is in its infancy. While some schools have implemented MTSS to varying degrees, there is no consistency across the system with respect to the core MTSS components described in CDE's framework.
- ***Universal Design for Learning.*** Instructional technology (IT) personnel have not been involved in UDL implementation and professional learning activities, which is necessary for UDL to interface with the district's various technology tools. There are concerns that special educators alone are expected to carry the initiative forward.
- ***Increasingly Intensive Interventions and Supports.*** Currently, SCUSD does not have increasingly intensive academic and social/emotional interventions and support available systemwide for students. Title I schools have more access to supplemental interventions but other schools must rely on their own creative means to address the academic needs of students falling behind.
- ***English Learners.*** More information and professional development is needed to improve ELD instructional practices.
- ***SCTA/District Collaboration.*** MTSS implementation has stalled because of SCTA's concerns about the lack of a comprehensive framework that is sufficiently resourced and supported. The issue is being discussed through contract negotiations based on a pending proposal from the SCTA. The SCTA has also halted implementation of the district's SPARK initiative for similar reasons. That program provides five evidence-based practices to support Tier 1 interventions and social/emotional learning. While there is merit to some issues raised by the SCTA, we know of no other school district that has had union concerns significantly delay development and implementation of MTSS.
- ***Data Collection and Usage.*** The following data-related issues merit attention, including several of which district representatives are aware: a dashboard without early warning capability; benchmark assessments that are not evidence-based and provided at reasonable intervals; a lack of written protocols and practices for data-based problem-solving of student needs; and a lack of access to universal screeners and progress monitoring tools.
- ***Relationship of MTSS to Special Education Referrals.*** Although the Special Education Procedural Handbook (Handbook) and Master Plan for English Learner Programs and

Services (ELL Master Plan) contain some guidance for referring students for special education evaluations, the district has no overall written protocol for MTSS or for making referral decisions. As a result, these two documents exist in a vacuum without systemic support. Moreover, the Handbook and ELL Master Plan have provisions that are inconsistent with each other, and with state guidance. The absence of professional learning in this area exacerbates this problem, and raises issues about the consistency and reliability of special education evaluation referrals.

RECOMMENDATIONS

1. ***Systemwide MTSS Framework, Implementation Plan, and Oversight.*** As part of the district's theory of action, establish MTSS as the underlying structure for all work designed to improve student outcomes. Based on information from the CDE website and other sources, develop, distribute, and implement a comprehensive vision, framework, and action plan to support MTSS systemwide.²⁸ This collective work must communicate that MTSS is neither a mechanism for delaying special education evaluations when they warranted nor a process having the singular purpose of justifying such valuations. Rather, the work needs to facilitate a shared sense of urgency among all stakeholders to improve educational outcomes for all students.

We strongly recommend that the district use a consultant who has experience developing and implementing MTSS in various urban school districts to facilitate collaboration among the central office, schools, the SCTA, and other stakeholders. The use of a consultant with this expertise would enable the district to benefit from other school districts' experiences; help resolve SCTA issues regarding MTSS, including SPARK; and to expedite completion of the MTSS framework and implementation plan.

- a. ***District and School-based Leadership MTSS Teams.*** Establish leadership teams at the district and school levels to support MTSS planning and oversee implementation activities.
 - ***District MTSS Leadership Team.*** Ensure that the district MTSS leadership team includes representatives from all relevant stakeholder groups, e.g., area assistant superintendents, central office personnel, principals, all types of teachers (general, special, EL, gifted/talented), related-services personnel, SCTA representatives, etc. Plan a two-day overview and monthly meetings with the MTSS leadership team to continue to develop common language and planning for necessary implementation resources. Invite various advisory groups representing differing interests, such as the Community Advisory Committee (CAC) for special education, to give feedback to the leadership team.
 - ***School-Based Leadership Teams.*** Based on the district's comprehensive MTSS-implementation plan (Recommendation 1b below), identify school-based leadership teams (SBLT) at each site for training on and work toward the development of an implementation plan at each site. The SBLT is responsible for the health and wellness of the school and leads the MTSS work to ensure a common understanding of the framework. SBLTs will necessarily have defined responsibilities, such as

²⁸ CDE webpage for MTSS, retrieved at <http://www.cde.ca.gov/ci/cr/ri/mtsscomprti2.asp>.

learning/applying/modeling the problem-solving process, providing professional learning and technical assistance opportunities for staff, monitoring implementation and needed supports, conducting school-based data days, and the like.

- a. **Implementation Plan.** Have the district MTSS leadership team evaluate its current program infrastructure as it develops its MTSS framework and implementation plan, e.g., universal screeners, formative assessments, standard protocols for intervention/support, curricular materials, supplemental and intensive resources, data platforms, use of data, professional learning, budget allocations, etc. Embed universal design for learning (UDL) into the MTSS framework,²⁹ and incorporate the areas discussed below. As a part of the plan include benchmark and on-going district wide and school-based progress monitoring to support the evaluation of MTSS implementation. When finalized, post the MTSS implementation plan on the district's website along with relevant links to district information/resources, and publicly available resources. Ensure that the district's Strategic Plan intentionally embeds and utilizes the MTSS framework in its goals and activities. Embed relevant aspects of the MTSS framework in the district's Strategic Plan and school-based planning templates.
- b. **Map Resources and Analyze Gaps.** As part of a comprehensive planning process, conduct an assessment of current MTSS-related human and material resources provided by the district and independently funded by schools. As part of this process, consider the current roles of school psychologists and speech/language pathologists, and how they may be adjusted/reallocated to support students proactively within general education. Compare these resources to evidence-based resources in use, and plan for filling gaps. Conduct an analysis of currently used resources by schools to assess their return on investment in terms of improved student outcomes. Identify those that are supporting/accelerating student learning and those that are not. Consider having the district sponsor appropriate evidence-based resources from which all schools can choose to implement. As part of this process, consider how additional Title I resources provided to schools could enhance district resources to meet student needs.
- b. **Written Expectations.** Establish a school board policy³⁰ and written expectations for the district's MTSS framework (for academics in addition to social/emotional learning/restorative justice) that is consistent with the district's theory of action. Ensure that the MTSS framework includes all grades, and supports linguistically appropriate and culturally competent instruction. Develop a multi-year implementation plan that includes regular board updates. Address all areas of MTSS described in the current program literature, including expectations for the following:
 - Use of MTSS for systemic and sustainable change;

²⁹ Consider expanding the district leadership team's knowledge of UDL by having representatives from IT and departments in addition to past participants attend the Harvard University UDL summer program, having the team receive training from district personnel with UDL expertise, etc.

³⁰ April 7, 2014 board policy (BUL-6269.0), retrieved from April http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/FLDR_ORGANIZATIONS/FLDR_SPECIAL_EDUCATION/BUL-6269.0%20MULTI%20TIERED%20BEHAVIOR%20SUPPORT%20SWD%20W%20ATTACHMENTS.PDF.

- High-quality, differentiated classroom instruction and research-based academic and behavior interventions and supports aligned with student needs;
- Evidence-based universal screening, benchmark assessments, and progress monitoring;³¹
- Use of school-based leadership teams and problem-solving methodology;
- Fidelity of implementation;
- Professional learning, technical assistance, and collaboration;
- Parent/family involvement in the MTSS process; and
- Use of MTSS to identify students in need of special education evaluations and to consider in the assessment process. More information about this process is provided as part of the recommendations in Section II, Disability Prevalence Rates and 2014-15 Evaluation Outcomes.

c. **Professional Learning.** Based on the MTSS framework, implementation plan, and written expectations, develop a professional-learning curriculum that is targeted to different audiences, e.g., special education teachers, related-services personnel, paraprofessionals, parents, etc. Provide at least four to five days of training for school-based leadership teams over two consecutive years. Ground training in the Learning Forward Standards for Professional Learning.³² Consider how access to training will be supported and budgeted, e.g., through the use of stipends, funds for substitute coverage, incentives for after-school and Saturday training, summer training, etc.

Embed the following components in the district's MTSS implementation plan —

- **Cross-Functional Teams.** Cross-train individuals from different departments to ensure a common language and common understanding of MTSS that can be applied to district offices in order to intentionally align and support the work of schools as they work toward implementation. Maximize their knowledge and skills in MTSS in order to provide direct support, mentoring, coaching, and technical assistance to principals and teachers.
- **Develop the Capacity of High-Quality Trainers.** Develop a plan to develop the capacity of internal staff to deliver data-driven professional development and the critical components of MTSS. Ensure that all trainers are knowledgeable and experienced in data analysis, problem solving, and effective professional development for adult learners.
- **Access to Differentiated Learning.** Ensure that professional learning is engaging and differentiated according to the audience's skills, experience, and need. Have professional learning and technical assistance available to new personnel and those needing additional support.

³¹ See the evaluation tool available on the Center on Response to Intervention website to determine the research-based value of tools being considered.³¹

³² Retrieved from <http://www.learningforward.org/standards#.UMvVD7Yt0kU>

- **Multiple Formats.** Use multiple formats (e.g., videos, webinars, and narrative text) and presentation approaches (e.g., school-based, small groups).
 - **Coaching/Modeling.** Develop a plan for coaching and technical assistance to support principals and school-based leadership teams in practices highlighted in training sessions and materials.
 - **School Walk Throughs.** Establish a common, differentiated electronic protocol for conducting instructional rounds, collecting data from classroom visits, and informing teachers of results and observations. It is important that the protocol be aligned with the teaching and learning framework of the district.
 - **Exemplary Implementation Models.** Provide a forum where schools can highlight and share best practices, lessons learned, victories, and challenges in implementing MTSS for all students (e.g., gifted, English learners, students with IEPs, students who are twice exceptional). Encourage staff to visit exemplary schools, and set aside time for that to happen.
 - **District Website.** Develop and provide a well-informed and resourced interactive web page that includes links to other local and national sites. Highlight schools within the district and share stories about the impact of MTSS on student outcomes using multiple measures.
- d. **Data Analysis and Reports.** Establish an early warning system that measures students on track for graduation. Ensure that key performance indicators across elementary, middle and high schools are established, and analysis (e.g., custom reports) are designed to enable the superintendent, administrators, principals, teachers, and related-services personnel to review student growth, identify patterns, solve problems, and make informed decisions.
- e. **Monitoring and Accountability.** Evaluate the effectiveness, fidelity, and results of MTSS implementation, and include the following in the assessment –
- **Baseline Data and Fidelity Assessments.** Develop a standard protocol for school-site baseline data on instructional practices and supports using multiple measures (academic, suspension, attendance, etc.), for assessing academic and behavioral outcomes, and for measuring the fidelity of program implementation. For example, consider using evaluation tools and protocols provided at no cost through the federally funded Positive Behavioral Interventions and Supports website.³³
 - **Data Checks.** Conduct at least three health and wellness checks per year at the school level to facilitate the monitoring and impact of MTSS implementation. In addition, using data and reports associated with Recommendation 1f, have the superintendent host regular data conversations with administrators and principals on key

³³ Several tools are available for monitoring fidelity, such as Florida's MTSS school level tool, retrieved at http://floridarti.usf.edu/resources/presentations/2014/nasp/StockslagerCastillo/NASP%202014_School%20Level%20MTSS%20Instrument_Final.pdf; and tools available from the RTI Action Network, retrieved from <http://www.rtinetwork.org/essential/tieredinstruction/tier1/accurate-decision-making-within-a-multi-tier-system-of-supports-critical-areas-in-tier-1>.

performance indicators to discuss results, anomalies, support needed, follow-up activities, and outcomes.

- ***Timely Communication and Feedback.*** Design feedback loops involving central office, school personnel, parents, and the community to inform current as well as future work. Use this process to provide regular and timely feedback to the district MTSS leadership team about barriers that are beyond the control of local schools or where schools require additional assistance.

II. Disability Prevalence Rates and 2014-15 Evaluation Outcomes

This section presents demographic characteristics of SCUSD students with disabilities who have individualized education programs (IEPs).³⁴ When available, SCUSD data are compared with students at state and national levels, and with other urban school districts across the country. In addition, data are analyzed by grade, by school, by race/ethnicity, and for students who are also English language learners (ELLs), so readers can fully understand the context in which SCUSD services are provided.

This section also provides information about the results of the district's special education evaluations that were completed during the 2015-16 school year.

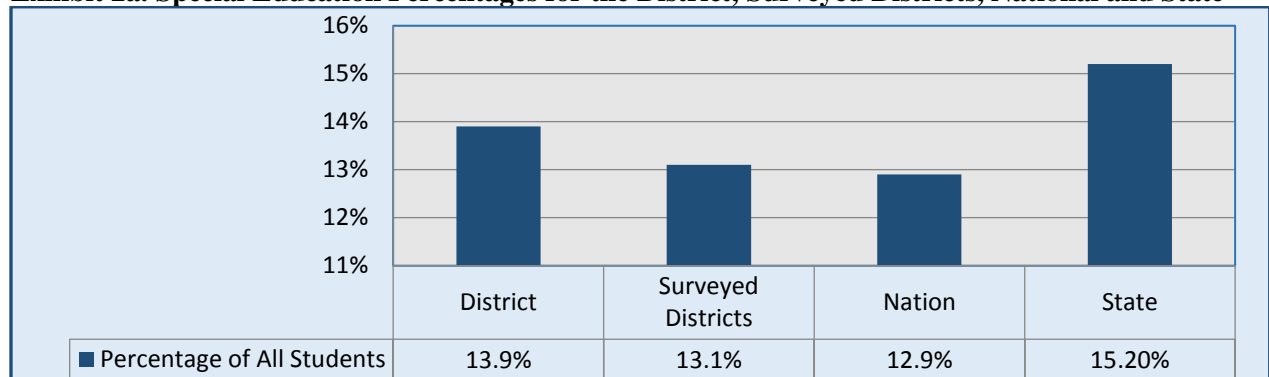
District Prevalence Rates

In this subsection, the incidence of SCUSD students receiving special education services is compared to urban school districts across the country and to the nation as a whole. Also, incidence data are disaggregated for pre-K and kindergarten children, and school-age students by disability area, grade, race/ethnicity, and English learner status.³⁵

Comparison of SCUSD, Urban Districts, National, and State Special Education Rates

SCUSD enrolls 6,519 students with IEPs who are three through 21 years of age, including those in separate schools (in and out of the district) and charter schools. This number is 13.9 percent of all students enrolled in the district. This figure is somewhat higher than the 13.1 percent average across 72 urban school districts on which we have data.³⁶ SCUSD ranked 32nd among districts in the percentage of students with disabilities. Percentages ranged from 8 percent to 25 percent among these districts.³⁷

Exhibit 2a. Special Education Percentages for the District, Surveyed Districts, National and State



³⁴ Students with disabilities who have IEPs and receive special education services are also referred to as students with IEPs. These data are limited to students with a disability under the IDEA, and does not include students who are gifted.

³⁵ Unless otherwise stated, all SCUSD data were provided by the district to the Council's team and are for the 2015-16 school year.

³⁶ Most data were provided by school districts that responded to a survey conducted by the Urban Special Education Leadership Collaborative; the Council team or members of the team obtained the remaining data during district reviews. The rates by district are provided in Appendix A. Incidence Rates and Staffing Survey Results.

³⁷ The data covers several years, but in most cases, ratios do not change dramatically from year to year.

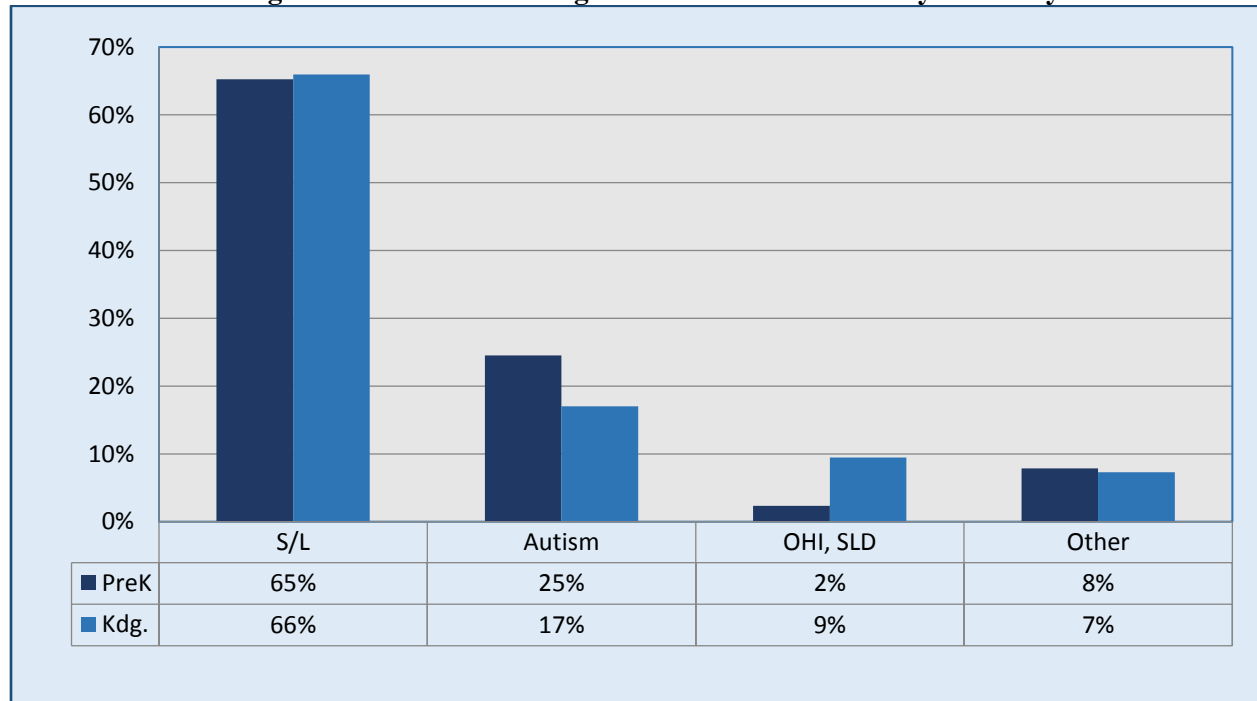
The district's 13.9 percent special education rate is less than the state's 15.2 percentage, but is higher than the 12.9 percent national figure, which has decreased since 2004-05, when it was 13.8 percent.³⁸

Special Education Percentages for SCUSD Pre-K and Kindergarten Children

SCUSD enrolls many more children with IEPs in pre-K (636) compared to kindergarten (370). Exhibit 2b shows the percentages of pre-K and kindergarten children with IEPs by disability areas.

- **Speech/Language Impairment (S/L).** In both grades, some 65 percent of these children are identified as having an S/L disability.
- **Autism.** Pre-K and kindergarten students have markedly different autism percentages. Some 25 percent of pre-K children with IEPs are identified as having autism compared to 17 percent in kindergarten.
- **Other Health Impairment (OHI) and Specific Learning Disability (SLD).** For the combined areas of OHI and SLD, only 2 percent of pre-K children with IEPs are identified compared to 9 percent of kindergarteners. This difference is reflected in the increased number of children identified with SLD (2 in pre-K to 14 in kindergarten) and with OHI (13 in pre-K to 21 in kindergarten).
- **Other Areas.** The remaining students have other disabilities.

Exhibit 2b. Percentages of Pre-K and Kindergarten Children with IEP by Disability Area

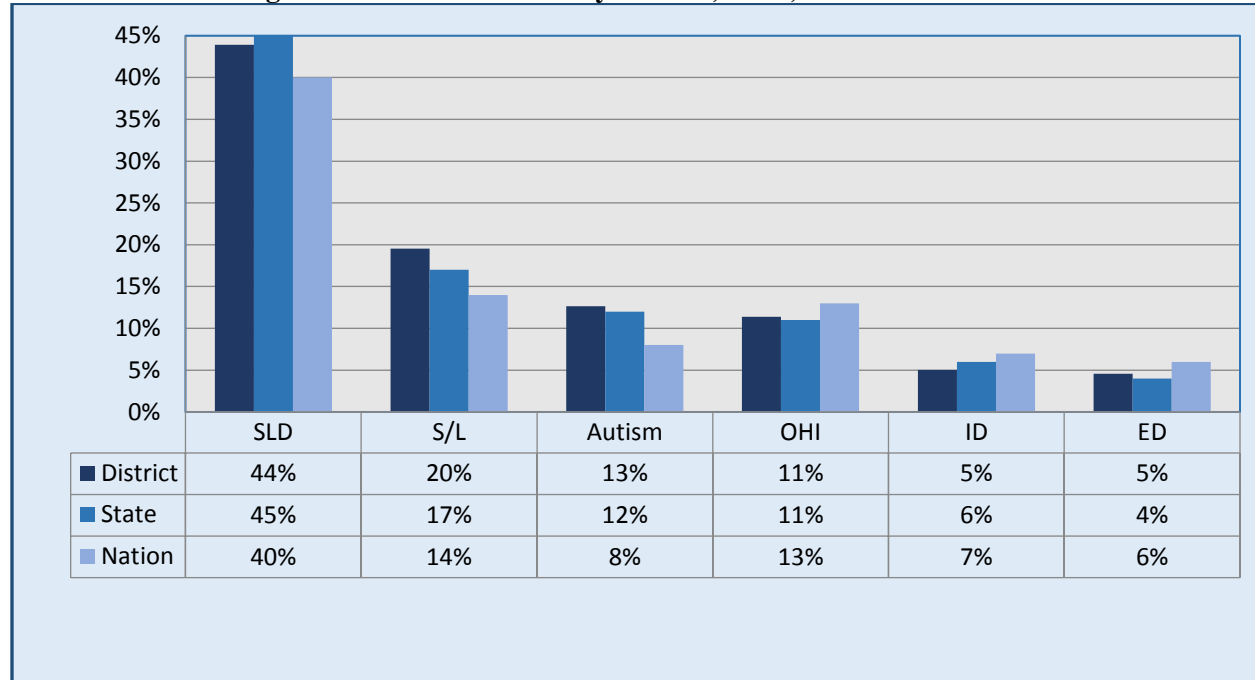


³⁸ U.S. Department of Education, National Center for Education Statistics. (2015). *Digest of Education Statistics, 2013* (NCES 2015-011), Chapter 2. The rates are based on 2011-12 data based on students 3 through 21 years of age. <http://nces.ed.gov/fastfacts/display.asp?id=64>.

Disability Prevalence Rates by District, State and Nation

SCUSD students with IEPs are identified as having a particular disability at proportions similar to those at the state level. Notable areas in which the district and state exceed national rates involve specific learning disabilities, speech/language, and autism. (See Exhibit 1b.)

Exhibit 2c. Percentage of Students with IEPs by District, State, and Nation³⁹



SCUSD Disability Rates by Grade

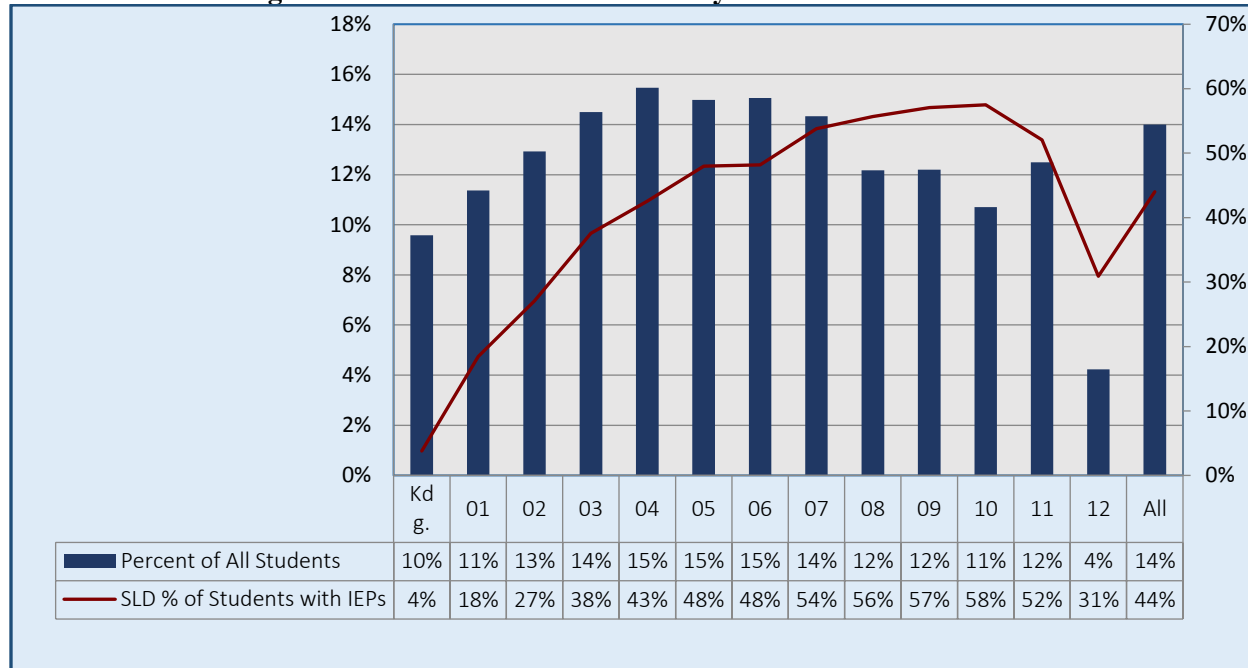
Exhibit 2d shows the district's overall rate of students with IEPs is 14 percent; however, the disability rates vary by grade. The percentage of children in kindergarten (10 percent) increases steadily to fourth grade (15 percent) where it remains relatively stable through seventh grade (14 percent). Inexplicably, the percentage decreases at eighth grade (12 percent) where it remains somewhat consistent through eleventh grade, and then drops in twelfth grade to a low of four percent.⁴⁰ This pattern is not one that is typical among other school districts.

When looking only at students with a specific learning disability, the disability rate increases significantly from kindergarten (4 percent) to tenth grade (58 percent), and then declines somewhat in eleventh grade (52 percent) and significantly in twelfth grade (31 percent). The decrease in twelfth grade may be due to students who have dropped out of school.

³⁹ National and state data are based on the U.S. Department of Education's 2014 IDEA Part B Child Count and Educational Environment database, retrieved from 2014-15 USDE IDEA Section 618 State Level Data Files, retrieved at <http://www2.ed.gov/programs/osepidea/618-data/state-level-data-files/index.html#bccee>. Unless otherwise stated, all SCUSD data were provided by the district to the Council's team.

⁴⁰ The chart does not include students with IEPs remaining in school past 12th grade to receive postsecondary education. There are 76 students in this group, which comprise 57 percent with an intellectual disability, 16 percent with autism, and small percentages with other disability areas.

Exhibit 2d. Percentages of SCUSD Students with IEPs by Grade



SCUSD Disability Incidence by Race/Ethnicity

This subsection discusses the extent to which SCUSD students from each of the most common racial/ethnic groups are proportionate to each other in being identified as disabled.

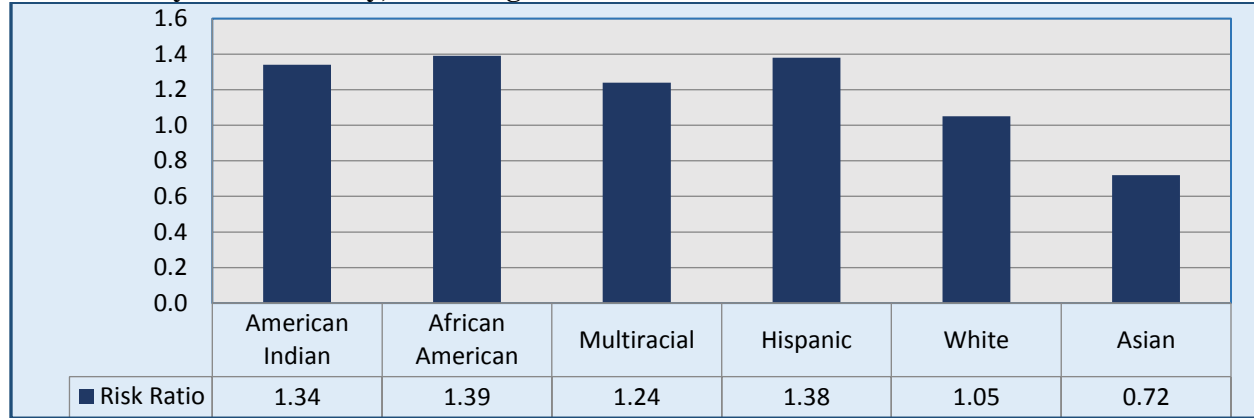
Race/Ethnicity Prevalence for Students with IEPs

According to CDE's latest FY 2014 State Performance Plan/Annual Performance Report of July 1, 2016, the agency uses an E-formula to determine racial/ethnic disproportionality, which according to the report falls under the broad category of composition measures. On December 12, 2015, the United States Department of Education (USDE or ED) issued a final rule that established a uniform national measurement of significant disproportionality. The department developed the risk ratio measure (and alternative risk ratio for small cell numbers), to measure the likelihood that students from one racial/ethnic group compared to other groups have the characteristic being measured. By the 2018-19 school year, states must use this measure and identify the threshold of risk it will use to determine significant disproportionality.⁴¹ In the meantime, SCUSD should take note of any risk ratios for racial/ethnic groups that are 2 or higher, or are under 0.5.

Exhibit 2e shows risk ratios for the most common student racial/ethnic groups. These figures show that African American students are 1.39 more likely and Hispanic students are 1.38 more likely to have an IEP compared to students outside of their racial/ethnic group. Asian students have the lowest risk ratio (0.72). Using a measure of "2," these risks for identification are not disproportionately or unusually high.

⁴¹ As of the date of this report, the regulation is still in effect; however, further action by Congress or Education Department could change this status.

Exhibit 2e. By Race/Ethnicity, Percentages of All Enrolled Students and of All Students with IEPs

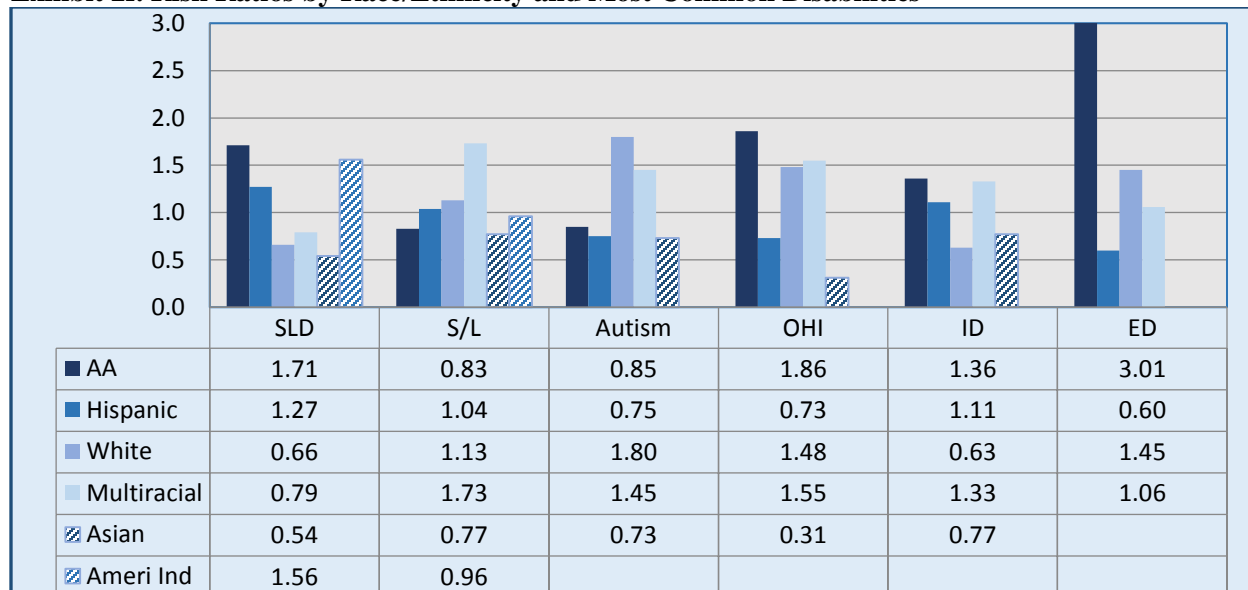


Race/Ethnicity Prevalence by Disability Area

Exhibit 2f shows the risk ratio of students by the most prevalent race/ethnic groups compared to all other groups in the most common disability areas. These data show that the risk for almost all student groups of having a specific disability is less than “2.” The exception is for African American students, who are three times more likely than other students to have an emotional disturbance. Several racial/ethnic groups have a risk ratio approaching a “2” for various other disabilities, including:

- ***Specific Learning Disability.*** The risk ratio for African American students is 1.71.
- ***Speech/Language Impairment.*** The risk ratio for multiracial students is 1.73.
- ***Autism.*** The risk ratio for white students is 1.80.
- ***Other Health Impairment.*** The risk ratio for African American students is 1.86.

Exhibit 2f. Risk Ratios by Race/Ethnicity and Most Common Disabilities



Prior Findings by California Department of Education

According to district representatives, four years ago the California Department of Education (CDE) made a finding of significant disproportionality in the area of emotional disturbance (ED) with respect to the district's identification of white and African American students, and again in 2014-15 with respect to African American students. With this finding, the district was required to use 15 percent of its IDEA funds for coordinated, early intervention services to supplement general education social/emotional supports for students without disabilities.⁴² The district reports that it is no longer significantly disproportionate in any area of identification. As discussed above, beginning with the 2018-19 school year CDE must use a risk ratio to measure significant disproportionality. Although the state will have some time to identify the threshold of risk, SCUSD should take note of its high 3.01 ED risk ratio among African American students.

With CDE's first identification of the significant disproportionality, the district's special education department initiated specialized ERMHS teams (discussed below) for students suspected of having ED. According to the district, these teams reduced the number of students identified. At the same time, the district expanded behavioral support services and its implementation of social/emotional learning.

Use of Educationally Related Mental Health Services (ERMHS) Teams

Focus group participants expressed several concerns about the use of ERMHS teams for students suspected of having an emotional disturbance—along with the use of autism teams.

- These teams have a primary “gate keeping” function for ED and autism eligibility for special education, and there are frequent disagreements between team members and school personnel. Reportedly, some school personnel believe they have to suspend students (where they otherwise might not have) in order to “build” a case that would support eligibility.
- School personnel reach out to the team only after they believe they have intervened with resources within their control, and completed a plethora of screening paperwork. This structure promotes antagonism when team members provide feedback that school efforts are not sufficient, or they do not observe the same level of need as school personnel.
- Team members are not readily available to schools because of the large number of requests for assistance. This circumstance could result in referral and evaluation delays.
- The teams' expertise is not used to support intervention activities or technical assistance and coaching for teachers having students with behavior or social/emotional issues, regardless of whether they qualify for services.

⁴² The U.S. Department of Education's December 12, 2016 final rule allows school districts to use 15 percent of IDEA funds for coordinated, early intervening services for students without disabilities.

District representatives indicate that psychologists will be trained to evaluate students suspected of having ED and autism.⁴³

SCUSD Disability English Learners

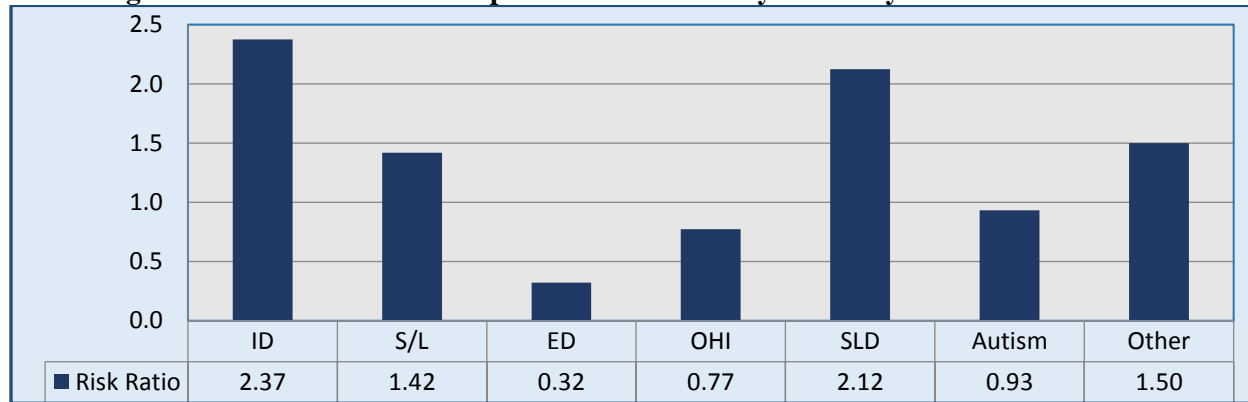
This subsection discusses the extent to which SCUSD students who are English language learners (ELL) have disability percentages that are proportionate to students who are not ELL. It also includes information about the assessment of ELLs thought to have a disability, as well as communication with parents who are ELLs.

Disparities by Language Status (ELL and Non-ELL)

Overall, 19 percent of all students who are ELLs have an IEP, compared to 13 percent of students who are not ELLs. Using a risk ratio measure, ELLs are 1.48 times more likely than non-ELLs to have an IEP.

As seen in Exhibit 2g, ELLs are 2.37 times more likely than non-ELLs to have an intellectual disability, and 2.12 times more likely to have a specific learning disability. With a risk ratio of 0.32, ELLs are much less likely than non-ELLs to have an emotional disability.

Exhibit 2g. Risk Ratios for ELLs Compared to Non-ELLs by Disability Areas



Assessments of ELL Students

Focus group participants and the district provided the following information about assessments for ELL students.

- **Assessments.** According to the ELL Master Plan, whenever possible, assessments will be conducted by trained bilingual personnel and in the student's most proficient language. The Special Education Procedural Handbook, however, follows the federal and state requirements that assessments must be conducted by qualified bilingual personnel in a student's "primary language, unless it is not feasible to do so. Further, the assessment report must address the validity and reliability of the assessments in light of the student's

⁴³ Psychologists are trained during their graduate training programs on assessing all areas of suspected disabilities. Professional learning will be offered to staff to improve their ability to evaluate and rule in or rule out ED and autism when student presents with characteristics of both disability areas.

language and interpreted in a language that is accessible to the student's parents."⁴⁴ In addition, the evaluation team must include one staff person with certification in ELL instruction.⁴⁵

- ***Bilingual Assessments.*** The district has only two bilingual Spanish psychologist, and the psychologist's caseload is not limited to ELLs who speak Spanish.
- ***Parent Notices.*** According to the ELL Master Plan, where possible, the assessment plan will be communicated to the parent in a language the parent understands. In addition, schools ensure parents are provided notice, where feasible, in the language the parent best understands and that appropriate support is provided to ensure meaningful participation in the IEP development and monitoring process. However, this information does not accurately reflect information relevant to these issues in the Special Education Procedural Handbook. This document specifies that a trained interpreter must be provided at IEP meetings upon parental request.⁴⁶ Further, IEP meeting notices are in the parent's primary language, and they inform parents of their right to interpretation services. For all English learners, the IEP and reports are to be translated for ELL parents upon their request.⁴⁷
- ***Interoffice Communication and Professional Learning.*** Reportedly, although ELL personnel at the central office have a positive relationship with special education program specialists and inclusive practices coaches, they do not have an established relationship with such personnel as psychologists and speech/language pathologists. Such interoffice collaboration would benefit the professional development that school psychologists and speech/language pathologists receive periodically about assessments for ELL students. Collaboration also would enable ELL personnel to become better informed about their role in the special education evaluation and IEP process.

Special Education Eligibility and Timeliness

SCUSD provided the Council team with data showing the numbers of students who were referred for an evaluation during the 2015-16 school year, whether they qualified for an IEP, and the results by disability area.

Evaluations Completed and Qualification for IEPs

Exhibit 2h shows the percentages of students with completed evaluations who were eligible for special education services in 2015-16, and the percentage of students with evaluations that were not yet completed. These data show that a much higher percentage of all students referred for a speech/language-only evaluation were evaluated, had evaluations completed, and qualified for services, compared to students with a full team evaluation. The data did not show the extent to which the pending evaluations were timely.

- ***Speech/Language-Only Evaluation.*** Of the 495 students referred for an evaluation for speech/language needs, 95 percent were completed. Of the 470 completed evaluations, 91

⁴⁴ See page 29.

⁴⁵ See page 46.

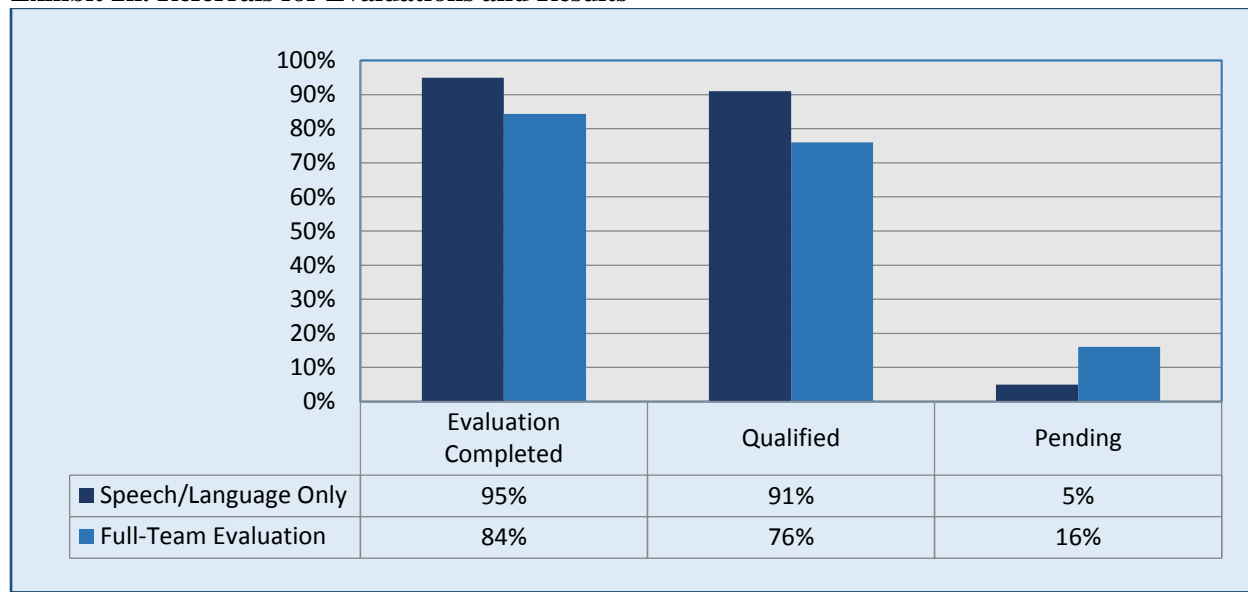
⁴⁶ See page 46.

⁴⁷ See page 48.

percent were qualified for services. Of the referred students, only five percent were pending at the end of the school year.

- **Full Team Evaluations.** Of the 936 students referred for a full evaluation, 16 percent had evaluations that were not yet completed. Of the 789 completed evaluations, 76 percent qualified for an IEP.

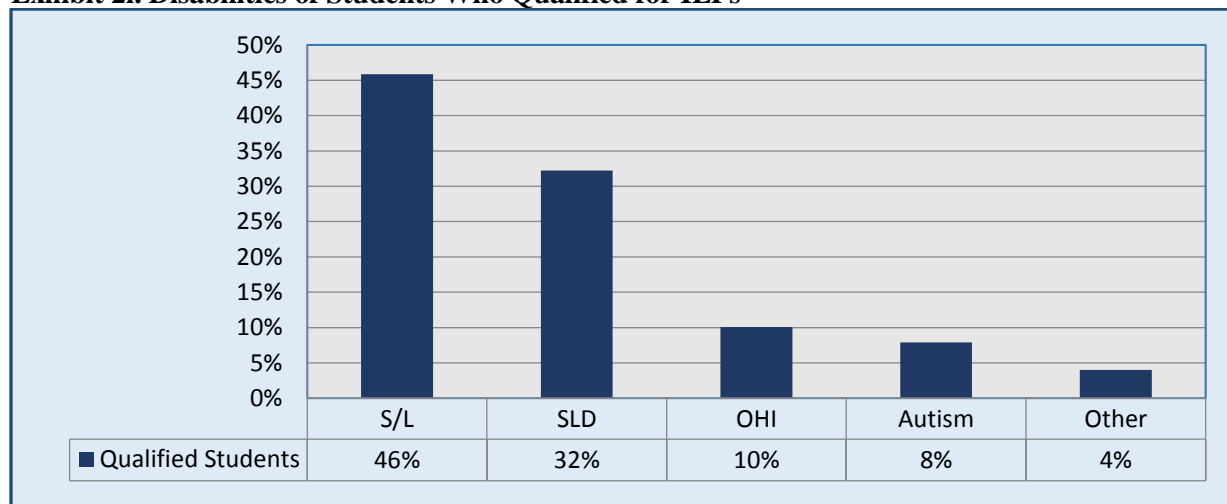
Exhibit 2h. Referrals for Evaluations and Results



Evaluation Results

Of the 1,025 students who qualified for special education, they comprised the following disability areas: 46 percent had a speech/language impairment; 32 percent had a specific learning disability; 10 percent had other health impairments, 8 percent had autism, and 4 percent had another disability. The large percentage of students with speech/language impairments is most likely due to the influx of young children who enrolled in the district for the first time.

Exhibit 2i. Disabilities of Students Who Qualified for IEPs



AREAS OF STRENGTH

The following describes areas of strength in the district's identification of students with disabilities.

- ***District and State Disability Rates.*** SCUSD's 13.9 percent special education rate is somewhat higher than the surveyed district's 13.1 percent rate and the national rate of 12.9 percent, but is lower than the state's 15.2 percentage. The district's students are identified as having a particular disability at proportions similar to state levels.
- ***Proportionate Ratio/Ethnic Risk for Special Education.*** Data shows that students from all racial/ethnic groups are proportionately identified as needing special education.
- ***Progress in Significant Disproportionality for Emotional Disturbance Category.*** Using a variety of strategies, including expanding behavioral support services and implementing social/emotional learning, the district effectively addressed the state's 2014-15 finding that African American students were categorized as emotionally disturbed at significantly disproportionate rates. We note, however, that these students continue to be three times more likely than others to be in this category of disability. Although the state does not currently use a risk ratio to measure significant disproportionality, a new U.S. Department of Education regulation requires all states to use this measure by 2018-19.
- ***Change in Evaluation Process.*** The district reports that psychologists will be trained to evaluate⁴⁸ students suspected of having any disability, including emotional disturbance and autism, so that the Educationally Related Mental Health Services (ERMHS) teams will have more time to provide technical assistance and support.
- ***English Learners.*** ELLs are 1.48 times more likely than non-ELLs to receive special education. This rate is not considered to be significantly disproportionate.

OPPORTUNITIES FOR IMPROVEMENT

The following areas are opportunities for improvements in the district's identification of students with disabilities.

- ***Preschool and Kindergarten Disparate Data.*** Unlike other districts with which the Council's team has worked, SCUSD enrolls many more children with IEPs in pre-K (636) than in kindergarten (370). Furthermore, 25 percent of pre-K children have autism, compared to 17 percent of kindergarteners. The reason for this disparity is not readily apparent, but it raises the question as to how the district works to ensure that referrals in pre-school programs are appropriate and are being monitored.
- ***Disability by Grade.*** The number and percentage of students with IEPs by grade decreases from 14 percent in the seventh grade to 12 percent in the eighth grade, where it remains somewhat consistent through the eleventh grade. The district indicated that these anomalies may be due to an enrollment bubble that is reported to CDE, but further review by the

⁴⁸ The special education department is considering a change in the assessment process from specialized teams to site psychologists being responsible for the full range of assessments. Current stakeholder input is being gathered to guide the department towards a decision for the 2017-2018 school year

Council would be necessary before the team could make an assessment.

- ***Significant Racial Disproportionality.*** Several racial/ethnic groups are approaching a rate of being twice as likely to be identified for a particular disability, and African American students have the highest risk ratio (1.86) for identification in the “other health impairment” category.
- ***Educationally Related Mental Health Services (ERMHS) Team Practices.*** Various concerns were raised about ERMHS team practices, including: serving a gate keeping function for students who may have an emotional disturbance or autism; the relationship between some ERMHS team members and school personnel; students’ access to timely evaluations; and school personnel access to ERMHS team expertise.
- ***English Learners.*** ELLs are 2.37 times more likely than non-ELLs to have an intellectual disability, and 2.12 times more likely to have a specific learning disability. However, the district has only one bilingual Spanish psychologist, and her caseload is not limited to ELLs who speak Spanish. The ELL Master Plan contains requirements for evaluating ELLs, for providing parents written information in their native language, and for providing translation services to parents. This guidance is not always consistent with information in the Special Education Procedural Handbook, which conforms to state requirements. Furthermore, there is a need for greater collaboration between central office ELL staff and psychologists and speech/language pathologists to better inform each other about how to evaluate and address the needs of ELLs requiring special education.
- ***Timely Evaluations.*** There is a wide disparity between the percentage of students evaluated and qualified to receive special education services to address only a speech/language disability, and those needing special education services based on other disability categories (91 percent and 76 percent, respectively). There was also a large difference between these two groups in the percentage of referred evaluations that were not completed (5 percent and 16 percent, respectively). The data did not show the extent to which the pending evaluations were timely.

RECOMMENDATIONS

2. ***Special Education Referral, Assessment, and Eligibility.*** Improve consistency and appropriateness of referrals, assessments, and eligibility decisions for special education.
 - a. ***Data Review.*** With a multidisciplinary team of individuals inside and outside of the special education department, review Exhibits 2a through 2i and their associated analysis (along with other relevant data), and develop a hypothesis about--
 - Comparatively high number of students with IEPs and with autism in pre-K compared to kindergarten;
 - Pattern of students with IEPs by grade;
 - Likelihood that African American students have an other health impairment compared to other students with IEPs;
 - Likelihood that English learners have an intellectual disability and specific learning disability compared to non-ELLs;

- High percentage (91 percent) of students assessed for speech/language-only services qualify compared to other disabilities (76 percent) who qualify for services; and
 - High percentage (16 percent) of pending 2015-16 full evaluations compared to speech/language-only evaluations (5 percent).
- b. *Written Expectations.*** For any area that the multi-disciplinary team identifies as problematic, review current processes for referral, assessment, and eligibility, and amend those processes to provide more guidance. Ensure that the special education procedural manual and ELL master plan incorporate the additional guidance. Have both documents provide appropriate information regarding translation services for and written notices to parents who are ELL, and ensure that assessments are linguistically and culturally appropriate for ELL students. Specify that personnel who assess students should have access to sufficient and all current assessment tools.
- c. *Educationally Related Mental Health Services (ERMHS) Teams.*** With a representative group of special education department personnel and school-based personnel knowledgeable about the ERMHS process, review concerns discussed in this report and revise the process so that the team's expertise can be used more appropriately to support teaching and learning, and schools are more accountable for following written expectations.
- d. *Data Analysis and Reports.*** Develop user-friendly summary reports for the district's leadership showing data similar to and as appropriate in addition to Exhibits 2a through 2i. As appropriate, share data by area and by school. As part of this process, address the issues that made it difficult for the district to provide the Council team with data aligned with the state's performance plan indicators for special education (i.e., special/residential schools and suspensions), and supplement the data with these reports. Consider how these data are handled and reviewed by district leadership on a regular basis.
- e. *Differentiated Professional Learning.*** Plan for and provide all relevant district stakeholders with the professional learning they need to implement the recommendations in this section. As part of this process, have special education and ELL department personnel collaborate on the referral and assessment needs of ELL students. (Coordinate this activity with Recommendation 1f.)
- f. *Monitoring and Accountability.*** Develop a process for ongoing monitoring of expected referral, evaluation, and eligibility practices. Rather than using a traditional record-review model, review files so that school-based personnel are aware of issues and problems, and will better understand the need for follow-up action. Enable staff to observe best practices shown by others and receive coaching that will improve their knowledge and skills. (Coordinate this activity with Recommendation 1g.)

III. Teaching and Learning for Students with Disabilities

USDE has moved from a compliance-only posture towards special education to a Results-Driven Accountability (RDA) model. This change is based on data showing that the educational outcomes of America's children and youth with disabilities have not improved as expected, despite significant federal efforts to close achievement gaps. The accountability system that existed prior to the new one placed substantial emphasis on procedural compliance, but it often did not consider how requirements affected the learning outcomes of students.⁴⁹

The USDE's Office of Special Education Programs' (OSEP) vision for RDA was for all accountability components to be aligned to supporting states in improving results for students with disabilities. This approach is consistent with IDEA, which requires that the primary focus of the federal program be on improving educational results and functional outcomes for students with disabilities, along with meeting IDEA requirements. RDA fulfills these requirements by focusing both on outcomes for students with disabilities and on the compliance portions of the law.⁵⁰

According to its July 1, 2016 State Performance Plan (SPP)/Annual Performance Report (APR), the state is implementing ED's Results Driven Accountability (RDA) priorities by using all indicators (compliance and performance) to make compliance determinations. California's newly required State Systemic Improvement Plan (SSIP) focuses on the proficiency rates of students with disabilities who are eligible for free and reduced priced meals, foster youth, or English learners.

This section of the report is devoted to results and how SCUSD is supporting teaching and learning for students with IEPs, including young children ages three to five years. This section has the following subsections:

- Education of Young Children Ages Three to Five Years
- Student Achievement on NAEP and Statewide Assessments
- Educational Settings for Students with Disabilities
- Suspension and Expulsion Rates
- Academic Instruction, Interventions, and Supports
- Instruction for Students in SDC Programs
- Professional Learning

Education of Young Children Ages Three to Five Years

This subsection addresses academic outcomes for children with IEPs, their educational settings, and feedback from focus group participants.

⁴⁹ April 5, 2012, RDA Summary, U.S. Department of Education at www2.ed.gov/about/offices/list/osep/osep/rda-summary.doc.

⁵⁰ *Ibid.*

Achievement Outcomes for Children with IEPs (Three to Five Years of Age)

One of the indicators in California's SPP relates to the achievement of young children with disabilities in three areas: appropriate behavior, acquisition and use of knowledge and skills, and positive social/emotional skills. In each of these three areas, calculations are made on the percentage of children in the following two areas: (1) children who entered an early childhood program below developmental expectations for their age but who have substantially increased developmentally by age six when they exit a program, and (2) children functioning within expectations by age six or have attained those expectations by the time they exit the program.

For SCUSD students substantially improving their behavior and social/emotional skills and acquiring and using knowledge/skills, the district ranged between 3.3 and 10.7 percentage points below state targets. The district's gap with state targets was larger for students exiting with skills within age expectations, with percentage point differences ranging between 11.9 and 23.4.

Summarized below are the district's performance ratings in three categories for each of the two areas (substantially increased skills and functioning within standards). The percentages of children meeting standards and each of the state's targets are shown in Exhibit 3a.⁵¹

Substantially Increased Skills

For SCUSD children who entered an early childhood program below developmental expectations for their age but who substantially increased developmentally by age six when they exited the program, the following statistics compare the 2014-15 rates of SCUSD children meeting standards to state targets based on the state's SPP report.

- ***Appropriate Behavior to Meet Needs.*** 64.2 percent met standards, which was 8.5 percentage points below the state's target.
- ***Acquisition/Use of Knowledge/Skills.*** 66.7 percent met standards, which was 3.3 percentage points below the state's target.
- ***Positive Social/Emotional Skills.*** 64.3 percent met standards, which was 10.7 percentage points below the state's target.

Functioning Within Age Expectations

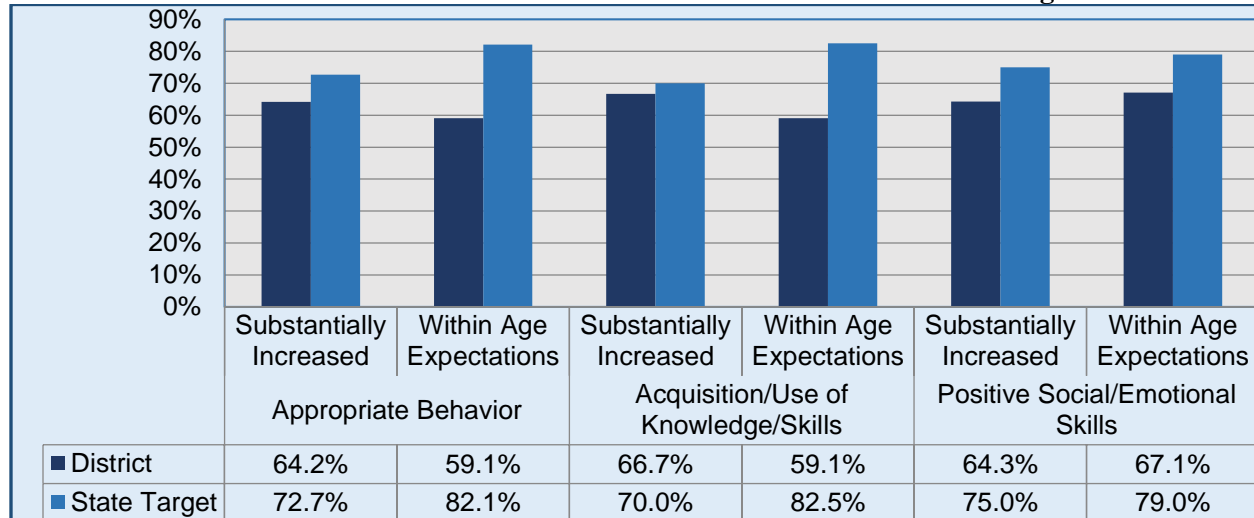
For children who were functioning within expectations by six years of age or had attained those expectations by the time they exited the program, the following data compare the percentages of children in Sacramento meeting the standards in 2014-15 to state performance target percentages for that year. (See Exhibit 3a.)

- ***Appropriate Behavior to Meet Needs.*** 59.1 percent met standards, which was 23.0 percentage points below the state target.
- ***Acquisition/Use of Knowledge/Skills.*** 59.1 percent met standards, which was 23.4 percentage points below the state target.

⁵¹ Retrieved from <http://www.cde.ca.gov/sp/se/ds/documents/indrptlea1415s.pdf>.

- **Positive Social/Emotional Skills.** 67.1 percent met standards, which was 11.9 percentage points below the state target.

Exhibit 3a. 2014-15 Outcomes for District/State Children Three to Five Years of Age with IEPs



Educational Settings of Young Children Three to Five Years of Age

...[M]ost 3- to 5-year-olds with disabilities learn best when they attend preschools alongside their age-mates without disabilities to the greatest extent possible. These settings provide both language and behavioral models that assist in children's development and help all children learn to be productively engaged with diverse peers.⁵²

Studies have shown that when children with disabilities are included in the regular classroom setting, they demonstrate higher levels of social play, are more likely to initiate activities, and show substantial gains in key skills—cognitive skills, motor skills, and self-help skills. Participating in activities with typically developing peers allows children with disabilities to learn through modeling, and this learning helps them prepare for the real world. Researchers have found that typically developing children in inclusive classrooms are better able to accept differences and are more likely to see their classmates achieving despite their disabilities. They are also more aware of the needs of others.⁵³

The importance of inclusive education is underscored by a federal requirement, which requires that the extent to which young children (three to five years of age) receive the majority of their services in regular early childhood programs, i.e., inclusively or in separate settings, be included as a state performance-plan indicator.

⁵² California's Statewide Task Force on Special Education, One System: Reforming Education to Serve ALL Students, March 2015, retrieved from <http://www.smcoe.org/assets/files/about-smcoe/superintendents-office/statewide-special-education-task-force/Task%20Force%20Report%205.18.15.pdf>.

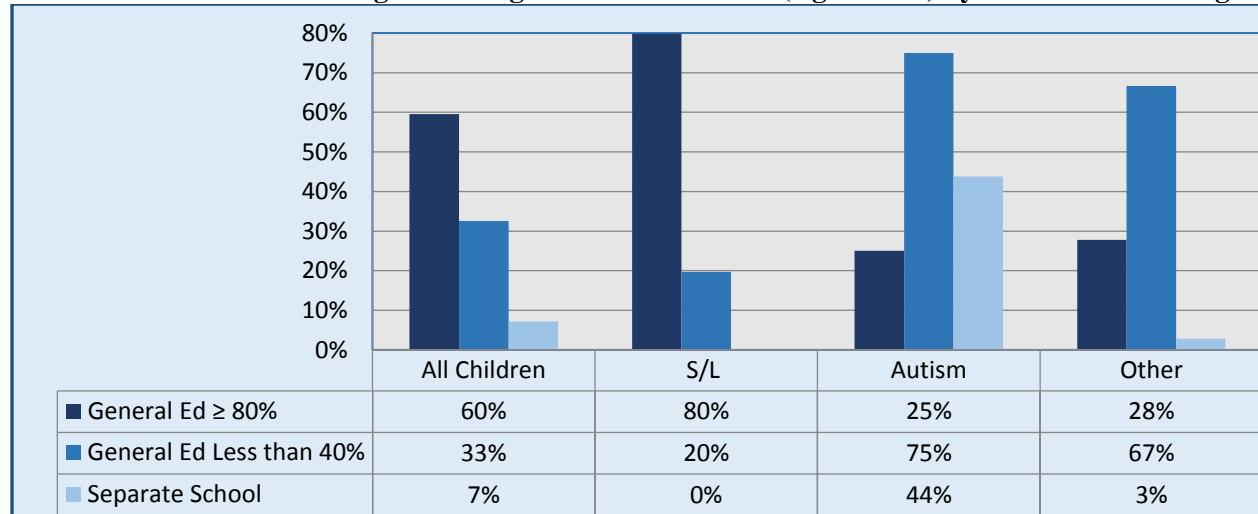
⁵³ Ronnie W. Jeter, The Benefits of Inclusion in Early Childhood Programs at <http://www.turben.com/article/83/274/The-Benefits-of-Inclusion-in-Early-Childhood-Programs>

District Educational Setting Rates

Exhibit 3b shows 2015-16 SCUSD percentages of three- to five-year-old children with disabilities who were educated in various educational settings. One educational setting, in general education less than 80 percent to 40 percent of the time, was not included because the overall figure was only one percent.

- **General Education At Least 80 Percent of the Time.** Overall, 60 percent of all children were educated inclusively with their typical peers. The 80 percent of all children with speech/language impairments educated in this setting was the highest figure for all disability areas.
- **General Education Less Than 40 Percent of the Time.** Some 33 percent of all children were educated most of the day in separate classes apart from their typical peers. By comparison, 75 percent of all students with autism and 67 percent of students representing seven different disability areas were educated in this setting.
- **Separate Schools.** Some 7 percent of all children were educated in a separate school. This figure was much higher (44 percent) for students with autism.

Exhibit 3b. 2015-16 Percentage of Young Children with IEPs (Ages 3 to 5) by Educational Setting



Student Achievement on the NAEP and Statewide Assessments for Grades 3-12

Beginning in 2015, USDE developed a determination rating based on the results driven accountability framework described earlier. Two matrices were used for this purpose, with 50 percent of the ratings based on results and 50 percent based on compliance.⁵⁴ The results component are calculated using the following indicators:

- Fourth/eighth graders participating in regular statewide assessments for reading and math
- Fourth/eighth graders scoring at or above basic in reading and math on the National

⁵⁴ For a full explanation of ED's methodology, see How the Department Made Determinations under Section 616(d) of the Individuals with Disabilities Education Act in 2015: Part B <http://www2.ed.gov/fund/data/report/idea/partbspap/2015/2015-part-b-how-determinations-made.pdf>

Assessment of Educational Progress (NAEP)

- Fourth/eighth graders included in NAEP testing for reading and math
- Students exiting school by graduating with a regular high school diploma
- Students exiting school by dropping out

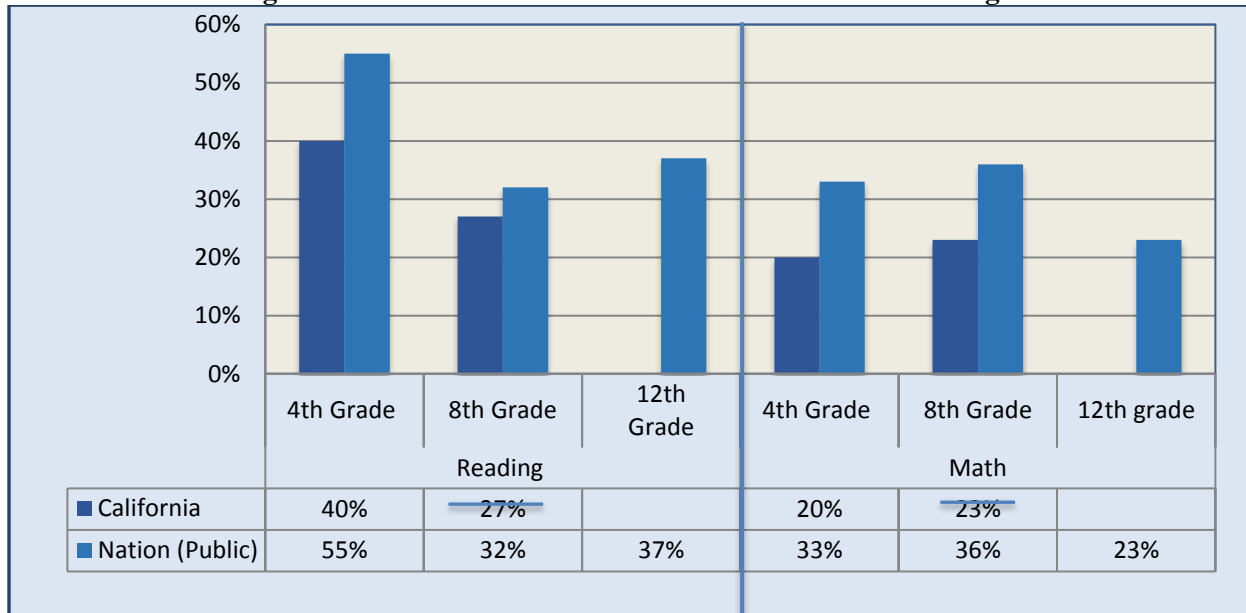
The information in this subsection discusses the achievement of California students on NAEP, as well as the performance of SCUSD students with disabilities on statewide assessments. In addition, graduation and dropout rates are assessed.

NAEP Achievement Rates for Fourth, Eighth, and Twelfth Grade Students with IEPs

In partnership with the National Assessment Governing Board and the Council of the Great City Schools, the Trial Urban District Assessment (TUDA) was created in 2002 to support improvements in student achievement in the nation's large urban districts. In 2015, 21 urban school districts voluntarily participated in TUDA and are able to track the achievement of their students by subgroup on a single comparable assessment. SCUSD does not participate in TUDA, so district achievement rates on NAEP are not available, but comparing state and national performance for students with disabilities provides a useful benchmark for SCUSD.⁵⁵

Exhibit 3c compares national and California data for students with disabilities who scored at or above basic levels on NAEP in reading and in math at grades four and eight. State data are not yet available for grade 12.

Exhibit 3c. Percentage of Students with IEPs at Basic/Above on NAEP Reading and Math



In general, achievement rates on NAEP were lower in California among fourth graders in reading than nationwide.

⁵⁵ The Nation's Report Card, retrieved from <http://www.nationsreportcard.gov/>.

Reading. In California, the percentage of students with disabilities scoring at levels basic/above in reading was 15 percentage points below the national average in fourth grade and 5 percentage points below in eighth grade.

- **4th Grade.** The percentage scoring basic/above was 40 percent at the state level and 55 percent at the national level.
- **8th Grade.** The percentage scoring basic/above was 27 percent at the state level and 32 percent at the national level.
- **12th Grade.** At the national level, 37 percent of students with disabilities scored at the basic/above level.

Math. In California, the percentages of students with disabilities scoring at basic/above levels in both fourth and eighth grades were 13 percentage points below the nation's public school peers.

- **4th Grade.** In the state, 20 percent of students with disabilities scored at basic/above levels; the national percentage was 33 percent.
- **8th Grade.** In the state, 23 percent of students with disabilities scored at basic/above levels; the national percentage was 36 percent.
- **12th Grade.** Only 23 percent of the nation's students scored at the basic/above level.

Statewide Assessments⁵⁶

The California Assessment of Student Performance and Progress (CAASPP) System is based on the Smarter Balanced Assessments. Optional interim assessments and a digital library with tools and practices are available to help teachers use formative assessments to improve teaching and learning in all grades.

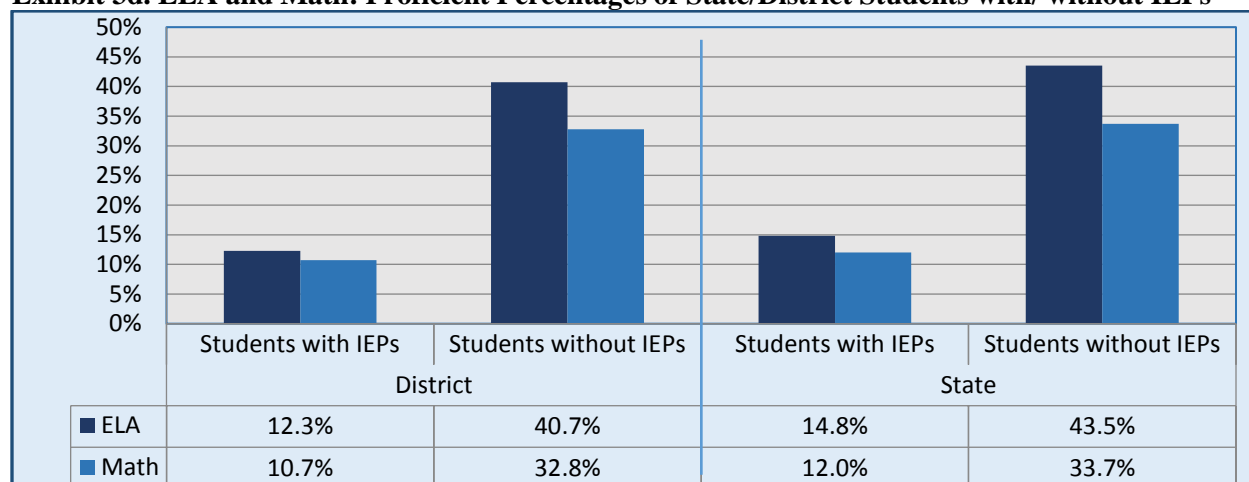
Statewide English Language Arts (ELA) and Math Assessments

Exhibit 3d shows district and state percentages of students with and without disabilities who scored proficient on statewide ELA and math assessments in 2014-15. In both subject areas, a larger percentage of California students were proficient than were district students with and without IEPs. The achievement gaps were greater in ELA than math.

- **English Language Arts.** Some 12.3 percent of the district's students with IEPs were proficient in ELA, which was 2.5 percentage points below the state figure. There was a 28.4 percentage point achievement gap between the district's students with and without IEPs. The state gap was slightly higher (28.7 percentage points).
- **Math.** A smaller 10.7 percent of the district's students with IEPs were proficient in math, which was 1.3 percentage points below the state figure. Some 22.1 percentage points separated the achievement of students with and without IEPs; the state gap was slightly smaller (21.7 percentage points).

⁵⁶ Achievement data was not provided by SCUSD. Information for this section was retrieved from the CDE website. The district's data was retrieved from <http://ayp.cde.ca.gov/reports/Acnt2015/2015APRDstAYPReport.aspx?cYear=&allCds=3467439&cChoice=AYP14b> and the state data was retrieved from <http://ayp.cde.ca.gov/reports/acnt2015/2015APRStAYPReport.aspx>.

Exhibit 3d. ELA and Math: Proficient Percentages of State/District Students with/ without IEPs



Educational Settings for Students with Disabilities

Research has consistently shown a positive relationship between effective and inclusive instruction and better outcomes for students with disabilities, including higher academic performance, higher likelihood of employment, higher participation rates in postsecondary education, and greater integration into the community. The 10-year National Longitudinal Transition Study-2 (NLTS 2) described the characteristics, experiences, and outcomes of a nationally representative sample of more than 11,000 youth ages 13 through 16 who were receiving special education services in grade seven or above when the study began in 2001. The study found that, while more time spent in general education classrooms was associated with lower *grades* for students with disabilities compared to their non-disabled peers, students who spent more time in general settings were closer to grade level on standardized math and language *tests* than were students with disabilities who spent more time in separate settings.⁵⁷ Research also shows that including students with a range of disabilities in general education classes does not affect the achievement of their non-disabled peers.⁵⁸

Similar results were found in a comprehensive study of school districts in Massachusetts. Students with disabilities who were in full-inclusion settings (spending 80 percent or more of the school day in general education classrooms) appeared to outperform similar students who were not included to the same extent in general education classrooms with their non-disabled peers. On average, these students earned higher scores on the statewide assessment (MCAS), graduated high school at higher rates, and were more likely to remain in their local school districts longer than students who were educated in substantially separate placements (spending less than 40

⁵⁷ Review of Special Education in the Houston Independent School District, Thomas Hehir & Associates Boston, Massachusetts, page 25, retrieved at http://www.houstonisd.org/cms/lib2/TX01001591/Centricity/Domain/7946/HISD__Special_Education_Report_2011_Final.pdf.

⁵⁸ See A. Kalambouka, P. Farrell, A. Dyson, & I. Kaplan. (2007, December). The impact of placing pupils with special educational needs in mainstream schools on the achievement of their peers. *Educational Research*, 49(4), 365–382.

percent of the day in a general education classroom). These findings were consistent across the elementary, middle, and high school years, as well as across subject areas.⁵⁹

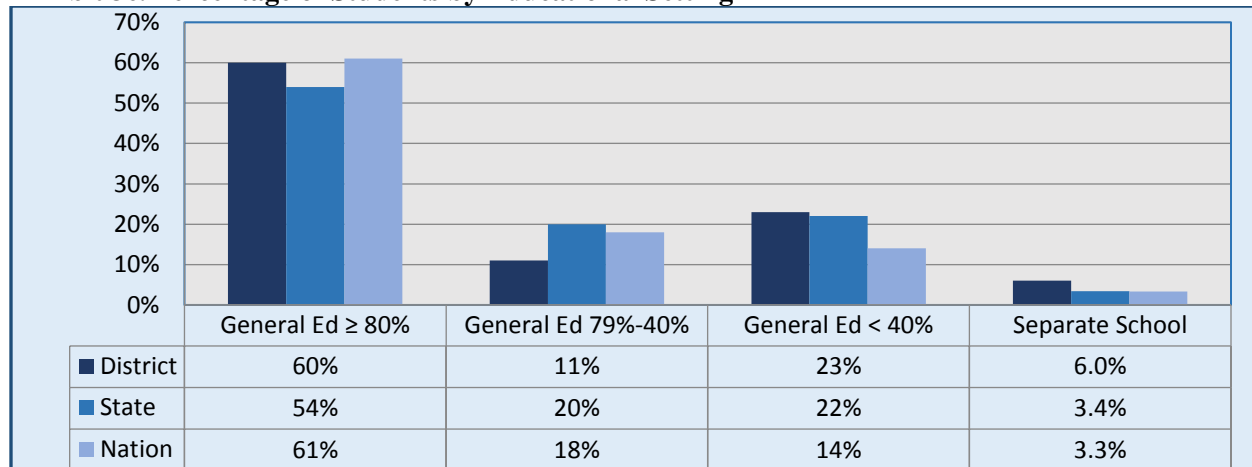
The SPP tracks students educated in one of three educational settings and sets targets for each: (1) time in general education 80 percent or more of the day, (2) time in general education less than 40 percent of the day, i.e., in separate classes, or (3) time in separate schools. States are expected to collect data for a fourth educational setting (in general education between 79 percent and 40 percent of the time), but the SPP indicator does not monitor this setting.

The information below describes SCUSD's reporting of these data, and provides data for district educational setting rates compared to state and national averages, rates by grade, by race/ethnicity, and by ELL status.

Comparison of Rates for District, State, and Nation

Data in Exhibit 3e show the composition of SCUSD's students with disabilities in the four educational settings, which are based on indicators established by the USDOE. Data compare SCUSD with California and national rates.⁶⁰

Exhibit 3e. Percentage of Students by Educational Setting



- ***In General Education at Least 80 Percent of the Time.*** The district's 60 percent rate for students in this inclusive setting was 6 percentage points higher than the state's rate and slightly below (1 percentage point) the nation's rate.
- ***In General Education Between 40 and 79 percent of the Time.*** The district's 11 percent rate for this setting was lower than state and national rates (9 points and 7 points lower, respectively).
- ***In General Education Less than 40 Percent of the Time.*** Generally considered to be a self-

⁵⁹ Thomas Hehir & Associates (2014, August) Review of Special Education in the Commonwealth of Massachusetts: A Synthesis Report, Boston, Massachusetts, retrieved at <http://www.doe.mass.edu/sped/hehir/2014-09synthesis.pdf>

⁶⁰ The data are 2015-16 school year numbers that the district provided to the Council team, 2012-13 state and national data was retrieved from <http://www2.ed.gov/fund/data/report/idea/partbspap/2013/tn-acc-stateprofile-11-12.pdf>.

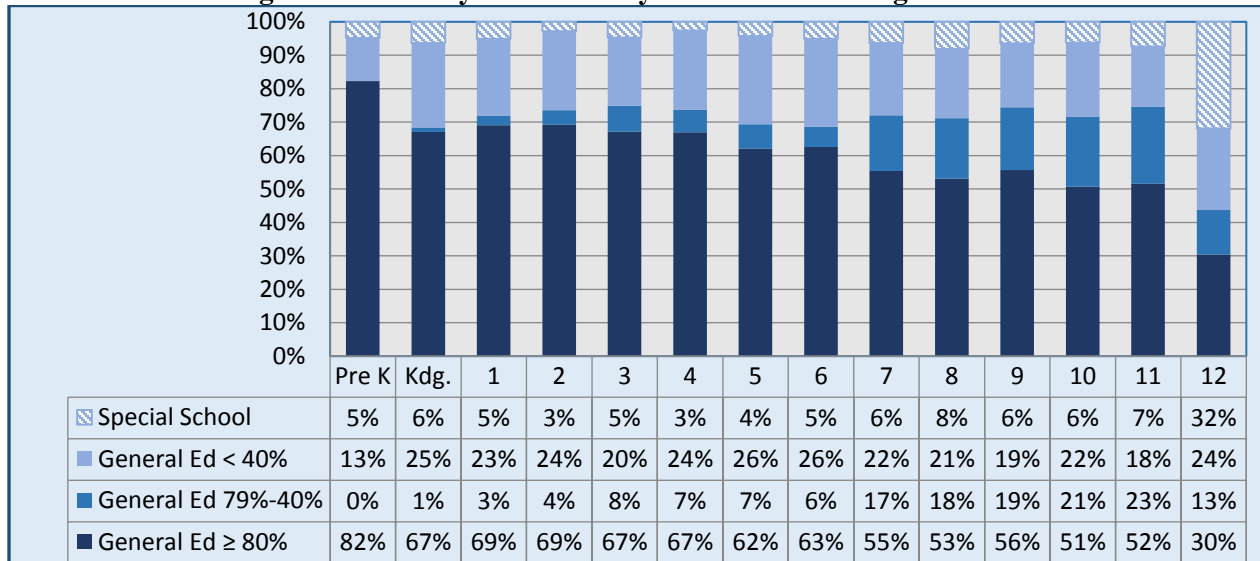
contained special education class setting, the district's 23 percent rate was higher than state and national rates (1 point and 9 points lower, respectively).

- **Separate Schools.** The district's 6.0 percent of students with disabilities who attended separate schools, including residential schools (both in and out of the district) was 2.6 percentage points higher than the state level and 2.7 percentage points higher than the national level.

Educational Setting Rates by Grade

As shown by Exhibit 3f, as the grades progress, larger percentages of district students are educated in separate schools, while smaller percentages of students are educated inclusively and in self-contained placements (less than 40 percent in general education).

Exhibit 3f. Percentage of Students by Grade and by Educational Setting



- **In General Education at Least 80 Percent of the Time.** Between kindergarten and fifth grade, percentages of students with IEPs in this setting ranged from 67 percent to 62 percent, but fell in sixth (63 percent), seventh (55 percent), and eighth grades (53 percent). At the high school level, the figures ranged between 56 percent (ninth grade) to 52 percent (eleventh grade).
- **In General Education Between 40 and 79 percent of the Time.** Between kindergarten and sixth grade, percentages ranged from 1 percent (kindergarten) to 8 percent (third grade). The rates increased in seventh (17 percent) and eighth grade (18 percent), and again in high school, from ninth grade (19 percent) through eleventh grade (23 percent).
- **In General Education Less than 40 Percent of the Time.** At the elementary level, the percentages for this self-contained setting ranged between 20 percent (third grade) and 26 percent (sixth grade). The rates decreased steadily beginning at seventh grade (22 percent) through eleventh grade (23 percent) as they increased in two other educational settings (general education between 79 percent and 40 percent, and special schools).
- **Separate Schools.** The percentages of students with disabilities in this most restrictive setting

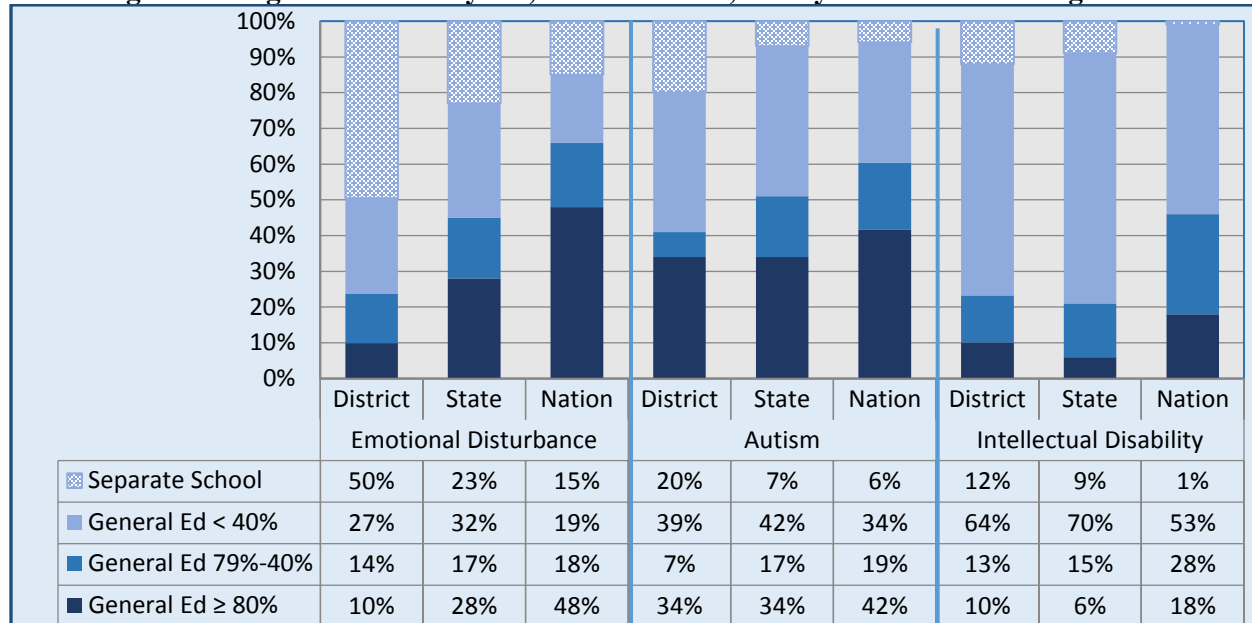
fluctuated with no apparent pattern with a low of 3 percent (second and fourth grades) and high of 8 percent (eighth grade). The 32 percent rate for twelfth graders is related to students who remain in school past the age of 18 (when most students graduate) to receive postsecondary transition services and activities.

Educational Setting Rates by Most Common Disability Areas

Exhibit 3g and 3h show the percentages of students in SCUSD, the nation, and the state by six major disability areas and by educational setting. In every category of disability, the district educates students in more restrictive environments at higher rates than the nation, and, in most areas, higher than the state.

Emotional Disturbance, Autism, and Intellectual Disabilities

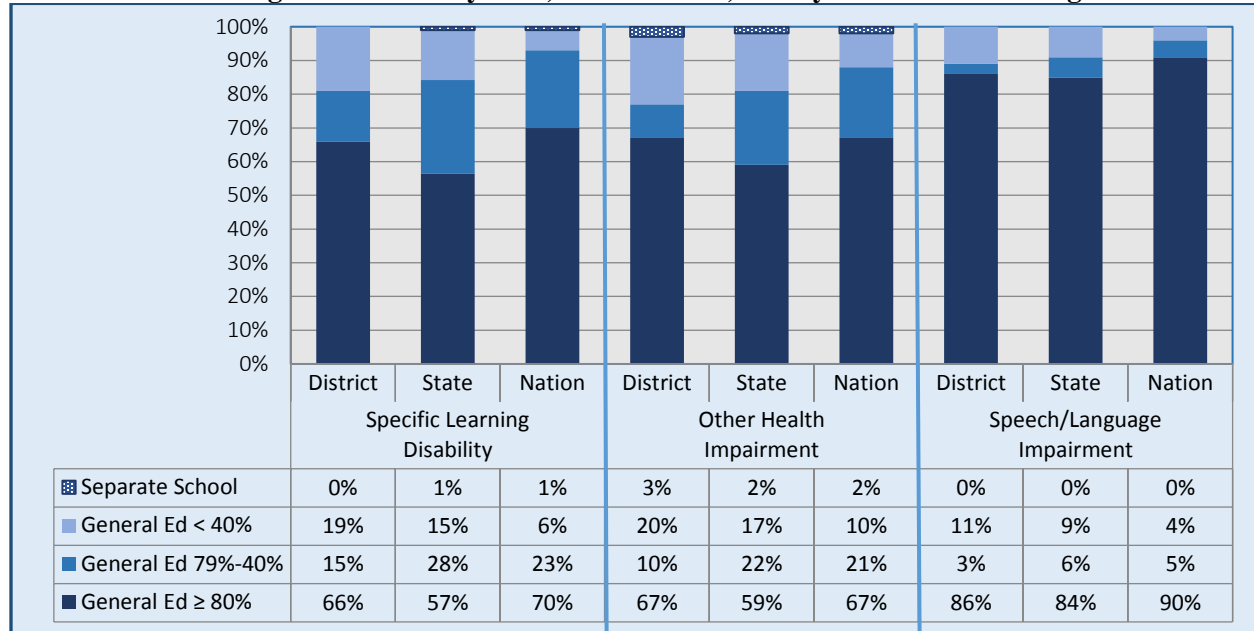
Exhibit 3g. Percentage of Students by ED, Autism and ID, and by Educational Setting



- **ED.** In the area of emotional disturbance, the district's figure of 50 percent of students educated in separate schools was 35 percentage points higher than the nation's and 27 points higher than the state's. Further, for students educated in general education at least 80 percent of the time, the district's figure of 10 percent was lower than the nation's 48 percent and the state's 28 percent.
- **Autism.** In the area of autism, the district's figure of 20 percent of students educated in separate schools was 14 percentage points higher than the nation's and 13 points higher than the state's.
- **ID.** In the area of intellectual disability, the district's figure of 64 percent of students in self-contained settings less than 40 percent of the time was 11 percentage points higher than the nation's but seven points lower than the state's. The district's figure of 12 percent of ID students educated in separate schools was 11 percentage points higher than the nation's and three points higher than the state's.

Specific Learning Disability, Other Health Impairment, and Speech/Language Impairment

Exhibit 3h. Percentage of Students by SLD, OHI and SLI, and by Educational Setting

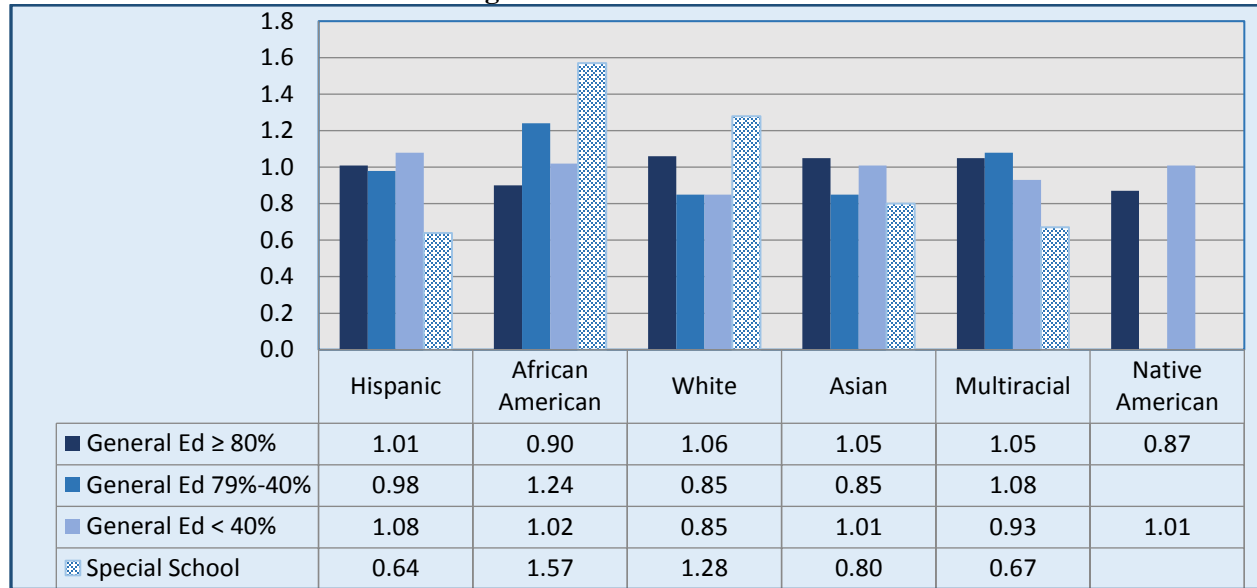


- **SLD.** Nineteen percent of district students with a specific learning disability were educated in general education settings less than 40% of the time—13 percentage points higher than the nation’s and 4 points higher than the state’s.
- **OHI.** Twenty percent of district students with other health impairments were educated in general education settings less than 40% of the time—10 percentage points higher than the nation’s and 3 points higher than the state’s. For separate schools, the district’s 3 percent figure is higher than the nation and state, both at 2 percent.
- **SLI.** Eleven percent of district students with a speech/language impairment were educated in general education settings less than 40% of the time—7 percentage points higher than the nation’s and 2 points higher than the state’s.

Educational Setting Rates by Race/Ethnicity

Using a risk ratio, Exhibit 3i shows the likelihood that students from each racial/ethnic group will be educated in the designated educational settings compared to students in all other racial/ethnic groups. A risk ratio of “1” reflects no risk. Higher numbers reflect greater risk or likelihood of placement. These data show that the risk for students from any racial/ethnic group of being placed in a specific educational setting was close to “2,” a level that should raise concerns. The highest area of risk was for African American students, who were 1.57 times more likely than other students to be educated in separate schools.

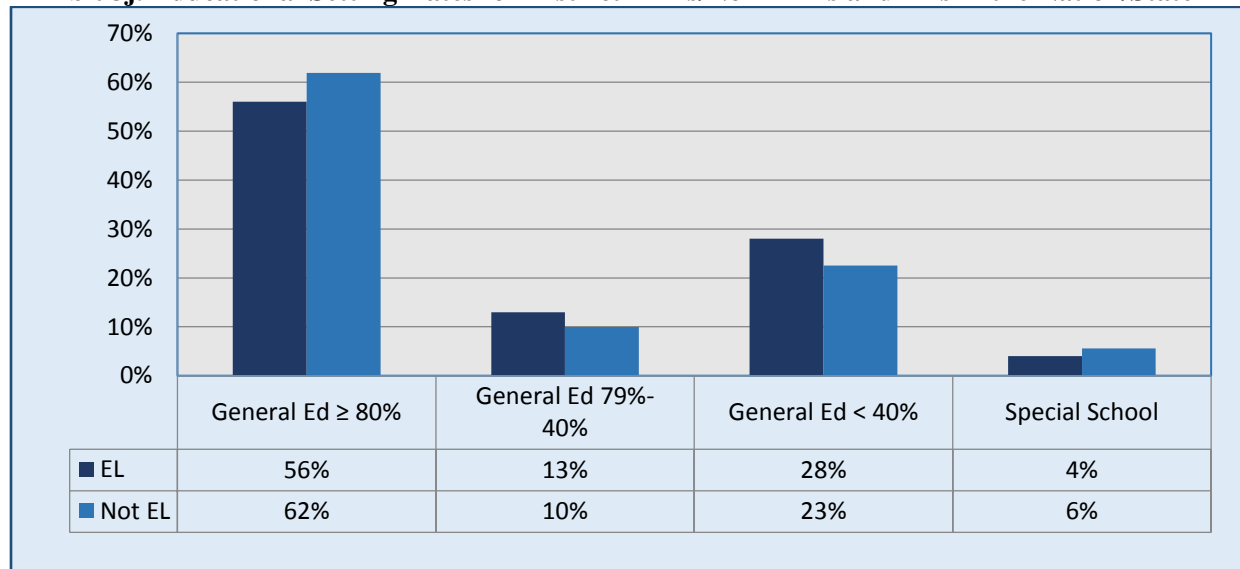
Exhibit 3i. SCUSD Educational Setting Risk Ratios



Educational Setting Rates for ELLs

Except for the separate school setting, SCUSD students who were English learners were educated in more restrictive settings more frequently than were students who were not ELLs. (See Exhibit 3j.) The differences, however, were not significant. Some 56 percent of ELLs with IEPs, compared to 62 percent of non-ELLs, were educated in *least* restrictive settings (general education at least 80 percent of the time), and 4 percent of ELLs compared to 6 percent of non-ELs were educated in the *most* restrictive setting (special schools). A larger percent of ELLs (28 percent), compared to non-ELLs (23 percent), were educated in general education less than 40 percent of the time.

Exhibit 3j. Educational Setting Rates for District ELLs/Non-ELLs and ELs in the Nation/State



Suspension and Expulsion Rates

Another critical issue that affects the achievement of students with disabilities is the extent to which they are suspended. Indicator 4 of the state performance plan measures out-of-suspensions of more than 10 days for students with and without IEPs, as well as suspensions for students with IEPs by race/ethnicity. Under the newly released USDOE guidelines, significant disproportionality is to be measured (using a risk ratio and alternate risk ratio for small cell numbers) for:

- Out of school suspensions (OSS) of 1-10 days, and more than 10 days;
- In-school suspensions (ISS) of 1-10 days, and more than 10 days;
- Removals to an interim alternative education setting; and
- Removals by a hearing officer.

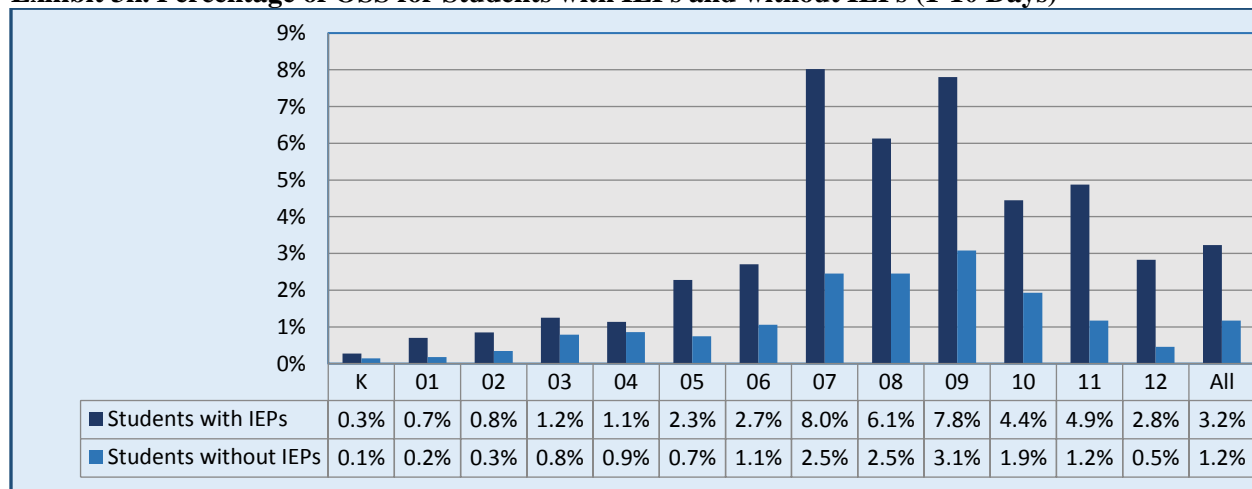
Out-of-School Suspensions

The information below describes the district's OSSs by grade and by race/ethnicity for students with and without IEPs for periods of 1-10 days and more than 10 days. In every category, students with IEPs were suspended at rates that were higher than for students without IEPs, and the rates increased significantly at seventh grade. Also, African American students with IEPs had suspension rates and risks of suspension far higher than other students with IEPs.

OSSs for 1-10 Days by Grade

Exhibit 3k shows the percentage of students with and without IEPs receiving an out-of-school suspension (OSS) for 1 to 10 days by grade. Overall, 3.2 percent of students with IEPs were suspended, compared to 1.2 percent of students without IEPs. Students with IEPs were 2.5 times more likely than those without IEPs to be suspended. In each grade, students with IEPs were suspended at rates that were much higher than students without IEPs. The suspension rates for both sets of students increased significantly beginning at the seventh grade, when 8.0 percent (from 2.7 percent) of students with IEPs were suspended, compared to 2.5 percent (from 1.1 percent) of those without IEPs.

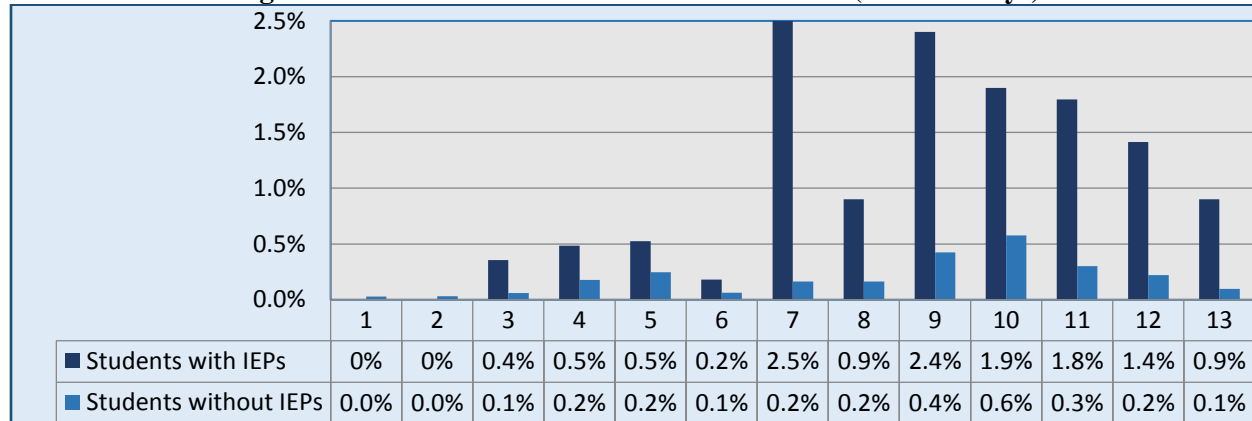
Exhibit 3k. Percentage of OSS for Students with IEPs and without IEPs (1-10 Days)



OSSs for More than 10 Days by Grade

As shown on Exhibit 3l, OSSs of more than 10 days were received by 0.9 percent of all students with IEPs, compared to 0.1 percent of students without IEPs, meaning that students with IEPs were 5.05 times more likely than those without IEPs to be suspended for this period of time. The numbers of suspensions escalated for students with IEPs beginning in the seventh grade, when the percentage increased to 2.5 percent (from 0.2 percent) of students with IEPs receiving OSSs, while the figure for those without IEPs only increased to 0.2 percent (from 0.1 percent).

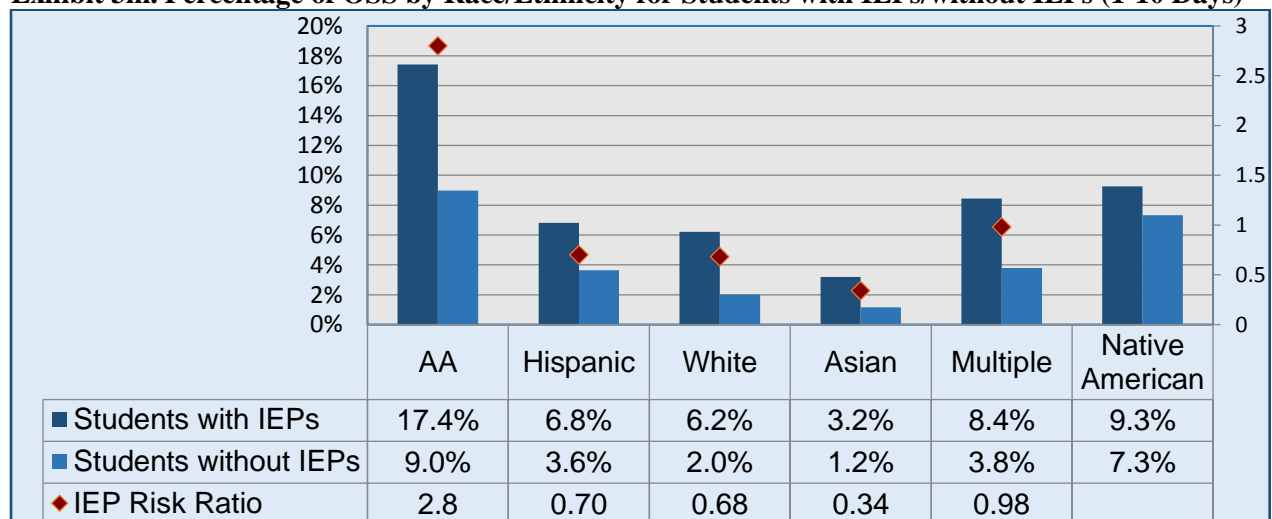
Exhibit 3l. Percentage of OSS for Students with IEPs/without IEPs (Over 10 Days)



OSSs for 1-10 Days by Race/Ethnicity

Exhibit 3m shows that 17.4 percent of African American students with IEPs received an OSS for 1-10 days, compared to 9.0 percent of African American students without IEPs. African American students with IEPs were 2.8 times more likely than all other students with IEPs to receive an OSS. This disparity was much higher than for any other racial/ethnic group.⁶¹

Exhibit 3m. Percentage of OSS by Race/Ethnicity for Students with IEPs/without IEPs (1-10 Days)



⁶¹ A risk ratio was not calculated for the Native American group because the numbers were too small.

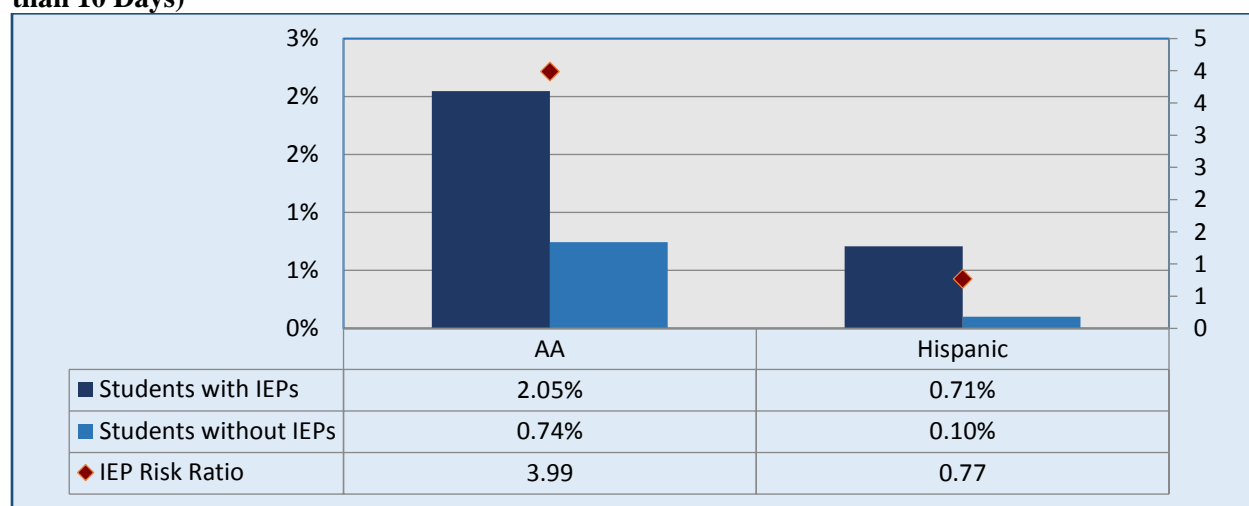
OSSs for More than 10 Days by Race/Ethnicity

In 2014-15, SCUSD was not found by the California Department of Education to have disproportionately high suspension rates based on race or ethnicity. Under the California state performance plan, school districts have disproportionate suspensions when students (three through 21 years of age) from a given racial or ethnic group are suspended out-of-school for more than 10 days at a rate that is higher than the state's for all students.

A denominator of at least 20 and numerator of at least two are required to perform this calculation for a district. According to the state's 2014-15 Special Education Annual Performance Report, the statewide average for suspensions for more than 10 days was 2.43 percent.

As shown by Exhibit 3n, which is based on data provided by SCUSD, 2.05 percent of African American students with IEPs and 0.71 percent of Hispanic students with IEPs were suspended for more than 10 days.⁶² African American students with IEPs were 3.99 times more likely to receive an OSS for this period of time, compared to all other students with IEPs. This large risk ratio is large and disconcerting.

Exhibit 3n. Percentage of OSS and Risk Ratios for African American and Hispanic Students (More than 10 Days)



In School Suspensions

The ISS patterns by grade and race/ethnicity mirror the OSS patterns described above.

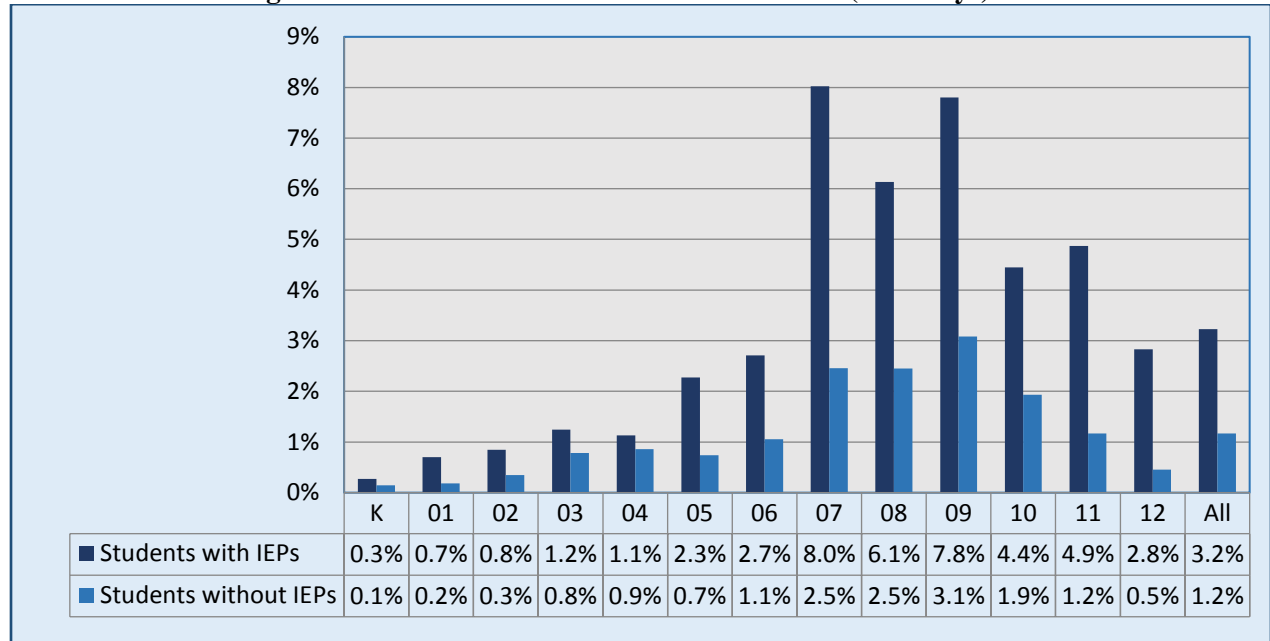
ISSs for 1-10 Days by Grade

Exhibit 3o shows that 3.2 percent of all students with IEPs received ISSs for 1-10 days, compared to 1.2 percent of students without IEPs. Students with IEPs were 2.76 times more likely than those without IEPs to receive an ISS. At seventh grade, the percentage of ISSs increases significantly, from 2.7 percent to 8.0 percent of students with IEPs suspended for 1-10 days. The percentage of students without IEPs receiving an ISS increased from 1.1 percent to 2.5

⁶² The numbers of students from other racial/ethnic groups did not meet the minimum numbers necessary to report.

percent. The pattern was similar to that of OSSs for both groups of students reported above. Only one student with an IEP received an ISS for more than 10 days.

Exhibit 3o. Percentage of ISS for Students with IEPs/without IEPs (1-10 Days)



Collective Bargaining Agreement Provision on Safety Conditions

Article 11 of the SCTA and SCUSD Collective Bargaining Agreement has a provision that states, “[b]ehavior which is inimical to a proper and positive learning environment shall be cause for a removal from a classroom.” In these circumstances, the teacher must notify the administrator/designated to provide for the student’s continuous supervision. (11.1.1) Given the proportionately larger percentages of in-school and out-of-school suspensions received by students with IEPs, including OSSs of more than 10 days, the application of this provision merits scrutiny. Further, as applied to students with disabilities, there could be circumstances when an unconditional removal of a student would not be consistent with relevant IDEA procedures.

Academic Instruction, Intervention, and Supports

A fundamental goal of the common core state standards (CCSS) was to create a culture of high expectations for all students. In a statement on the application of the common core to students with disabilities, the CCSS website includes a statement that reinforces its inclusionary intent:

Students with disabilities ... must be challenged to excel within the general curriculum and be prepared for success in their post-school lives, including college and/or careers.” These common standards provide historic opportunity to

improve access to rigorous academic content standards for students with disabilities.⁶³

The statement emphasizes the supports and accommodations students with disabilities need in order to meet high academic standards and fully demonstrate their conceptual and procedural knowledge and skills in ELA (reading, writing, speaking, and listening) and mathematics. These supports and accommodations should ensure that students have full access to the common core's content and allow students to demonstrate their knowledge and skills. These expectations for students with disabilities include the following elements:

- ***Instruction and related services*** designed to meet the unique needs of students with disabilities and enable them to access the general education curriculum.
- ***Teachers and specialized instructional support personnel*** who are prepared and qualified to deliver high-quality, evidence-based, and individualized instruction and support.
- ***Instructional supports for learning*** that are based on the principles of universal design for learning (UDL), which foster student engagement by presenting information in multiple ways and allowing diverse avenues of action and expression.⁶⁴
- ***Instructional accommodations*** that reflect changes in materials (e.g., assistive technology) or procedures that do not change or dilute the standards but allow students to learn within the CCSS framework.

The general education curriculum refers to the full range of courses, activities, lessons, and materials routinely used by the general population of a school. Students with disabilities have access to this curriculum when they are actively engaged in learning the content and skills that are being taught to all students. To participate with success in the general curriculum, a student with a disability may need additional supports and services, such as instructional supports for learning, instructional accommodations, scaffolding, assistive technology, and services. Through a universal design for learning (UDL) approach, information is presented in multiple ways, allowing diverse avenues of learning and expression.⁶⁵

When special educators teach students from multiple grades in one self-contained class, it is extremely difficult, if not impossible, for them to focus on each grade's content standards with any depth or effectiveness. When schools are organized in an inclusive manner, they are better able to support students with various disabilities and enable them to attend the school they would otherwise attend if not disabled, that is, their home school. This model enables more students with disabilities to attend school in their community, supports a more natural proportion of

⁶³ Retrieved at <http://www.corestandards.org/assets/application-to-students-with-disabilities.pdf>.

⁶⁴ UDL is defined as “a scientifically valid framework for guiding educational practice that (a) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and (b) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.” by Higher Education Opportunity Act (PL 110-135). See the National Center on Universal Design for Learning at <http://www.udlcenter.org/>.

⁶⁵ TDOE Special Education Framework 2014, retrieved from http://www.tennessee.gov/assets/entities/education/attachments/sped_framework_implementation_guide.pdf.

students with disabilities at each school, and reduces transportation time and costs. Still, general education instruction must be meaningful for students with disabilities, and their presence in the classroom, alone, is insufficient to make it so.

The March 2015 Statewide Task Force on Special Education reported achievement data for students with disabilities that was similar to the data reported earlier in this report for SCUSD. The Council's findings and recommendations are consistent with the Statewide Task Force recommendations. These proposals were designed for the majority of students who do not have significant intellectual disabilities and could be achieving at the same high standards as their general education peers. They also apply to students with significant intellectual disabilities who may achieve at higher rates than previously realized. Neither of these outcomes will occur, however, without appropriate services and supports. The outcomes are meant to increase the independence, quality of life, and employment opportunities and lifetime earnings for individuals with disabilities compared to their peers without disabilities, and to reduce the school-to-prison pipeline for these students.⁶⁶

Instead of opening a door to a brighter future, special education for many students is a dead end. Once identified as needing special services, particularly for learning disabilities, students rarely catch up to their peers. Those who do not require separate settings in order to succeed end up spending most of their instructional time apart from general education settings, where instruction is often academically richer and the social interactions more reflective of the world that students will inhabit as adults. Special education too often becomes a place student go, rather than a set of supports to help students succeed.⁶⁷

SCUSD's Movement toward More Inclusive Instruction

According to information provided by the district, there are six inclusive-practices schools in which students with IEPs were educated in general education classes. This initiative began about six years ago with a nationally known consultant but has not expanded due to fiscal restraints. However, district personnel have targeted 11 schools at which they want to expand co-teaching practices. Their goal is to modify the traditional resource program where students are removed from general education classes to receive instruction. Inclusive coaches are assigned to the combined 17 schools, which include the original six inclusive-practices schools and the additional 11 that are using a co-teaching model for some core curriculum classes. The coaches observe instruction, and provide feedback to teachers. Reportedly, the training has gone well; participants have enjoyed the opportunity to collaborate, and parents favor the service delivery.

There was a perception amongst some interviewees that SCUSD's version of inclusion was the same as "co-teaching."⁶⁸ This more exclusive co-teaching model negates other approaches that are effective, such as consultation/collaboration, and the grouping of students

⁶⁶ According to the California's Statewide Task Force on Special Education report, "Some researchers have found that upwards of 70 percent of juveniles who are arrested had been identified as needing special education services. This would mean the vast majority of adults in the burgeoning prison system were at one time students with disabilities." Page 4, retrieved from <http://www.smcoe.org/assets/files/about-smcoe/superintendents-office/statewide-special-education-task-force/Task%20Force%20Report%205.18.15.pdf>.

⁶⁷ *Id.*

⁶⁸ It should be noted that the district defines inclusive practices to be more than just "co-teaching."

(with and without IEPs) across classes for common tiered-intervention. Still, there does not appear to be a systemwide culture of inclusivity in the district that promotes services based on student needs. Instead, the district relies on a traditional special day class (SDC) structure for students with more significant needs.

Focus group participants provided additional feedback about the district's efforts in this area.

- ***Inclusive Practices Viewpoints.*** Some focus group members indicated that the district's inclusive-practices schools were doing well, provided excellent examples of effective inclusive practices, and wondered how the practice might be expanded and remain effective. Others expressed concern that the district does not have structures in place to ensure that the inclusive coaches are used effectively in their schools, and that their influence was limited when school leadership does not actively support their activities.
- ***Co-Teaching.*** There was a strong sense that in some schools co-teachers believed that their caseloads were too high to provide effective supports to their students. For example, two special educators reported that they teach students from kindergarten through sixth grades with conflicting co-teaching class schedules. While it was reported that the district's consultant did not recommend a single model for all schools, there were concerns that there was not a consistent use of the most effective co-teaching models.
- ***Student Outcomes.*** There was a perception that co-teaching had not improved student outcomes. There were no data⁶⁹ to compare the achievement of students with similar characteristics who had been taught with and without co-teaching, or data to determine the extent to which the instructional model was implemented with fidelity.
- ***Support for Students.*** There were also concerns that students from SDCs who were now in general education classes, especially at the high school level, did not have a single "anchor." Some special educators with large caseloads lacked the time to check in with students—who might have multiple teachers.
- ***Common Message.*** The school system continues to fight the divide between special and general education, with no clear single message to reinforce a collaborative approach to delivering instruction, enhancing teacher capacity, and meeting student needs.
- ***SCTA.*** SCTA representatives raised various issues about inclusive practices, e.g., the lack of resource availability and capacity, which were similar to those that the team heard from other focus groups at the central office and school level.

The district understands that the Tentative Agreement with SCTA precludes inclusive-practice schools initiative from being expanded until the SCTA's concerns are addressed. Unfortunately, there does not seem to be a clear path for identifying issues and how they could be resolved to SCTA's satisfaction. Union representatives claimed that the union was not against inclusion, but they did have concerns.

⁶⁹ Although the district collected data during the early years of co-teaching, the activity stopped because of teacher workload and data-collection burden. Based on a sample of student work completed in inclusive settings and traditional SDC settings for students with similar characteristics, the district found that students educated in inclusive settings engaged in more rigorous work.

Impact of the Collective Bargaining Agreement's Appendix D and Tentative Agreement

Appendix D of the district's Collective Bargaining Agreement between SCUSD and the SCTA (Agreement) pertains to "Special Education – Student Inclusion." During the team's visit to the district, many focus group members referred to Appendix D as being problematic and interfering with the district's efforts to educate students in a more inclusive and effective manner.

- **Language Replacing Appendix D's Section 1.** SCTA and SCUSD negotiated a Tentative Agreement for the 2014-15 and 15-16 fiscal years, which was executed on September 4, 2014. Number 18 of the Tentative Agreement states:

The Parties agree to create a new Section 1 under Appendix D understanding and using the following:

Consistent with Special Education laws and student needs, the District has the discretion to place any special education student in any classroom or setting including general education. The parties agree that the language in Appendix D needs further discussion and understanding to mutually develop quality supports for the special education and the student *inclusion program*. (Italics added.)

Effective beginning September 2014-15 school year, the Parties agree to establish a workgroup to discuss the negotiable effects of the District's student *inclusion program*. (Italics added.) The workgroup will be asked to complete its work as soon as possible in the 2014-15 school year.

As of the Council team's visit, the workgroup had still not yet completed its work, and there was no anticipated completion date. Union representatives indicated that they wanted to renegotiate Appendix D, and to hold discussions with the district about MTSS and inclusive practices. The representatives claimed that they supported these efforts, but wanted to ensure that appropriate training and resources are in place. They were disappointed with what they perceived to be the district's poor communication and non-responsiveness in the negotiations. Management had their own version of events.

Currently, the Tentative Agreement terms modify Section 1 of Appendix D only to the extent that the district has the discretion to place students with disabilities in any classroom or setting, including general education, consistent with special education laws and student needs. Regardless of this provision, several focus group participants indicated that general educators could refuse to educate students with IEPs in their classrooms.

The following provisions of Appendix D are problematic as well:

- **Three Models of Inclusion.** Appendix D describes three types of inclusion with reference to the 1993-94 school year. These models pertain to: 1) one student with a severe disability enrolled in a regular class; 2) whole class collaborative inclusion; and 3) special education class spread among regular education classes.
 - **Acceptance by Regular Education Teacher.** All three models have a specific condition that a regular education teacher must agree to accept or receive "special education

students.” (Sections 1.1.4, 1.2.2, and 1.3.2) Presumably, but not explicitly stated in Number 18 of the Tentative Agreement, the teacher’s discretion is overridden by the district’s placement discretion consistent with special education laws and student needs.

- ***One Student with a Severe Disability Enrolled in a Regular Class.*** Under this model, a student who is classified as having a severe disability is enrolled in a regular education class. (Section 1) The regular educator is to receive a \$50 monthly stipend (presumably for each student), an additional 60 minutes for prep time or a release day each month for training and collaboration. (Sections 1.1-5)

According to focus group participants, the teachers of students with severe disabilities who are fully included in general education classes are generally co-teaching with special educators. The Agreement neither changes the stipend nor adjusts any other general educator benefits when this instructional model, or any other model providing substantial support to the general educator, is used.⁷⁰

- ***Whole Class Collaborative Inclusion.*** This co-teaching model requires either a regular education class reduction of two students—or 25 percent of the special education class, whichever is greater—and a reduction of the special education class by two students. Again, the provision applies to “regular education teachers who agree to accept special education students...” (Sections 1.2.1-4)
- ***Special Education Class Spread among Regular Education Classes.*** Students with IEPs will include additional aide time, specialist time, and time of others as determined appropriate. Each regular education classroom must have three students below the regular maximum. (Sections 1.3.1-3)

Presumably, this model pertains to SDCs and is applicable only when all students from an SDC through the IEP process are “spread among regular education classes.” This provision could apply to the fully inclusive practices model that was implemented in six schools several years ago. Typically, inclusive practices are not initiated with a full-scale transfer of students from an SDC to regular classes. Such a practice disproportionately impacts the school’s regular education classes, while schools without SDCs never would have their regular education classes impacted in this manner.⁷¹ If, based on an IEP, it would be appropriate for a student in an SDC to be educated full time in a regular classroom, the student could return to his/her home school without such an impact.

Difference between “Inclusive Education” and SCUSD’s “Inclusion Program”

Inclusive education, in its most basic definition, means that students with disabilities are supported members of chronologically age-appropriate general education classes in their home schools, receiving the specialized instruction

⁷⁰ This concern reflects the ambiguous nature of the definition of severe disability that was never operationally defined and makes the interpretation difficult.

⁷¹ See Exhibit 3p below, which shows that 18 (25 percent) of 72 schools have no SDCs.

delineated by their IEPs within the context of the core curriculum and general class activities.⁷²

Inclusive education is neither defined nor implemented as a “program.” Rather, inclusive education reflects a vision and practice that enables students with disabilities to receive meaningful differentiated instruction within general education classes and supplemental interventions either inside or outside the general education class. Because each student has different needs, instruction and services must be flexible and not be provided within a fixed programmatic structure.

In two instances, the Tentative Agreement refers to the district’s “inclusion program,” and Appendix D describes three specific models. The district’s current initiative, which includes the original six inclusive-practices schools and 11 additional schools, is based on a co-teaching model, and the movement of students from resource classes and SDCs to general education classes. This narrow approach does not address how schools could support newly identified students with IEPs in general education classes in their home schools (or schools of choice) with flexible services, differentiated core instruction, and necessary interventions. Other strategies, which rely heavily on collaboration and problem solving, in addition to co-teaching could also be used to benefit teaching and learning.

Instruction for Students in SDC Programs

School districts that operate without an MTSS framework often organize special education by programs predicated on a theory of “specialization” for groups of students with a preconceived set of common characteristics. In reality, such programs include students with a large range of achievement and behavior, as well as students with characteristics that fall between program types. In some circumstances, students develop behavioral issues because of the influence of peers. Such specialization can perpetuate the myth that student needs can be addressed fully with correct program matches based upon a prescribed set of characteristics. If a student is not succeeding, then it is presumed to be because he or she is simply in the wrong program, so a new one is sought in order to provide a better fit. In such circumstances, there is pressure to create more specialized and categorical programs rather than creating a broad framework for general-education instruction and behavioral supports based on student need.

Application of 1 Percent Rule for Participation of Students in Alternate Assessment

The California Alternate Assessments are used for students with the most significant cognitive disabilities. Under the Every Student Succeeds Act (ESSA) and the recently issued implementing regulations, it is expected that no more than 1 percent of all students in grades taking a statewide assessment will participate in an alternate assessment. Although ESSA does not prohibit school districts from having a higher percentage of students with the most significant cognitive disabilities who take this assessment, states must keep statewide participation at 1 percent unless they get a waiver. To avoid or to support a waiver request, states may ask districts to justify any alternate assessment rates that exceed 1 percent. States and districts cannot use the

⁷² Statewide Special Education Task Force, Conceptual Framework for Special Education Task Force Successful Educational Evidence Based Practices, 2014-2015, page 3, retrieved from <http://www.smcoe.org/assets/files/about-smcoe/superintendents-office/statewide-special-education-task-force/EBP%20-%20Final%203.2.15.pdf>.

scores from alternative assessments to boost their proficiency rates in math or English by more than 1 percentage point. Note, however, the law has no limit on the number of students who could take these assessments.

For grades in which students are tested, 876 students are educated in separate classes more than 60 percent of the time and 130 are in separate schools, for a total of 1,006 students. Based on data provided by SCUSD, 258 students comprise 1 percent of all students in grades taking a statewide assessment.

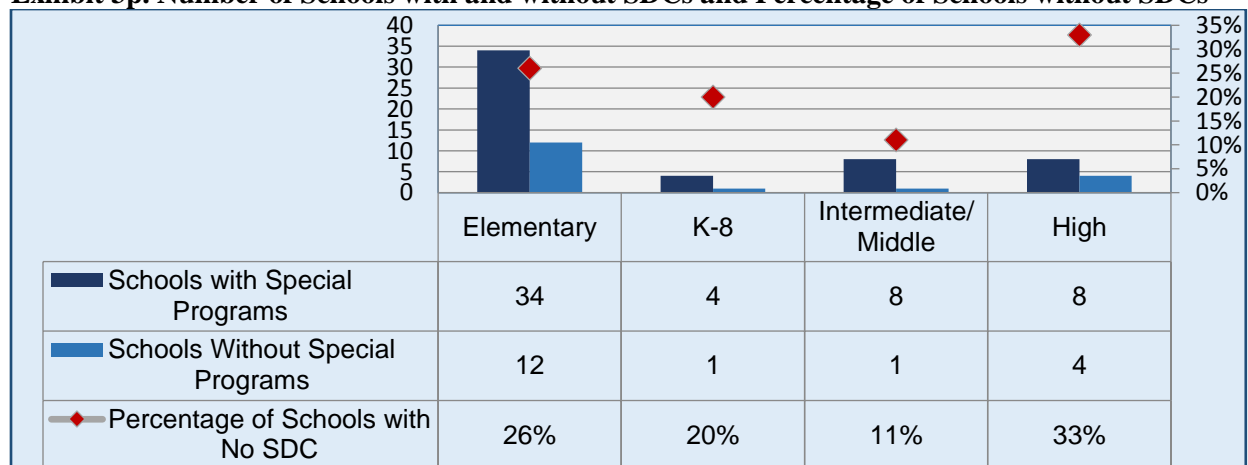
These data present two issues. First, the number of students educated most or all of the time in SDCs or separate schools far exceeds the 258 students who are permitted to take an alternate assessment without concern over federal or state monitoring. Second, for those students taking regular assessments, the data raises the questions: 1) to what extent are these students receiving instruction that is based on California's common core standards, and 2) to what extent are they receiving academic and positive behavioral interventions that will enable them to close the gap between their present levels of achievement and grade-level standards? District personnel are conducting a review of the curriculum currently in use for students who take alternate assessments to ensure it is aligned with state standards.

The following subsections describe the district's configuration of SDCs, and provide focus group feedback on various challenges to instruction.

Configuration of Special Day Classes

Based on data provided by the district, 18 of 71 schools (25 percent) do not have SDCs. As shown by Exhibit 3p, 26 percent of elementary schools, 20 percent of K-8 schools, 11 percent of middle schools, and 33 percent of high schools do not host an SDC. District representatives explained that there are many configurations of schools--large and small, multi-grade, etc.—which impact the ability to operate SDC(s) on certain sites.

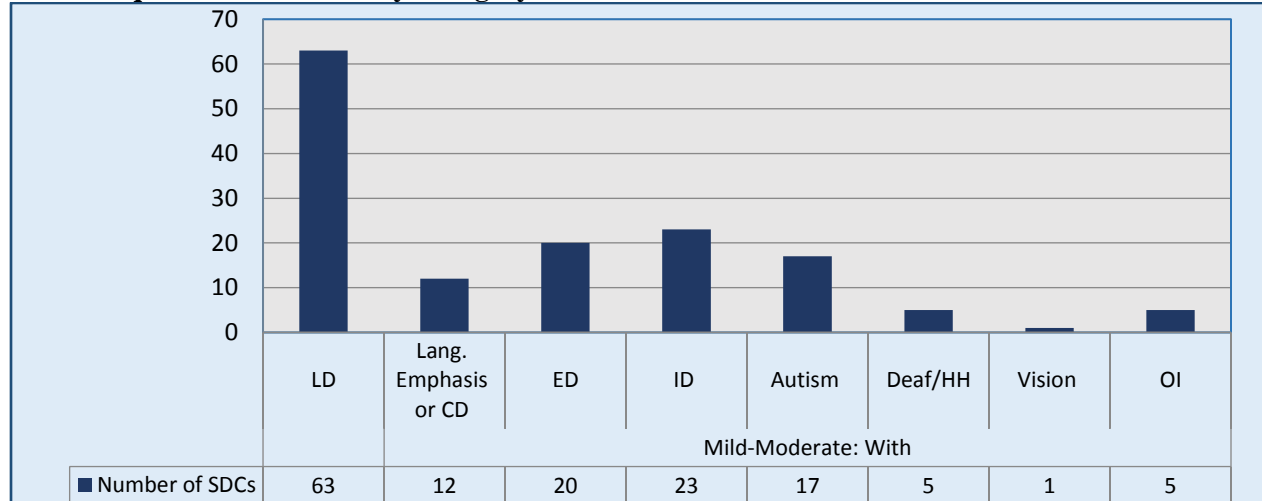
Exhibit 3p. Number of Schools with and without SDCs and Percentage of Schools without SDCs



SCUSD's configuration of special day classes (SDC) is organized primarily by eight disability categories. The 63 SDCs that educate students with learning disabilities comprise 43 percent of the 146 SDCs. The remaining seven categories, which apply to students with mild to

moderate disabilities, and the number of SDCs in each are as follows: communication disability (12),⁷³ emotional disturbance (20), intellectual disability (23), autism (17), deaf/hard of hearing (5), vision (1), and orthopedic impairment (5). (Exhibit 3q.)

Exhibit 3q. Number of SDCs by Category



From preschool through intermediate grade/middle school, the number of SDCs steadily increases, and then decreases by 20 classes at the high school level: preschool (14), primary/K-8 (33), intermediate/middle school (65), and high school (45). (Exhibit 3r.)

Exhibit 3r. Number of SDCs by Grade Level

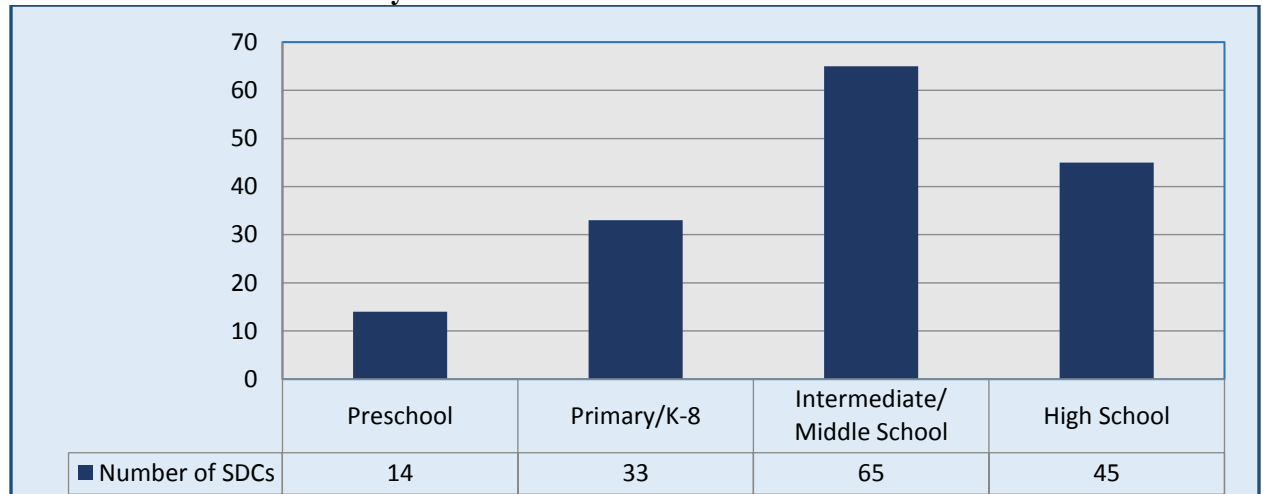


Exhibit 3s shows the number of SDCs by category and grade level. Intellectual disability comprises the only category with more classes at the high school level (9) than at the intermediate/middle school level (8). This circumstance is most likely related to students

⁷³ “Communicatively Disabled” SDCs have been taught by speech/language specialists who emphasize the development of language and pragmatics, and social skills. With personnel shortages, classes may be taught by special educators. According to SCUSD, most students in this SDC program has autism and are usually higher functioning, but they cannot tolerate the sensory input of a large classroom, or their behavioral needs require a smaller student to teacher ratio.

remaining in school beyond 18 years of age to receive postsecondary transition services. The largest decline of classes occurs for learning disability (28 to 18), and communication disability (9 to 4). The number of classes for students with emotional disturbance increases significantly from primary to the intermediate/middle school level (1 to 11), and then decreases from intermediate/middle school to high school (11 to 8).

Exhibit 3s. Number of SDCs by Category and Grade Level

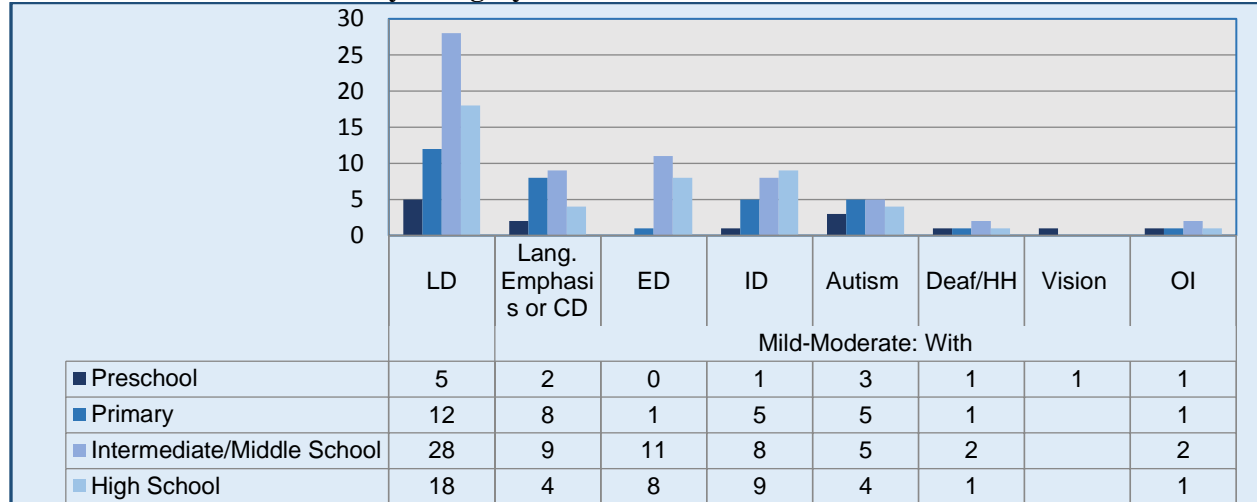
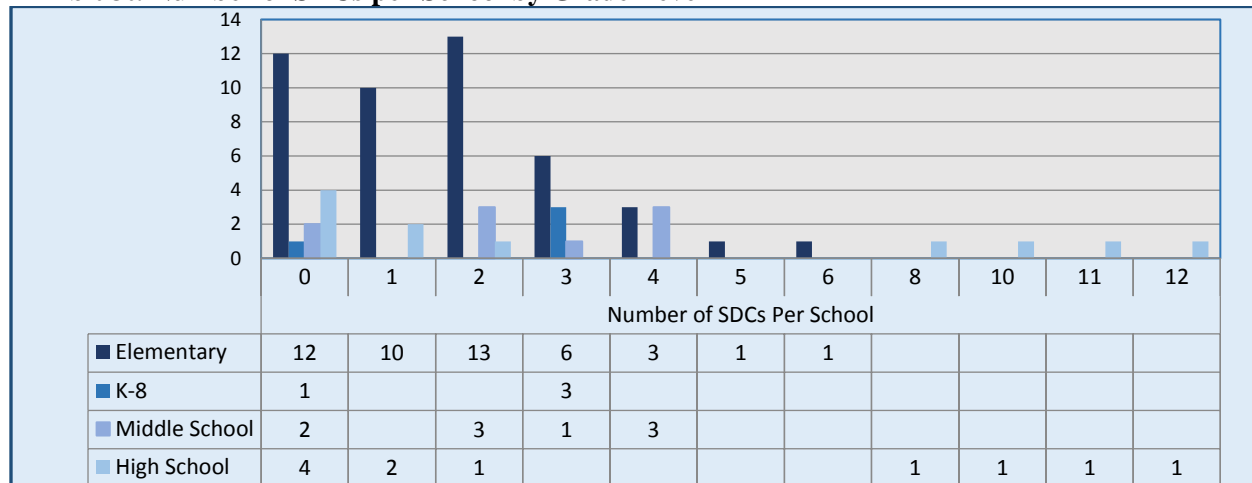


Exhibit 3t shows the number of classes per school and by grade level. The largest figure pertains to the 19 schools with no SDCs. Most schools with SDCs have one (12 schools), two (17 schools), or three (10 schools) classes. Two elementary schools have 5 or 6 classes, and four high schools have 8 to 12 classes.

Exhibit 3t. Number of SDCs per School by Grade Level



Focus Group Participant Feedback about SDCs

Several systemic concerns were raised by focus group participants about the challenges facing special educators in SDCs. While we met an educator who has been teaching in the same SDC program for over 25 years, there were reports that others leave their SDC positions for a variety of reasons.

- **Multiple Grades and High Caseloads.** With three grade levels of students in their classes, teachers have difficulty keeping up with the different expectations for all. When an IEP is developed for one child the educator's task may appear to be manageable, but the task becomes challenging with high caseloads. The use of paraeducators does not compensate for this circumstance. Special education teacher vacancies for SDCs, such as two in one school, further exacerbate the situation.
- **Variety of Student Needs.** Although the district has eight different SDC programs, a common theme voiced in focus groups was that there were students in classes whose needs appeared to "not fit" with the needs of other students.
- **Literacy Interventions.** Some 63 SDCs for students with learning disabilities was the largest SDC program, yet there was a dearth of evidence-based interventions specifically designed to improve literacy for students achieving far below their peers in this setting.

Support for Students' Social/Emotional Needs

The mental health needs of students with disabilities have also been a growing issue during the last few years. The law governing the provision of mental health services in California changed a few years ago from a county-based to a school district-based resource, which is now provided through the special education process. SCUSD's education-related mental health service (ERMHS) teams are used to assess students' needs for designated instruction and support (DIS services). According to the district's Special Education Procedural Handbook, DIS service options include:

- **Consultation** to the teacher, student or parent by a behavior intervention specialist, psychologist, and/or social worker;
- **Collaboration** with a student's private mental-health provider;
- **Individual or small group counseling** or family counseling by a psychologist or social worker, or by the district's chosen community agency.
- **Assistance and training** to staff, collection of data, or monitoring of a behavior intervention plan (BIP) or positive behavior support plan by a behavior intervention specialist.

A large number of focus group participants shared anecdotes about students exhibiting severe behaviors and having significant social/emotional needs, and expressed frustration with the ERMHS process. Specifically, the following challenges were noted.

- **Modeling and Coaching.** Behavior intervention specialists do not model interventions or coach teachers. As a result, their suggestions are not viewed as particularly worthwhile, leaving teachers without effective support and resources. This perception may be due to the large number of requests for assessments that the behavior specialists receive.
- **Gatekeeping.** Many perceive that the process for obtaining effective services for students takes too long, and requires exhaustive documentation. In some cases, personnel believed that they had to suspend students they might not have otherwise suspended to document the need for this last step.
- **Assessment Priority.** School psychologists want to provide mental health services and

support, but their obligation to conduct formal assessments prevents them from doing so.

- ***Collaboration with Student Support Services.*** There is minimal interaction between the ERMHS process and student support services personnel who have expertise in addressing these areas of need.

Further affecting the support for students with significant behavioral and mental health challenges is the district's use of private agencies for behavioral and individual aides to supplement district-employed aides. We heard many concerns about paraprofessionals,⁷⁴ including their training, retention, and ability to collaborate with staff. More information about paraprofessionals, including how their need is determined, is discussed below. (See section IV. Support for Teaching and Learning.)

Unquestionably, school personnel and parents are frustrated when students exhibit serious behavior and mental health issues that do not appear to be satisfactorily addressed. The answer to this problem, however, does not always require the student's removal from school and placement somewhere else, such as the district's John Morse Therapeutic Center. Individuals with expertise can and should provide information to school personnel, and model and coach teachers to act and talk differently to students to de-escalate and prevent difficult situations. They also need to be able to identify and arrange for additional support, which can be phased out over time. School leadership and personnel also need to be accountable for following up with recommendations when they are properly resourced and supported. This process also needs to be proactive in providing professional learning opportunities and individual support for teachers who are new—especially those who come from other countries and may lack the knowledge and skills to address the behavior and mental health issues of their students. Given the cost of nonpublic day schools (almost \$11 million for 357 students in 2015-16), the high cost for the district's own therapeutic center and transportation, an approach that can leverage these funds and apply them to meet student needs effectively within regular schools, preferably at the student's home school, is worth exploring.

To be clear, the team noted that the Morse Center was opened to provide an in-district option for students who would otherwise be placed in nonpublic schools (NPSs). This action has addressed both the high cost of NPSs and improved quality of instruction. Reportedly, the school has a high success rate for transitioning students back to comprehensive campuses in less restrictive settings.

Administrative Review Teams

Two program specialists, a behavior intervention specialist, two psychologists, and a social worker conduct semi-monthly meetings where school site personnel can ask this multi-disciplinary group for suggestions about students with behavioral and academic problems. School-based personnel perceive that this administrative review is necessary prior to IEP meetings for students who may require nonpublic special day schools. In such cases, the team may provide alternative suggestions instead of a special day school, such as the development and implementation of a BIP. Some school-based staff understand that the IEP team determines

⁷⁴ The term paraprofessional is used in a generic manner and includes the various categories of aides used by the district.

student needs; others believe that the team's recommendations must be followed at IEP meetings. This latter misperception, if accurate, needs to be addressed. This miscue is good reason to develop feedback loops to ensure that what staff are hearing is what is intended.

Assistive Technology

According to the National Dissemination Center for Children with Disabilities, assistive technology (AT) increases a student's opportunities for education, social interactions, and meaningful employment. It also supports student learning in a least restrictive environment. Assistive technology is a tool designed to help students benefit from the general curriculum and access extracurricular activities in home, school, and work environments.⁷⁵

An educational technology coordinator housed in the curriculum/instruction department supports the integration of technology into the curriculum and classroom instruction. Assistive technology is coordinated within the special education department by a group of AT and speech/language specialists who focus on assessments and the provision of augmented and alternative communication services and devices. Through the district's electronic IEP system, information is collected about student needs, available AT, student observations, etc.

Focus group participants expressed concern about the length of time it takes students to receive AT devices. District representatives reported an influx of AT assessment requests at the end of 2015-16, with demand continuing this year based on the increasing knowledge of school personnel and parents about the benefits of AT. Inclusion and AT specialists have conducted training on UDL to expand knowledge about the use of technology for all students, and there is growing interest in this instructional approach.

Postsecondary Transition Services and Support

In California, school districts are to begin transition planning for students with IEPs when each student is 16 years old. The planning process includes age-appropriate transition assessments, transition services, courses of study that will reasonably enable students to meet postsecondary goals, and annual IEP goals related to students' transitional needs. Transition services and supports prepare students for employment and independent living through a coordinated set of activities that promote movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, and community participation.

The state performance plan (SPP) for special education includes four indicators on postsecondary transitions for youth with IEPs:

Indicator 1. Percentage graduating from high school with a regular diploma

Indicator 2. Percentage of students with IEPs dropping out of high school

Indicator 13. Percentage of students with IEPs with all required transition components

Indicator 14. Percentage of youth with IEPs who were within one year of leaving high schools:

⁷⁵ <http://www.parentcenterhub.org/repository/iep/>.

- Enrolled in higher education;
- Same as above or competitively employed; and
- Same as above or in other postsecondary education or training program.

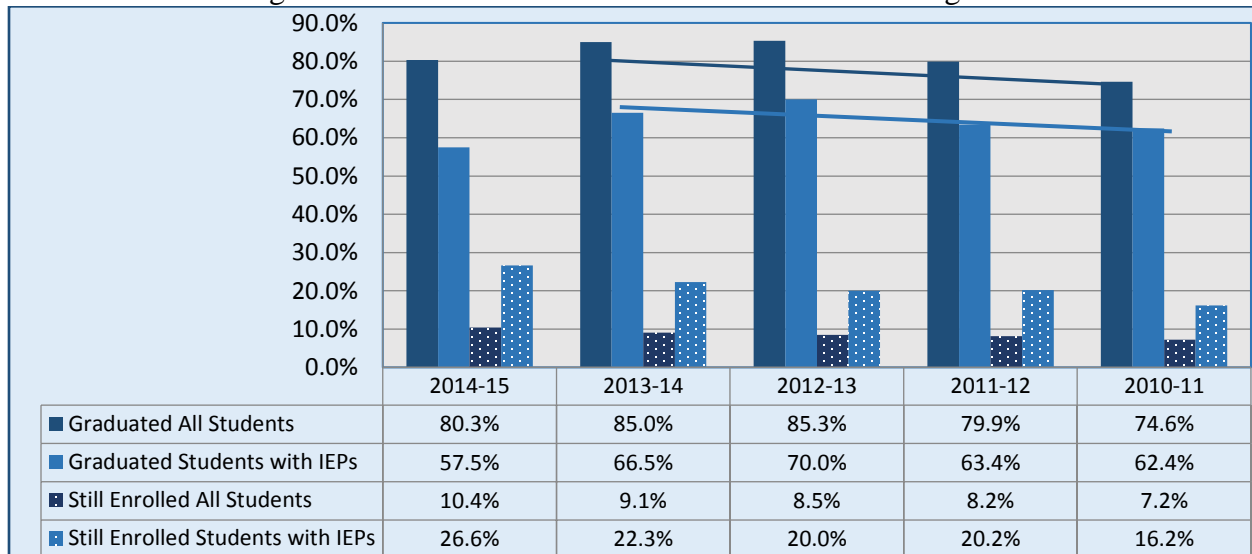
The information below summarizes SCUSD's progress on each of these indicators and the district's support of postsecondary transition activities and services, including community-based work experiences.

Graduation Rates

Exhibit 3u shows the percentages of students with and without IEPs, who graduated from the district and were still enrolled in school. These data were provided by SCUSD.

- **Graduation Rates.** The graduation rate from 2010-11 to 2014-15 increased by 5.7 percentage points to 80.3 percent for all students, while the rate for students with IEPs decreased by 4.9 percentage points to 57.5 percent. Students with IEPs earned their highest rate in 2012-13, 70 percent.
- **Still Enrolled.** For students with and without IEPs, the percentage of graduated students still enrolled from 2010-11 to 2014-15 increased to 26.6 percent (10.4 percentage points). This increase was larger than for all students (5.7 percentage points). Students with IEPs may remain in school beyond 12th grade to receive postsecondary transition services and activities. Thus, one would expect a larger portion of these students to continue in school compared to other students.

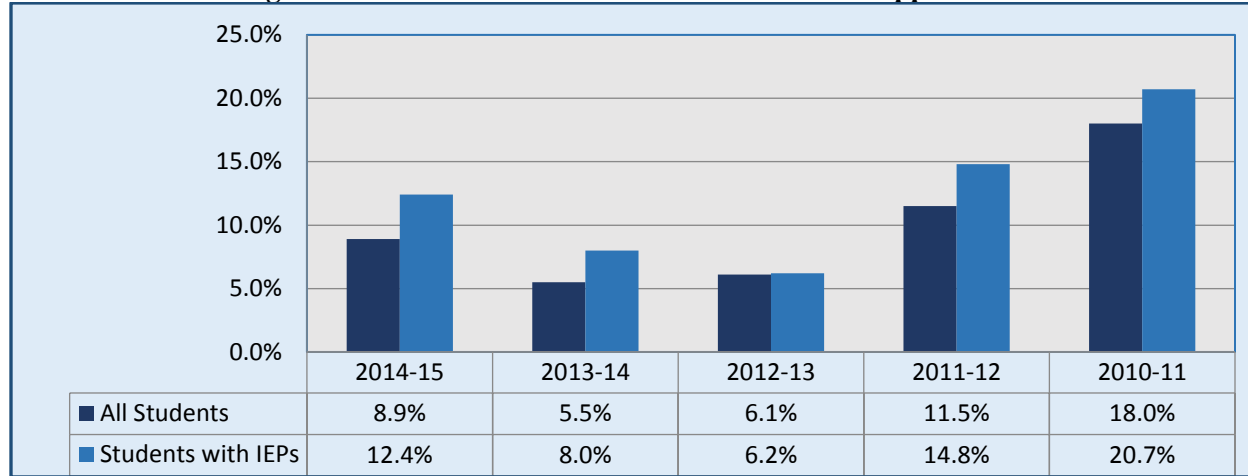
Exhibit 3u. Percentages of District Students with/without IEPs Graduating and Still Enrolled



Dropout Rates

Exhibit 3v compares dropout rates for all students and students with IEPs from 2010-11 to 2014-15.

Exhibit 3v. Percentage of District Students with/without IEPs who Dropped Out of School



During this period, the dropout rates decreased significantly for all students (9.1 percentage points) and students with IEPs (8.3 percentage points). The 2014-15 rate for students with IEPs (12.4 percent) was only 3.5 percentage points more than the rate for all students (8.9 percent). However, in 2012-13 students with IEPs had their lowest dropout rate (6.2 percent).

IEP Compliance and Post School Experience

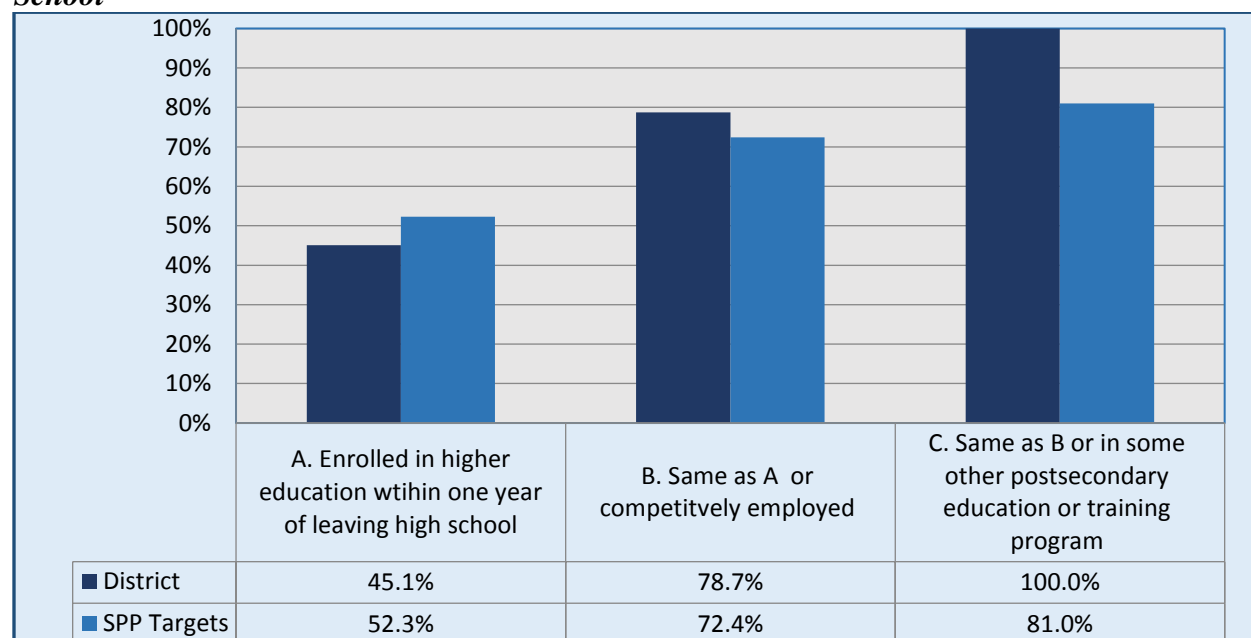
Indicator 13 of the SPP measures the percent of students aged 16 and above with an IEP that included all eight coordinated, measureable, annual IEP goals and transition services that reasonably enable the student to meet their postsecondary goals. According to the state's 2014-15 report, of 1,261 youth, 94.8 percent of IEPs met this criterion.⁷⁶ The compliance rate for this indicator is 100 percent.

Indicator 14 has targets for the percentage of students with IEPs engaged in various activities within one year of leaving high school. Exhibit 3q compares district outcomes among former student respondents on the SPP targets. These targets include:

- **Enrolled in Higher Education.** Some 45.1 percent of former district students with IEPs met this indicator, compared to the 52.3 percent SPP target.
- **Enrolled in Higher Education or Competitively Employed.** Some 78.7 percent of former district students with IEPs met this indicator, compared to the state's 70 percent rate and the 72.4 percent SPP target.
- **Enrolled in Higher Education, Competitively Employed, or Engaged in Other Postsecondary Education or Training Program.** All of the district's former students with IEPs met this indicator, which exceeded the SPP's target of 81 percent.

⁷⁶ Retrieved from <http://www.cde.ca.gov/sp/se/ds/documents/indrptlea1415s.pdf>.

Exhibit 3q. Percent of Students Engaged in Various Activities One Year after Leaving High School



Importance of Community-Based Work Experiences for Students with Disabilities

Based on data from the National Longitudinal Transition Study-2, students with IEPs often have poor postsecondary outcomes in employment, education, and independent living. For instance, based on data from 2009 (the most recent available), 60 percent of survey respondents across disability groups indicated that they were currently in a paid job, and 15 percent indicated that they were attending postsecondary education. Large numbers of students with disabilities who are able either to work or participate in higher education do not participate in these post-school activities.⁷⁷ According to an American Institutes for Research study:

Previous studies have demonstrated that students with disabilities who have work experiences while in high school are more likely to be employed after high school.⁷⁸ Often the work experience in which they were enrolled led directly to a postsecondary job for a student. For these students, it is important to have occupationally specific CTE programs, with appropriate instructional and adaptive support services and accommodations, available in high school.⁷⁹

The National Collaboration on Workforce and Disability affirmed this finding by reporting that “[w]hile work experiences are beneficial to all youth, they are particularly valuable for youth with disabilities. For youth with disabilities, one of the most important research findings shows

⁷⁷ National Longitudinal Transition Study-2. Retrieved from <http://www.nlts2.org/>

⁷⁸ National Collaborative on Workforce and Disability for Youth, 2011.

⁷⁹ Improving College and Career Readiness for Students with Disabilities American Institutes for Research <http://www.ccrscenter.org/sites/default/files/Improving%20College%20and%20Career%20Readiness%20for%20Students%20with%20Disabilities.pdf>

that work experience during high school (paid or unpaid) helps them get jobs at higher wages after they graduate.”⁸⁰ The National Collaboration research showed that quality, work-based learning experiences have the following features:

- Experiences provide exposure to a wide range of work sites in order to help youth make informed choices about career selections.
- Experiences are age and stage appropriate, ranging from site visits and tours to job shadowing, internships (unpaid and paid), and paid work experience.
- Work-site learning is structured and links back to classroom instruction.
- A trained mentor helps structure the learning at the worksite.
- Periodic assessment and feedback is built into the training.
- Youth are fully involved in choosing and structuring their experiences.
- Outcomes are clear and measurable.

According to district representatives, postsecondary transition services and support is considered to be an area of continual growth for the special education department. This work includes the need to improve the quality of transition planning and implementation. SCUSD operates an adult transition program for students who are 18-22 years old with moderate to severe disabilities and have not graduated from high school with a diploma. These students receive community work experiences in a variety of environments in addition to on-campus learning. Staff members who are certified in community-based instruction accompany the students. Also, several postsecondary transition classes are housed at or near universities that are accessible to public transportation.

College/career learning pathways are open to all students, including those with disabilities. Instruction wraps academics around a career focus, and the program provides cross-curricular design across units. The special education department’s transition specialist manages the following three state grants to support postsecondary transition services and activities for students with IEPs. The programs have received positive evaluations.

- **WorkAbility** provides for comprehensive pre-employment skills training, employment placement and follow-up for high school students with IEPs making the transition from school to work, independent living, and postsecondary education or training. Approximately 110 students were in paid placements during July. Reportedly, the district has met grant requirements and received positive state evaluations.
- The **Transition Partnership Program (TPP)** helps to connect high school students with disabilities to the state’s rehabilitation department and transition to work. State evaluations of this program have also been positive.
- **Work Experience** supports formal vocational/transition assessments and reports for students with IEPs, and training for case managers to effectively engage in transition planning.

⁸⁰ <http://www.ncwd-youth.info/work-based-learning>

Focus group participants shared the following concerns about the opportunities available to students with disabilities to engage in relevant postsecondary transition activities and community-based work experiences:

- Support from school leadership was needed for special educators to implement and provide training to effectively engage students in postsecondary transition activities.
- Continued funding was necessary to support paid community work experiences. As minimum wage requirements increase, the opportunity for students to be paid for work experiences decreases. This is occurring at the same time that there is a greater demand for students to have community work experiences.⁸¹
- Training on postsecondary transition is offered to school personnel, but it is not required and depends on personal interest rather than identified need.

Professional Learning

The professional learning association, Learning Forward, has developed its third version of *Standards for Professional Learning* outlining features of professional learning that result in effective teaching practices, supportive leadership, and improved student results. The standards are based on seven elements listed in Exhibit 3r.⁸²

Exhibit 3r. Standards for Professional Learning

Standards for Professional Learning

Learning Communities. Occurs within learning communities committed to continuous improvement, collective responsibility, and goal alignment.

Resources. Requires prioritizing, monitoring, and coordinating resources for educator learning.

Learning Designs. Integrates theories, research, and models of human learning to achieve its intended outcomes.

Outcomes. Aligns its outcomes with educator performance and student curriculum standards.

Leadership. Requires skillful leaders who develop capacity, advocate, and create support systems for professional learning.

Data. Uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning.

Implementation. Applies research on change and sustains support for implementation of professional learning for long-term change.

Professional Learning in SCUSD

Currently, the district has no days set aside for professional learning. All professional learning is linked to a weekly hour for collaboration, which does not appear to be meeting all needs. Although central office personnel reported that professional development is offered, it is

⁸¹ Retrieved from <http://www.rnelsonlawgroup.com/Articles/California-s-Rules-for-Unpaid-Interns-and-Trainees.shtml>

⁸² As a trainee, however, students may meet state requirements to be paid less than the minimum wage. Retrieved from <https://www.learningforward.org/standards#.UMvVD7Yt0kU>.

voluntary in nature, as it is conducted afterschool or on Saturdays. Hence, there is widespread concern that necessary information for principals, general education teachers, and special education teachers linked to improved outcomes for students with disabilities, is not being received.

Collaborative Time

Beginning in 2016-17, all schools were required to increase instructional time on four days in order to allow for collaboration on such activities as grade-level and job alike meetings, training, and other collaborative work. Principals develop the professional learning activities collaboratively with teachers, and there are many competing interests for the limited available time. As a result, it is difficult to schedule time for training on the many subjects pertinent to students with disabilities. Generally, priority areas involve compliance, IEP development, co-training for the 17 schools involved in the district's inclusive-schools initiative, and training for new teachers, such as those who recently arrived from the Philippines.

Compensation for Professional Learning

Section 2 of the Agreement requires that the district offer training for school personnel, parents—including those having children with IEPs, and others as appropriate. Also, Section 5 specifies that special education workshops shall be provided for training and professional improvement, and be open to regular educators teaching students with IEPs.

Despite these provisions, professional learning provided by the district outside the regular workday is poorly attended. Furthermore, it was reported that the union discourages teachers from attending uncompensated training. As a result, most professional learning takes place during collaborative time where participation is mutually agreed upon with teachers. In addition, limited funds have prevented the district from providing personnel with compensated professional learning after school or on Saturdays to address district initiatives, instructional strategies, and behavioral supports, as well as training on IEP development.

Focus Group Participant Feedback

Focus group participants shared the following concerns and challenges associated with their ability to provide and access professional learning.

- ***Training Conflicts.*** With collaborative time scheduled on the same day districtwide, it is difficult for special education program specialists and others to provide all of the training requested across the school system. Also, it is difficult for special educators who cross subject areas and grades to participate in all relevant sessions, as they must rotate from one to another.
- ***Job Alike Discussions.*** Special educators have no time to meet across schools to discuss common issues and access information based on their common needs. Some have relied on emails to communicate with others.
- ***Intern Special Educators.*** Many special educators who are interns with no training or experience are struggling in the classroom.
- ***Access to Districtwide Training.*** Special education coaches no longer provide systemwide

training because teachers are unable to attend due to the shift to site-collaborative time required at each school.

- **General/Special Educator Collaboration.** Collaborative time is not used to enable special and general educators to talk about common students, and it is difficult for them to find other common time for this purpose.

Facilitating Parental and Community Involvement

A large body of research demonstrates the positive effects of parent-professional collaboration on outcomes for students with disabilities.⁸³ Effective collaboration is often grounded in a strong staff-parent relationship and the combined expertise of parents and professionals in helping students with disabilities meet their goals. Many parents want to fully participate in planning for their child(ren) and supporting changes in services. Nonetheless, collaboration tends to be more difficult when parents are new to the country, when language differences present barriers, and when parents come from poor or low socioeconomic environments.

Generally, support for meaningful parent involvement varies by school. There are 47 school-based parent resource centers, which are established at the discretion of schools. Typically, Title I dollars are used to fund part-time parent liaisons. In addition, the district has parent facilitators who provide training, and predominantly work with parents who are English learners, parent teacher organizations, and the special education Community Advisory Council (CAC).

The CAC for special education is an active group that meets monthly to provide training for parents of students with disabilities in SCUSD. The areas of training are based on a needs assessment that parents fill out at the end of the previous school year. District special education staff members assist the CAC by providing logistical support and training expertise.

The CAC met with the Council's team and discussed concerns related to three major areas that parents would like to have addressed. Many of these concerns relate to those discussed elsewhere in this report. These concerns included:

- **Understanding Students.** Parents who have concerns about their child's achievement or behavior, particularly those who are English learners, frequently do not understand the special education process. There is a desire to have teachers explain the process, including how to request a special education evaluation when that is their intent. Parents also want teachers to directly recommend at IEP meetings the specialized instruction, related services, and supplementary aides and supports a student needs rather than asking the parent to do so. The CAC would also like to have a better understanding about students receiving special education, such as their characteristics, where they are educated, the length of time they have

⁸³ A.T. Henderson, & K. L. Mapp. (2002). *A new wave of evidence: The impact of school, family, and community connections on student achievement*. Southwest Education Development Laboratory. Cited in Fostering Parent and Professional Collaboration Research Brief, Technical Assistance ALLIANCE for Parent Centers, National Parent Technical Assistance Center at http://wsm.ezsitedesigner.com/share/scrapbook/47/472535/1.7_Fostering_Parent_and_Professional_Collaboration.pdf.

been educated in SDCs, their movement into less restrictive environments, their educational outcomes, etc. They would like to have this information sorted by grade level, schools, etc.

- ***Understanding the Effectiveness of Services Students Are Receiving.*** Parents would like to have more information about such education-related issues as: how goals are set, how they are adapted if not achieved, evidence-based practices, assistive technology and training. They would also like to see the leadership at the district, area, and school levels be held accountable for such activities as having IEPs implemented as written and implementing effective evidence-based reading and behavior interventions with trained and knowledgeable personnel. Parents also noted the need for high quality professional development that is based on what teachers and others need to know to effectively teach and provide support to children with disabilities. Furthermore, based on the district's practice of transporting students to other schools to receive special education instruction and services, the distance makes it more difficult for parents to communicate with teachers and participate in their children's education. There is a desire that the money spent on busing be used instead for instruction and support.
- ***District Leadership and Capacity.*** SCUSD is largely a decentralized system of schools that have broad discretion over important issues, such as professional learning (addressed above). There are few, if any, districtwide expectations relating to the education of students in SDCs, their inclusion in general education classes, and their overall engagement in the culture of a school. These issues are more challenging and critical for older students. While some schools have an approach to education that is inclusive and embraces students with different abilities and talents, others do not have this philosophy. Some schools effectively practice social/emotional learning and positive behavioral supports and others do not, relying on school removals of the child to address problematic behavior. The CAC did, however, express its appreciation for the support parents receive from special education department

Overall Observations

The district's desire to educate students with and without IEPs in inclusive settings is based on sound research and best practice. The inclusive-practice schools initiative has evolved in a system of schools that does not have a shared vision of inclusivity from school-to-school. As a result, the initiative has had several unanticipated consequences

One of the consequences is that some teachers have students that the teachers perceive to require SDCs. By the nature of their full inclusive structure, these schools no longer house SDCs. The current system is not flexible, nor is it adept at providing the resources schools need to meet students' more intensive needs. Instead, the district relies on the traditional method of transferring students to other schools that have the relevant SDC.

The district's continued reliance on SDCs requires most students to travel on buses from their home schools to other schools. When classes are filled within a school's geographic feeder system, students must travel to distant schools. (Parents may visit various SDC options and choose the one they prefer.) These factors contribute to expensive and long transportation routes with funds that could be used for resources to support students at their home schools. (See the Transportation section below under Support for Teaching and Learning.)

Overall, there is broad recognition by district personnel that general and special education must come together to jointly plan and implement activities designed to increase the achievement and improve the behavior of students with disabilities. There is a desire to be more proactive than reactive, to increase access to professional learning, and to share exemplary practices between schools. This work includes the use of evidence-based practices and data to identify exemplary practices with positive outcomes, as well as those that are not succeeding. Success also requires the involvement of parents and district partnership with unions.

AREAS OF STRENGTH

The following are areas of strength in the district's support for teaching and learning of students with disabilities.

- ***Early Childhood Educational Settings.*** Overall, 60 percent of all children were educated inclusively with their typically-developing peers.
- ***School-Aged Educational Settings.*** The district's 60 percent rate for students educated in general education at least 80 percent of the time is 6 percentage points higher than the state's rate and slightly below (1 percentage point) the nation's rate. Also, the district's 14 percent rate for students educated outside of general education more than 60 percent of the time is lower than state and national rates.
- ***Educational Settings by Race/Ethnicity and EL Status.*** Students are educated in settings that are not significantly disproportionate based on race/ethnicity. Except for the separate school setting, SCUSD students who are English learners are educated in more restrictive settings than are students who are not ELs. The differences, however, are not significant.
- ***Inclusive Schools Initiative.*** The district initiated an inclusive-schools movement, but it has not expanded significantly due to fiscal restraints. Eleven schools have been targeted in addition to the original six inclusive-practices schools to work with coaches to improve educational outcomes.
- ***SDC Curriculum Aligned with Common Core.*** District personnel are conducting a review of the curriculum currently in use for students who take alternate assessments to ensure that it is aligned with state standards.
- ***Assistive Technology.*** A group of AT and speech/language specialists focus on assessments and the provision of augmented and alternative communication services and devices. Through the district's electronic IEP system, information is collected about student needs, available AT, student observations, etc. Inclusion and AT specialists have conducted training on UDL to expand knowledge about the technology, and there is growing interest in this instructional approach.
- ***Dropout Rates.*** Between 2010-11 and 2014-15, dropout rates decreased for both students with IEPs (9.1 percentage points) and for all students (8.3 percentage points). The 2014-15 rate for students with IEPs (12.4 percent) was only 3.5 percentage points higher than the rate among all students (8.9 percent). In 2012-13 students with IEPs had their lowest dropout rate (6.2 percent).
- ***Postsecondary Transition Activities and Services.*** With 94.8 percent of IEPs meeting

requirements for postsecondary transition activities and services, the district almost met the state's 100 percent compliance target. The district almost met state targets for students enrolled in higher education, being competitively employed, and/or engaged in other postsecondary education or training programs. Students 18 to 22 years of age with moderate to severe disabilities who have not yet graduated from high school with a diploma have various community work experiences. Also, with the support of three state grants, a variety of transition services and activities are provided to students with IEPs.

- ***Parental and Community Involvement.*** Schools fund 47 school-based parent resource centers, typically with Title I funds that are used for part-time parent liaisons. The district also has parent facilitators who provide training, and predominantly work with parents who are English learners, parent teacher organizations, and the Community Advisory Council (CAC) for special education. The CAC is an active group that meets monthly to provide training for parents of students with disabilities in SCUSD.

OPPORTUNITIES FOR IMPROVEMENT

The following areas are opportunities for improvement in the teaching and learning of students with disabilities.

Children 3 to 5 Years of Age Data

- ***Educational Outcomes.*** For the state performance plan indicator dealing with students substantially improving their behavior and social/emotional skills and acquiring/using knowledge/skills, the district ranged between 3.3 and 10.7 percentage points below state targets. The district's gap with state targets was larger for students exiting with skills within age expectations, with percentage point differences ranging between 11.9 and 23.4.
- ***Educational Settings.*** While 7 percent of all children are educated in separate schools, almost half (44 percent) of students with autism are educated in this setting.

School-Aged Students Data

- ***Academic Outcomes.*** In both ELA and math, a larger percentage of California students with and without IEPs were proficient, compared to district students. The achievement gaps between California and district students were greater for ELA than math.
- ***Education More than 60 Percent of Time Outside of General Education.*** The district's 23 percent rate for students educated in this setting is higher than state and national rates.
- ***Separate School Settings.*** The district's 6.0 percent of students with IEPs attending separate schools is 2.6 percentage points higher than the state level and 2.7 percentage points higher than the national level.
- ***Educational Settings by Grade.*** The percentage of students educated inclusively decreases from pre-K and early grades through middle and high school, while the percentage of students in general education between 79 percent and 40 percent of the time and in separate schools increases.
- ***Educational Settings by Disability Category.*** In every area, the district educates students in more restrictive settings at rates that are larger than the nation and the state.

- **OSS by Days.** For students with out-of-school suspensions for 1-10 days and over 10 days, students with IEPs are suspended at higher rates than students without IEPs, and the rates increase significantly at seventh grade. Also, African American students with IEPs are 2.5 times more likely than all other students with IEPs to receive an OSS for 1-10 days, and they are 3.99 times more likely to be suspended for more than 10 days.
- **Suspensions by Grade.** In each grade, students with IEPs receive out-of-school and in-school suspensions at rates that are much higher than students without IEPs. Out-of-school and in-school suspension rates for students with IEPs are highest in seventh through ninth grade. OSSs of more than 10 days peak at seventh and ninth grades.
- **Graduation Rates.** Between 2010-11 and 2014-15, the graduation rate for students without IEPs increased by 5.7 percentage, while the rate for students with IEPs decreased by 4.9 percentage points.

Instructional Models and Practices

- **Inclusive Education.** Inclusive education is viewed as a “program” rather than a vision and practice that enables students with disabilities to receive meaningful differentiated instruction within general education classes and interventions either inside or outside the general education class. The co-teaching model is viewed as the tool for inclusive practices, which discounts other effective models, such as consultation/collaboration, and the grouping of students with shared needs (with and without IEPs) across classes for tiered interventions. The inclusive-practices schools’ model requires students needing an SDC to transfer out of the school to be educated. There does not appear to be a systemwide culture of inclusivity that promotes services based on student needs. Instead, the district relies on a traditional SDC structure for students with more significant needs. There is a lack of training and support that would emphasize the value of inclusive instruction and how to achieve it successfully. Focus group participants shared various concerns about inclusive practices and challenges to becoming more inclusive.
- **SCTA/District Issues Impacting Inclusive Education.** The district believes that the inclusive-practice schools initiative cannot be expanded until the union’s concerns are addressed, but there does not seem to be a clear path for identifying issues and determining how they could be resolved. SCTA representatives claimed that the union is not against inclusion, but they do have concerns. Furthermore, Appendix D to the Collective Bargaining Agreement contains several problematic provisions that are detailed above and require revision.
- **Restrictive Educational Settings.** One percent of students taking state assessments, or some 258 students, may take an alternate assessment without asking for a state waiver. Some students educated inclusively may have a significant cognitive disability, but not all of the 876 students in special classes more than 60 percent of the time, or all of the 136 students in special schools, may be eligible for an alternate assessment. Using these two settings as a guide, only 26 percent of 1,006 students could take an alternate assessment absent a state waiver. Assuming that a significant percentage of these students will take a regular assessment, there are significant questions about the extent to which they are receiving instruction based on the common core curriculum and the intensive interventions they need.

- **SDCs.** Many district schools (24 percent overall and 35 percent of elementary schools) have no SDCs. Although most schools with SDCs have 1, 2 or 3, two elementary schools have 5 or 6 SDCs, and four high schools have 8 to 12 SDCs. Focus group participants shared the many challenges associated with teaching SDCs, and believe the challenges account for the high mobility of SDC teachers and relatively large number of SDC teacher vacancies.
- **Social/Emotional Support.** A large number of focus group participants shared anecdotes about students exhibiting severe behaviors and having significant social/emotional needs, and expressed frustration with the ERMHS process. The district's reliance on private agencies for behavioral and individual aides is another source of frustration.
- **Administrative Review Teams.** There was not a clear understanding about the purpose of the administrative review teams and how their suggestions interact with IEP team decision-making.
- **Assistive Technology.** There are concerns about the length of time it takes for students to receive AT devices.
- **Postsecondary Transition Activities and Services.** Focus group participants provided various concerns about students' access to relevant postsecondary transition activities and community-based work experiences. These included: support from school leadership, continued funding for community work, and training for school personnel.

Professional Learning

Currently, the district has no days set aside for professional learning. All professional learning is linked to a weekly hour for collaboration, which does not appear to be meeting all needs. Hence, there is widespread concern that necessary information for principals, general education teachers, and special education teachers linked to improved outcomes for students with disabilities, is not being received. Focus group participants shared concerns and challenges about their ability to provide and access professional learning.

Parental and Community Involvement

Meeting with the Council's team, CAC representatives shared specific concerns in three major areas: 1) the need for district personnel to understand the needs of students with disabilities and to help parents access services for them; 2) the need for district personnel to understand the effectiveness of services provided to students and be held accountable for evidence-based practices; and 3) expectations for district leadership to increase instructional capacity. Many of these and other concerns were also reported by other focus group participants and have been described throughout this document.

RECOMMENDATIONS

3. **Academic Achievement and Social/Emotional Well-Being for Students with IEPs.** Review and address relevant data, and follow-up with actions such as the following –
 - a. **Data Review.** With a multidisciplinary team of individuals in and outside the special education department, review Exhibits 3a through 3q and their accompanying analysis

(along with other relevant data), and develop hypothesis about problematic patterns, such as:

- Weak educational outcomes for early childhood students with IEPs compared to state targets;
- High percentage of young children with autism educated in separate schools;
- Low educational outcomes on state assessments for students with and without IEPs compared to the state;
- High percentage of students in more restrictive settings by disability area and in separate schools compared to the nation and state;
- Variability of educational setting placements by grade;
- High OSS rates for students with IEPs compared to those without IEPs;
- Disproportionately high OSS rates for African American students;
- Higher in- and out-of-school suspensions for students with IEPs compared to those without IEPs, especially at the seventh through ninth grades; and
- Declining graduation rate for students with IEPs as the graduation rate for students without IEPs was increasing.

b. *Inclusive Education Vision.* Have the extended cabinet establish a clear and defined vision for the value of inclusivity. Embed in that vision language from the common core state standards website and March 2015 statewide task force on special education to clarify the district's support for higher academic outcomes and the social/emotional well-being of students. Highlight the importance of providing students educated in general education classes with the differentiated and scaffolded instruction they need to learn. Emphasize that instruction needs to be linguistically appropriate and culturally relevant, and aligned with common core standards. These expectations will be easier to meet as teachers become more familiar with and base their instruction on the principles of UDL. At the same time, the vision should reinforce the importance of evidence-based academic and positive behavior interventions/supports that increase in intensity with specified student needs.⁸⁴ The implementation of this vision will require substantial changes to Appendix D of the SCUSD/SCTA collective bargaining agreement, which portrays inclusive education as occurring in three static models.

c. *Implementation Plan.* Based on the data review and the district's inclusive education vision, have the extended cabinet develop a written multi-year action plan that provides written expectations, professional learning, data analytics, and accountability (as specified below). Upon completion of the overall plan, establish a uniform way for school-based teams to embed local implementation activities into their school-based planning documents. In addition –

- ***Resource Specialist Program (RSP) Services.*** Develop ways to reduce the current practice of RSP teachers reporting/supporting more than one school and mitigate the

⁸⁴ The suggested activities are not intended to be a blueprint or to be exclusive. They are provided as a basis for discussion and further development.

impact it has on collaborating with general education teachers and providing necessary interventions for students.

- **Resource Allocation.** Review how services are currently configured and how they can be shifted to meet the needs of more students in their neighborhood schools and schools of choice. This shift may reduce reliance on student transportation, and allow savings to be reallocated to instruction and interventions.
- **Regular vs. Alternate Assessments.** Determine how many students in SDCs and separate schools take an alternate assessment, and ascertain the extent to which the number correlates with 1 percent of all students who take the regular state assessment. Also, determine how many students in SDCs and separate schools take a regular state assessment, and address the extent to which they are receiving instruction aligned with common core standards.
- **Special Day Class Structure.** Review focus group comments about SDCs, such as those concerning instruction of students in multiple grades, the impact of teacher vacancies, reliance on paraprofessionals, caseloads, etc. In addition, discuss the equity ramifications associated with schools without SDCs, and their reliance on other schools to provide educational support. Also consider transportation expenses and how these funds could be used differently. Review the specifications for each SDC and clarify criteria for more flexible instructional and service adaptations, program specifications, and the like. Develop protocols for providing rigorous instruction and supports to students in SDCs, including personnel training and quality control processes.
- **Separate Schools.** Review the characteristics of students attending separate schools, and the reasons why the district is unable to meet their needs (especially young children with autism). With stakeholders, define the kinds of high-quality instruction and supports needed to keep students in regular schools or to attract them back to the district. Consider average special school costs per child (in and outside of the district), including transportation costs and how funds could be shifted to support this initiative.
- **Social/Emotional Supports and Interventions.** Review the ERMHS process for providing designated instruction and services (DIS) in order to maximize the use of behavior specialists for purposes of modeling interventions, coaching teachers, and providing effective technical assistance. As discussed below, better leverage the expertise of all staff qualified to provide supports for students' social/emotional needs, such as psychologists and social workers, as well as staff from the John Morse Therapeutic Center.
- **Related Services.** Consider the manner in which related services are provided (e.g., push-in versus pull-out) and the extent to which personnel are able to engage in general education MTSS activities), the extent to which occupational and/or physical therapy is provided at sites away from schools, and how these practices could change to improve their impact.

Feedback. Have the team collect feedback on the draft plan from stakeholders at varying grade levels, special/general education administrators, principals, general/special

education teachers, related-service providers, teacher assistants, CAC, other parent-based and community-based organizations, etc. Continue this feedback loop as the plan is implemented to address concerns.

d. Written Expectations. Develop and provide guidance on the implementation of practices designed to promote student achievement and positive behavior, including the following.

- ***Differentiated Instruction.*** Delineate expectations for the provision of linguistically appropriate and culturally competent instruction aligned with core standards that are differentiated for students with reading and math performance levels significantly below those of their classroom peers.
- ***Co-Teaching.*** Delineate effective co-teaching models. Do not expand co-teaching until there is data showing achievement gains based on the current instructional co-teaching model. Conduct a data analysis on the impact of service delivery and student performance (e.g., co-teaching vs. RSP).
- ***Increasingly Intensive Academic Interventions.*** Identify targeted interventions for English language arts and math that will fill instructional gaps for students with disabilities who are behind academically. Describe flexible groupings for students with and without IEPs when there is a need for common interventions. Consider how groupings need to adjust based on changing student needs.
- ***English Learners.*** Describe models for providing ELLs with IEPs the linguistic support they require when receiving special education and related services.⁸⁵
- ***Documentation for ERMHS Services.*** Establish expectations for individual schools on the reasonable documentation personnel must gather to show a student's need for ERMHS services. Clarify that the suspension of students should not be the basis for determining a student's need for intervention and support.
- ***Administrative Support Teams.*** Reconstitute the purpose of the administrative review teams as groups devoted to problem-solving for students with behavioral and academic concerns. Make it clear that their advice does not substitute for the IEP team's consideration, and that students are not to be suspended either in-school or out-of-school to justify service needs. Coordinate this review with student support services.
- ***IEP Decision Making.*** Provide guidance to IEP teams on determining the extent to which students would benefit from general education classes, and specifying the supports needed to provide instruction based on the core curriculum and evidence-based interventions.
- ***Personnel Roles and Staffing.*** Identify the number and type of personnel available to support students with disabilities in general education classes and to provide interventions inside or outside of the class. Specify and differentiate their roles. In

⁸⁵ See *Meeting the Needs of English Learners with Disabilities*, which was prepared by a staff member from the Santa Barbara County SELPA, retrieved from <http://www.sonomaselpa.org/docs/els-with-disabilities.pdf>.

addition, address staffing ratios for students in SDCs and how staffing needs to be adjusted when students need support in order to benefit from general education. (See Recommendation 6a.)

- ***Planned Collaboration.*** Provide ways to better structuring time to promote more collaboration between general and special educators, various types of paraprofessionals, and related-services personnel in order to discuss instruction and intervention for students they share.
- ***Progress Monitoring and Problem Solving.*** Monitor the progress of students with disabilities on instruction and interventions, as well as progress on IEP goals.
- ***Assistive Technology.*** Specify and monitor a reasonable time frame for students to receive AT devices, and consider the resources needed to meet the time frame.
- ***Music Therapy.*** Provide specific entry and exit criteria for students believed to need music therapy to benefit from special education instruction.
- ***Postsecondary Transition Activities and Supports.*** Delineate school leadership responsibility for ensuring students with IEPs have access to high quality postsecondary transition activities and supports, and identify funding for community work.

e. Differentiated Professional Learning and Parent Training. Embed in the professional learning curriculum mentioned in Recommendation 1e and the content needed to carry out Recommendation 3. In addition, consider –

- How and when personnel will be provided access to training in each critical area;
- How key information will be communicated effectively;
- How information will be used; and
- What additional coaching and supports may be needed.

Review training and information-sharing opportunities for parents and community partners, and identify topics for the 2017-18 school year, including areas mentioned in this report and what data suggest might be needed. As part of this process, consider how professional learning will be provided within the current weekly collaborative time limitations.

f. Data Analysis and Reports. In addition to ensuring that activities described in Recommendation 1e include data and analysis of academic instruction and behavior/emotional supports for students with disabilities, consider the following actions–

- ***Data Reporting.*** Report data using the charts in this report as a guide, expanding upon them to better target patterns and areas of concern.
- ***Risk Ratios.*** To the extent possible and when appropriate, report disparities on indicators using a risk ratio.
- ***Progress Monitoring.*** Establish common school-based data collection and reporting

systems to monitor the progress of students with disabilities, both academically and behaviorally. Ensure that benchmark and progress-monitoring data on students taking alternate assessments are included.

To the extent possible, embed data in the dashboard system used for all students.

g. *Monitoring and Accountability.* Expect that all principals are responsible for overseeing special education in their buildings, and that area assistant superintendents hold principals accountable for this responsibility. Embed the following activities in the monitoring and accountability systems described in Recommendation 1g.

- ***Baseline Data.*** To the extent possible, collect baseline data on the use of interventions with students with IEPs. Include data on educational setting rates, achievement, suspension/expulsion rates, and graduation and dropout rates, and begin evaluating the effects of interventions. In each area, consider collecting and analyzing data by race/ethnicity and gender, and develop risk ratios by indicator/subgroups.
- ***Data Collection and Reports.*** Review data, data collection issues, and reports that are requested by the superintendent and school board. Begin including baseline data described above, as well as special education state performance plan indicators. Provide regular updates on the status of special education reforms. Develop protocols for reporting data to inform decision-making. Produce templates for user-friendly summary reports showing academic and behavioral interventions and outcomes for students with disabilities. Review necessary changes in programs and interventions based on the data. Plan follow-up activities to collect data that the district does not currently collect and produce reports it currently does not produce.
- ***Data Checks.*** Include information on students with disabilities in data discussion sessions in order to develop follow-up actions and track outcomes.
- ***Fidelity Assessments and Walk-Throughs.*** Review current walk-through tools used to monitor instruction and interventions in general education classes, RSP classes, and SDCs to see how students are being taught and engaged, and how consistent instruction is across schools for students with disabilities. Provide guidance such as that called for in Recommendation 3c. Initiate technical assistance, professional development, coaching, and mentoring to improve practices.
- ***Timely Communication and Feedback.*** Establish a process for timely feedback to the district's MTSS leadership team on barriers to problem-solving activities, particularly when they are beyond the control of local schools. Require the schools to seek assistance in resolving problems.

IV. Support for Teaching and Learning for Students with Disabilities

This section summarizes SCUSD's supports for teaching and learning for students with disabilities. The information covers interdepartmental collaboration, administration and operation of special education, fiscal issues, and accountability.

Interdepartmental and School Leadership Interaction and Collaboration

Given concerns about student achievement and social/emotional wellness generally, and for students with disabilities in particular, as well as the high costs and legal implications of special education, it is essential that central office staff and school leadership collaborate effectively. When this does not occur, communication and accountability suffers.

Central Office Organization

In addition to the superintendent and deputy superintendent, there are seven chief officers. One chief oversees academics, and the others oversee business, communications, human resources, information, operations, and strategy. Although the district's organizational chart shows all of these chiefs reporting to the interim deputy superintendent, the Council team was informed that they report directly to the superintendent.

Deputy Superintendent Reports

Five assistant superintendents report to the deputy superintendent. One is responsible for equity, and four are area assistant superintendents (AAS). Also, the deputy oversees a director for teacher and leadership development.

- **Equity.** The equity assistant superintendent oversees two directors (one for student hearings/placements, including alternative education, behavior/reentry, attendance, dropout prevention, and reentry; and one for social and emotional learning).
- **AASs.** The AASs each oversee about 17 schools that represent all grade levels. Also, each AAS has several districtwide responsibilities, which are shown in Exhibit 4a below.

Exhibit 4a. AAS Programmatic Responsibilities

Area 1	Area 2	Area 3	Area 4
School, Family and Community Partnerships Matriculation and Orientation Center	Enrollment Center	Athletics Integrated Support Services <ul style="list-style-type: none">• Student Support (10 staff for social/emotional and 4 staff for learning.• Health• Homeless• Bullying Prevention	Youth Development <ul style="list-style-type: none">• Youth Services• Foster Services

Chief Academic Officer Reports

Seven staff members report to the chief academic officer (CAO). These individuals oversee: curriculum and instruction (C&I), special education, multilingual literacy, child development, gifted and talented education (GATE), college/career readiness, state and federal programs, and adult education.

Collaboration between Offices and Departments

Several meetings are scheduled regularly for the executive cabinet, extended cabinet, academic team, and networks. Also, informal collaboration between departments occurs episodically.

- ***Extended Cabinet Meetings.*** The extended cabinet, which includes the assistant superintendents and directors, meets every other week to discuss relevant issues and obtain feedback. During recent meetings, the group reviewed special education data and discussed results. Other discussions have concerned the social/emotional needs of students and how they are being addressed.
- ***Deputy Superintendent, AASs, and CAO Meetings.*** Periodically, the deputy superintendent, AASs and the CAO meet to discuss areas of concern.
- ***Network Team.*** Most but not all principals meet within networks that are based on feeder patterns. Lead principals from each network also meet with the deputy superintendent to review relevant issues discussed during network meetings. The deputy superintendent also shares information with the AASs who do not participate in the network meetings.
- ***Academic Office Team.*** Academic office team meetings include all central office leaders who are involved with teaching/learning and representative members of their staff. In addition to assistant superintendents, directors, and coordinators, special education training specialists and program specialist attend. The team represents staff from the various departments in the academic office including child development, curriculum and instruction, state/federal programs, GATE, career and college readiness, multilingual education, and adult education.
- ***Academic Office Principal Meeting.*** In an effort to build consistency across the district and work more closely with school personnel, principals attend monthly meeting and include teachers at every third meeting.
- ***Cross Department Collaboration.*** There is informal collaboration between the leadership of special education and integrated-support services. Also, human resources and special education work together with principals on recruitment fairs.

Effectiveness of SCUSD's Current Organization

Based on the feedback of focus group participants, the central office organization could be improved to maximize support of and collaboration with schools. The district does not appear to have a clear vision and theory of action that is consistently communicated with school personnel. The district is functioning as a system of schools that provides inconsistent teaching

and learning opportunities across schools, rather than a school system built on a foundation of equity and excellence. Schools have a high degree of autonomy without recognized non-negotiables. These circumstances, detailed below, have produced weak shared ownership and accountability for special education.

- ***Siloed Teaching & Learning Support.*** The following are examples of ways in which personnel supporting teaching and learning are not aligned to schools for maximum effect.
 - ***Fragmented Leadership.*** AASs are absent from the executive cabinet and are not well connected to the academic office. As a result, the AASs are unable to communicate important information that they glean from their school visits and discussions with their principals. Although the deputy superintendent receives periodic feedback from lead network principals, it does not compare to the type of feedback provided by the daily interaction between AASs and principals. The different reporting lines for the CAO and AASs have limited their interaction and opportunities for joint problem solving and collaboration. There is a desire to have the CAO, as well as the other chiefs, visit schools more frequently to directly observe school and student issues.
 - ***Network Principal Structure.*** Most principals meet regularly through six informal networks that are generally— but not always—based on elementary, middle and high school feeder patterns. Each network has a lead principal that represents them in a separate meeting that the deputy superintendent leads. The deputy shares information from the lead principal meeting with the AASs who do not participate in the network meetings. This communication process is likely to leave out information AASs would like to have, however. During the team’s discussions with principals, some expressed their opinion that the network meeting structure was not effective. They reported that discussions at these meetings are less useful when the network’s schools are not fully aligned with feeder patterns, and they would be more beneficial if schools were aligned by grade level.
 - ***AAS Bifurcated Responsibilities.*** AAS responsibilities are divided between supervision of principals and districtwide programs. This bifurcation reduces the support AASs are able to provide to both principals and programs.
 - ***Non-alignment of AASs & Special Education Program Specialists.*** The special education program specialists are assigned to schools that do not line up with those for which the AASs have oversight. As a result, program specialists have schools supervised by several AASs, and AASs have schools supported by many program specialists. This structure makes it more difficult for each group to collaborate and address special education issues for schools they have in common. Issues include ensuring effective compliance and problem-solving for stronger special education instruction and supports. Furthermore, it makes it more difficult for program specialists to attend AAS/principal meetings, even if they were invited. (This circumstance is also true in other departments with staff assigned by school area.)
 - ***Separate Physical Health Support.*** Personnel in two separate departments support the physical health needs of students. The special education director oversees one set for students with IEPs (including individualized nursing care through nonpublic agencies for

some 51 students), and the Area 3 AAS oversees the other set (with a vacant director⁸⁶) for regular school nurses. When feasible, students are supported by the school's regular nurse. Typically, school districts have one administrator who coordinates all physical health needs regardless of a student's disability.

- ***Separate Social/Emotional Support.*** Personnel who support the social/emotional well-being of students are divided into four separate components. These personnel, along with their respective supervisors, include: the special education director (social workers, psychologists, behavior specialists) the Area 3 AAS (student support services), the Area 4 AAS (youth development), and the equity assistant superintendent (social emotional learning). With the varied mental health needs of students, such fragmentation makes it more difficult for personnel who work in this area to be effective. For example, CASEL related training does not include the special education department's social workers and psychologists, even though this information is relevant to their work.
- ***Separate Departmental Administration and Operation of Section 504 and IDEA.*** While there is considerable overlap in student requirements under Section 504 and IDEA, they differ in that Section 504 also includes students with disabilities who receive only related services and supplementary aids under IDEA. In spite of the close association between the activities required under these two legal mandates, they are administered separately in different departments (Area 3's health division for Section 504 and the special education department for IDEA). By having the health division oversee Section 504, students who may qualify for academic or social/emotional disabilities may not be sufficiently addressed. Furthermore, this separation has led to having two different teams potentially providing support for the same student when that student may not be eligible for an IEP but may be eligible for a Section 504 plan--even though the participants may be the same.

The cumulative effect of these and other circumstances has led to a lack of coherence in these components, and has diminished the respect school personnel have for the work of the central office. These issues have also contributed to the strong push by schools to maintain their local autonomy.

- ***Disjointed District/School Visions and Actions.*** Because of the lack of agreed-upon non-negotiables, AASs are less able to hold principals accountable for student outcomes. As discussed above, district and school interests are not always the same. Principals filter information to protect their schools from district mandates they do not fully embrace, and are disinclined to engage central office personnel when it does not meet their individual purposes. Two anecdotes exemplify this finding. First, unlike any other district where the Council's team has conducted a special education review, some principals interviewed strongly objected to having special education program specialists providing more support for teaching/learning in their schools, especially if they could be freed up from their compliance focus. Second, only half of the 18 principals invited chose to show up for our focus group. Of those who participated, the majority represented full inclusion schools. This proportion of attendance was small compared to other SCUSD focus groups, and to other focus groups in other school district reviews.
- ***Insufficient Cross-Departmental and School Collaboration.*** In addition to the examples of

⁸⁶ This position was vacant at the time of the visit.

cross-departmental collaboration described above, other needs that were cited included:

- More aggressive human resource recruiting and position processing to fill numerous vacant special education positions;
- Regularly scheduled meetings between transportation and special education to address long and costly routes.
- More effective practices at the district's enrollment center to ensure that communication with the special education department is continuously effective, regardless of rotating staff and summer schedules, so that incoming students with IEPs are placed appropriately and in a timely manner.
- More consistent and timely responses from department personnel to schools, e.g., transportation, human resources, and special education.

Generally, personnel from both central office and schools seek professional learning and information, especially those who are new. Conditions such as those described above are associated with what is seen as a constant turnover of leadership (20 of 76 new principals last year, several interim positions at the highest administrative levels, etc.⁸⁷). There is also agreement that the AAS role is more reactive than proactive, and they see themselves as "fire fighters." Other departmental personnel voiced this theme as well. Restructuring within departments does not address these issues. To leverage the knowledge and expertise of SCUSD leaders and staff members we met, personnel need to be aligned in a manner that will maximize their collective efforts.

Administration and Operation of Special Education

Special Education Organizational Structure

Exhibit 4b shows the special education department's personnel and organizational functions under the special education/special education local plan area (SELPA) director and three supervisors. A fourth supervisor position was vacant at the time of the Council's visit, and the duties of this position were transferred to the other three supervisors. As with other central office departments, special education was cut dramatically in 2010, which has made it more difficult for personnel to carry out their responsibilities.

Exhibit 4b. Special Education Department Organization and Functions

Special Education/ SELPA Director	Supervisor 1	Supervisor 2	Supervisor 3
60 direct reports	83 direct reports	74.5 direct reports	29 direct reports
3 supervisors 12 program specialists	50 speech/language pathologists (SLPs) 5 SLP assistants	41 IEP designated instructional paraprofessionals (DIP) (school-based)	11 transition workability program staff 5 occupational therapists & COTAs (OT assistants)

⁸⁷ Numbers were current as of the time of the review.

Improving Special Education Services in the Sacramento Unified School District

Special Education/ SELPA Director	Supervisor 1	Supervisor 2	Supervisor 3
30 psychologists 12 SELPA support staff 3 inclusive practices coaches 1 budget technician	7 hearing interpreters 5 preschool teachers 8 instruction aides 1 individual instruction specialist (home/hospital) 6 adult transition program 1 office technician	14 behavior intervention specialists and I/As 5 health aides 6 Social Workers	5 assistive technology staff 4 adapted PE specialists 3 Shriner's Hospital teachers
		1.0 office technicians II	

Additional Supervisor Responsibilities		
Supervisor 1	Supervisor 2	Supervisor 3
Deaf Task Force New students with IEPs placement Personnel work re: posting and interviewing for vacant special education positions Job fairs, etc. Paperwork for teachers over their contract limit Staff development	Extended school year	
	Administrative review team Compliance (with director/assistant), and special education procedural manual Residential placement Behavior review and pre-expulsion hearings for students with IEPs (with student hearing/placement director) Compensatory education and tutoring County Office of Education programs Special Arts	Monthly CAO meetings Alternate standards curriculum Field trips Special educator induction (with induction coordinator) New teachers not in induction program Nursing services PT and music therapy Special Olympics Surrogate parents (with foster youth services) Department staff appreciation/team building Special education website

Observations about the Organization of the Special Education Department

The special education department's current structure has components that limit its effectiveness. These include:

- ***Span of Personnel Oversight.*** The special education director and two supervisors have an unrealistically high number of people to supervise. With direct reports numbering 61, 83, and 74.5, respectively, it is not realistic for the director and supervisors to carry out their supervisory responsibilities as expected.

- **Human Resources Work.** Each supervisor carries out a fair amount of work related to human resources, which is excessive because of the high turnover rates of teachers and aides.
- **Schools Aligned with AASs.** As discussed above, program specialists are not assigned to schools in a manner that is aligned with the AASs. Although they were aligned in the past, as their numbers changed, so did their organization.
- **Personnel with Similar Expertise.** Personnel who address physical health and social/emotional health are separate from other personnel supporting students without IEPs but have similar needs.
- **School-based Positions.** Several supervisory functions involve oversight of school-based preschool special educators and instructional aides. Several positions are for two classes at a newly reopened school, and it is anticipated that their supervision will transfer to the principal next school year. The other positions are at sites without a site administrator, so the special education department provides their supervision.
- **Postsecondary Transition.** Each group supporting postsecondary transition activities (6 with the adult transition program and 11 with the transition workability program) reports to different supervisors. In the past, the two groups reported to the same supervisor. But with the current vacant supervisor position, the two postsecondary transitions groups were divided up and now report to two different supervisors. All supervisor assignments will be re-evaluated when the additional supervisor is hired.

Focus Group Feedback about Special Education Department Operation

Focus group participants, including CAC parents, generally expressed positive comments about the special education director. Special education teachers believe the director supports their efforts, and that she is responsive despite her broad responsibilities.

Overall, special education personnel we met appeared to be committed to students, and eager to improve their support to schools. More specific feedback is provided below.

- **Compliance Focus.** Program specialists and other special education personnel are focused primarily on compliance because of their fear of litigation. At the same time, there are concerns about the quality of IEPs, timely access to IEPs by aides, and their implementation. Interviewees, however, reported the lack of structured English language support for students, including students with IEPs and 504 plans.
- **Program Specialists.** Program specialists are each assigned to 8 to 10 schools. They provide advice on special education service delivery, compliance, IEP development, etc. Several concerns emerged with respect to these personnel.
 - **IEP Role.** Program specialists serve as the district’s representative in all initial and IEP reevaluations--as well as complicated IEPs. They are encouraged to and want to support teaching/learning, but compliance priorities take most of their time. According to most AASs and principals with whom we spoke, program specialists are not needed at each of these IEP meetings. Their sense was that psychologists had a good understanding of the

eligibility process and student needs, and could chair these meetings without the program specialists.

- **Gatekeeping Function.** Although the program specialists are viewed as gatekeepers, they bear the school-based burden of maintaining compliance, as most principals do not actively engage in special education.
- **Office Administration.** Central office special education assistants reported a variety of concerns related to inconsistent work ethic and inequitable workloads. Access to staff members' calendars and the opportunity to provide input during departmental staff meetings would improve their work quality, according to assistants. A classification study was conducted for the assistants about a year ago, but the group was unaware of the results.

There was a strong belief among interviewees that most complaints relate to special education, and that program specialists are not always sufficiently responsive. Yet, special education is not widely owned by AASs and principals, except to communicate a need for more teachers or aides, or a compliance problem. Absent a sense of shared responsibility and accountability at the district, area, and school levels, and use of consistent rules, communication, and training, an army of program specialists would probably still be insufficient to meet all expectations and student needs.

School-based Special Education and Related Services Support

This subsection presents data on staff-to-student ratios in special education, i.e., speech/language pathologists, psychologists, nurses, occupational therapists (OTs), and physical therapists (PTs). SCUSD ratios are compared to other urban school districts on which we have data.⁸⁸ (All districts did not report data in each area.) These data are based on full time equivalent (FTE) staff members and not on the number of positions *per se*. Also, the Council team presumes that FTE data includes vacant positions.

The data do not give precise comparisons, so results need to be used with caution. District data are not consistently reported (e.g., some districts include contractual personnel and others may exclude them) and data are sometimes affected by varying placement types used by a school district. The data may count all students with IEPs, including those placed in charters, agencies, and nonpublic schools, while other districts will not count these students. Still, these data are the best available and are useful as a *rough guide* to staffing ratios. Appendix B has detailed data on each school district.

Special Educators

The following is information on special education teacher staffing ratios and information provided by district and focus group participants.

⁸⁸ Much of the data were provided by the school districts that responded to a survey conducted by the Urban Special Education Leadership Collaborative; Council team or members of the team collected the remaining data during district reviews.

Special Education Teacher Staffing Ratios

Exhibit 4c shows the district's student-to-special-education teacher ratios, compared to 71 other urban school districts. With 288 full-time-equivalent (FTE) special educators,⁸⁹ SCUSD has an average of 22.6 students with IEPs (including those with speech/language impairments) for every special educator.⁹⁰ This ratio is much higher than the 14.5 teacher-student average of all districts on which we have data, and ranks SCUSD as 66th among the 71 reporting districts.

Exhibit 4c. Average Number Students for Each Special Educator

Areas of Comparison	Special Education Teachers
Number of SCUSD Staff FTE	288.1
SCUSD Student w/IEP-to-Staff Ratios	22.6:1
All District Average Ratios	14.5:1
Range of All District Ratios	7–37:1
SCUSD Ranking Among Districts ⁹¹	66 th of 71 districts

Allocation of Positions and Hiring

According to district personnel, special education teachers are allocated based on the projected numbers of students in each relevant service area, e.g., resource, special day by type, and the projected number of students at each site for the following year. Students also have the opportunity to apply for open enrollment, which affects the allocation at some schools. The district's business office sponsors a one-stop staffing event each December or at the beginning of January. At that time, schools are shown their staffing projections. In addition to principals, representatives from the human resources department, the budget office, the AAS's, and the special education director go through staffing projections line-by-line.

Focus group participants raised the following concerns related to hiring decisions and multiple school assignments for resource providers.

- **Hiring.** The Council team received various explanations about who is responsible for selecting school-based special educators. Some interviewees reported that the special education department makes the selections, and others reported that the principal does. A third answer was that the selection is a joint effort between the principal and special education department, but the special education department “decides.” This process is different from that of school districts that enable principals to hire their own staff, including special educators—an approach which supports principal accountability for special education services.
- **Resource Teachers.** Reportedly, a larger than usual number of resource teachers have students at more than one school. Of the five such teachers we spoke with, four had students

⁸⁹ The FTE number includes teachers for: resource programs (106.1), SDCs (154), home/hospital (3), inclusion specialists (2), inclusion coaches (3), and deaf/hard of hearing (5).

⁹⁰ Although special educators for the most part do not instruct students with a speech/language impairment only, as SLPs are the primary providers, these students were included as students with IEPs for all surveyed districts.

⁹¹ Ranking begins with districts having a low average number of students to one staff person.

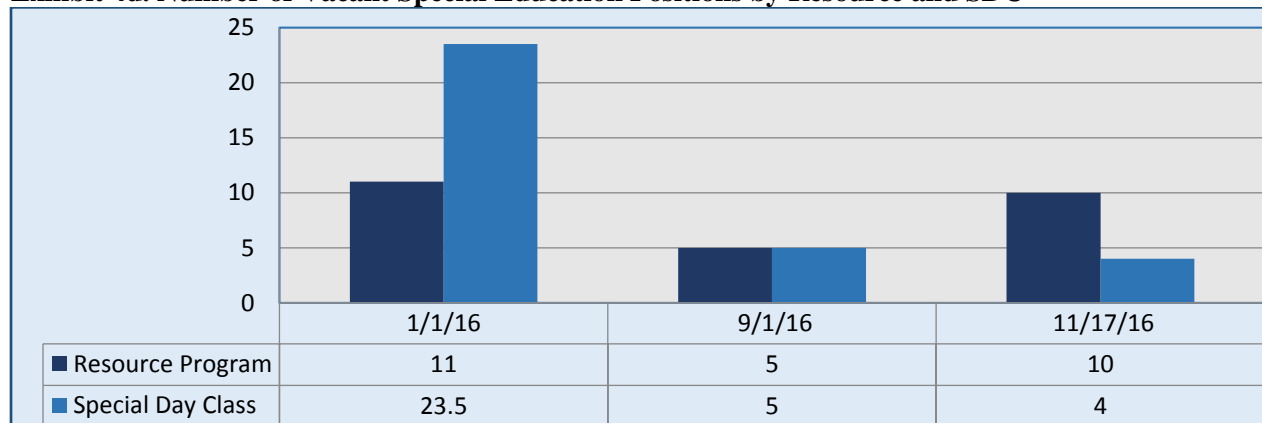
enrolled in two different schools. Almost all districts we have reviewed are able to have resource special educators report to one school only. The district's distinction may be related to its reliance on SDCs, which does not enable these teachers to be fully embedded in each school's culture and learning environment.

Vacant Special Education Teacher Positions

A common theme of focus group participants concerned vacant positions, and students who continue to be taught by substitutes or new teachers who lack adequate understanding of teaching and learning. Special education teacher shortages have been an historic issue.

Exhibit 4d shows the number of vacant special education teacher positions at three times, including the number of resource and SDC vacancies. The largest number of vacancies was in January 2016, with 11 resource teachers and 23.5 SDC teachers. By November 2016, SDC teacher vacancies decreased to four, but resource teacher vacancies remained at 10. At the time of the Council's visit in November, at least one of these vacant positions was for a pre-K/kindergarten SDC for young children with autism, which had five IEP designated instruction paraprofessionals (DIPs). Since the Council team's visit, the classroom for young children was staffed with a special education teacher.

Exhibit 4d. Number of Vacant Special Education Positions by Resource and SDC



Reportedly, one reason the district has had difficulty filling special education (as well as other) positions pertains to a collective bargaining provision that prevents the district from posting vacant teacher positions outside of the district, and from offering new employment until July 1st of each year. This late delay negatively affects district hires because most other districts around SCUSD start school in early August and have earlier hire dates. The district has initiated several activities to reduce special educator vacancies, but they have fallen short of their goals. These efforts included:

- ***Pool of Teachers.*** For this school year, the human resources office established a pool of teachers with contracts for 2015-16 without specifying a school location. However, the pool was not sufficient to meet the hiring demand.
- ***Philippines Recruitment.*** The district aggressively recruited 12 special educators from the Philippines, and worked with a vender to assist the new teachers with cultural support,

housing, etc. Nevertheless, more was needed to enable these new hires to understand the needs of their students, some of which are intensive.

For 2016-17 the district is revitalizing a prior partnership with SAC State University to recruit graduating teachers before other districts can hire them. Also, by using some teacher credential changes applicable to intern programs, the district hopes to have a cohort of 24 new teachers next school year. Other suggestions that were mentioned included the use of a hiring bonus of about \$5,000, which has been a strategy successfully employed by other districts.

There are some who question whether human resources' recruitment efforts have been sufficiently aggressive. The absence of a full-time person in human resources to address special education and related services personnel is problematic. From the vantage point of schools and parents, any personnel vacancy in a critical area such as special education is not satisfactory.

Paraeducators

The following is information about paraeducator⁹² ratios and information from district and focus group participants.

Paraeducators Staffing Ratios

Exhibit 4e shows the district's student-to-paraeducator ratios, compared to 71 other urban school districts. With 246.2 FTE paraeducators, SCUSD has an average of 26.5 students with IEPs for every paraeducator.⁹³ This ratio is much higher than the 15.3 paraeducator-student average of all districts on which we have data, and ranks SCUSD as 67th among the 71 reporting districts.

Exhibit 4e. Average Number Students for Each Paraeducator

Areas of Comparison	Paraeducators
Number of SCUSD Staff FTE	246.2
SCUSD IEPs-to-Staff Ratios	26.5:1
All District Average Ratios	15.3:1
Range of All District Ratios	5.26–56:1
SCUSD Ranking Among Districts ⁹⁴	67 th of 71 districts

Paraeducator Vacancies

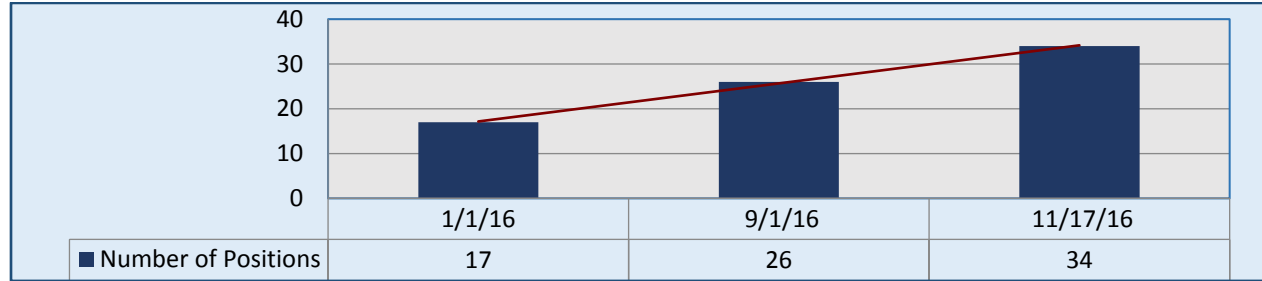
Exhibit 4f shows that from January 1, 2016 to November 17, 2016, the number of vacant paraeducator positions doubled from 17 to 34. The November vacancy figure represented 14 percent of the 246 paraeducator positions. As with the special educator vacancy situation, the absence of a full workforce negatively affects the education of students with IEPs.

⁹² The term paraeducator is used generically and includes both general instructional aides and IEP designated instruction paraprofessionals (DIPs).

⁹³ Although special educators for the most part do not instruct students with a speech/language impairment only, as SLPs are the primary providers, these students were included as students with IEPs for all surveyed districts.

⁹⁴ Ranking begins with districts having a low average number of students to one staff person.

Exhibit 4f. Number of Vacant Paraeducator Positions



Allocation of Paraeducators

The district has two types of instructional aides: general instructional aides and IEP designated instructional paraprofessionals (DIP). Instructional aides are assigned to special education programs at school sites. The DIPs are assigned to students with IEPs that require an individual or shared aide, and they assist behavior intervention specialists to implement students' behavior intervention plans.

- **General Aides.** Elementary resource-service program (RSPs) teachers each have 2.5 hours of aide time. Middle and high school allocations vary based on student enrollment and number of teachers in the program. Generally, each SDC class has one aide assigned, while an SDC for students with moderate to severe disabilities have two aides. School principals hire these aides.
- **DIPs.** The district's inclusion teachers assess students referred for additional adult support to help students access the curriculum. The assessment results are shared at IEP meetings for the team's review and determination of need. The DIPs working with the behavioral intervention specialists are hired and supervised centrally by the special education department.⁹⁵ Most of the district's paraeducators that are centrally employed are DIPs. The district supervisor, inclusion specialist, and nonpublic agency staff meet at least monthly to discuss students and the possible fading of support.

Focus Group Participant Feedback

Focus group participants expressed the following concerns about paraeducators.

- **Use of Private Agencies.** The district contracts with three private agencies for some 200 behavioral and individual aides--in addition to district-employed aides. We heard many concerns about paraeducators and their lack of training, poor retention, and restrictions on collaboration with student teachers. Most of these concerns applied to one vendor supplying behavioral aides. The team was told that paraeducators hired through vendors were generally better trained than those hired directly by the district, and that they could be replaced if needed. However, some focus group participants disputed the claim that paraeducators from the vendor were well trained. Paraeducators from another vendor participated in a two-week training program focused on skills and knowledge they needed to work with their students and on their assigned tasks. Furthermore, depending on the agency in question, the

⁹⁵ Most of the district's paraeducators are hired by the site and are general aides.

paraeducators are not permitted to collaborate with teachers about such areas as the student's daily schedule, and what they need academically. Instead, this activity must be cleared with their supervisor. This requirement appears to interfere with the ongoing communication teachers and paraeducators must have to support their students. Either way, the district does not appear to have a way of differentiating the effectiveness of paraeducators.

- **Multiple Paraprofessionals for the Same Students.** Reportedly, some students have two different paraeducators, one for inclusion and the other for behavior.⁹⁶ This arrangement—though rare—appears to be unnecessary, costly, and confusing for teachers and parents.
- **Paraprofessional Role.** Reportedly, some general educators expect the paraeducator to teach an included student themselves, rather than have the paraeducator support the general and/or special educator's instruction.
- **IEP Attendance.** The paraeducators that the special education department supervises is permitted to attend IEP meetings only if the special education supervisor approves the activity. It would be more effective and efficient to have this activity approved by appropriate personnel at the school site.

Related Services Staffing Ratios and Focus Group Participant Feedback

Staffing ratios and other data on related-services personnel are summarized below and detailed in Exhibit 4e.

- **Psychologists.** With 29.7 FTE psychologists, including five interns, there was one psychologist for every 219.5 students with IEPs, compared to the district average of 119 students. SCUSD ranked 47th of the 63 reporting districts in their number of psychologists.
- **Speech/Language Pathologist (SLP).** With 50.8 FTE speech/language pathologists (SLPs), there was one SLP for every 128.3 students with IEPs in SCUSD, compared with the district average of 173 students. SCUSD ranked 53rd of 70 reporting districts in their number of SLPs.
- **Other Related Services.** The district provided small FTE numbers for social workers and nurses employed by the special education department, but it did not include personnel hired on a contractual basis or employed by other departments. Because these data are not complete, staff ratios were not computed to compare to other districts. Also, no data were provided for physical therapists (PT). Data for other districts are available in Appendix A.

Exhibit 4e. Average Number Students for Each Speech/Language Pathologist and Psychologist

Related-Services Areas	Psychologists	SLPs	Social Worker	Nurses	OT	PT
Number of SCUSD Staff FTE	29.7	50.8	8	5	2	NA
SCUSD Students w/IEPs-to-Staff	219.5:1	128.3				
All District Average Ratio	119:1	173:1				
Range of All District Ratios	26–596:1	31–376:1				
SCUSD Ranking	47 th of 63	53 rd of 70				

⁹⁶ District reports this situation would occur very rarely based on a student's individual needs.

Focus Group Participant Feedback

Focus group participants expressed the following concerns about the management of SLPs and psychologists.

- ***Speech/Language Pathologists.*** SCUSD has had to rely on private agencies to contract for at least 10 SLPs to compensate for positions that the district has been unable to fill. Many SLPs have gone to nonpublic agencies, which enable them to have smaller caseloads and better salaries. Reportedly, SLPs leave the district for reasons such as the following:
 - ***Caseloads.*** SLPs have caseloads that begin with some 60 students at the beginning of the school year and usually reach 80 or so by the end of the school year. This arrangement leaves the SLPs no time to work with general education students having speech/language issues that could be addressed through an MTSS framework.
 - ***Professional Learning.*** Rather than discussing strategies for improving instruction during SLP meetings, the focus reportedly is on avoiding litigation.
 - ***SLP Assistants.*** The special education department currently employs five SLP assistants, which the district uses to enhance support for SLPs.⁹⁷
- ***Psychologists.*** The following concerns were expressed in the area of school psychology.
 - ***Role.*** Psychologists primarily are engaged in completing special education assessments, and they have high caseloads. This test-reliant process reflects an outdated model of psychological support. The National Association of School Psychologists (NASP) and district psychologists support a role that enables psychologists to engage in MTSS, which includes the gathering and review of data, problem solving, and providing interventions.
 - ***Assessment Tools.*** Psychologists lack tools to support valid and nondiscriminatory assessments.
 - ***Vacancies.*** There are two vacant psychologist positions, and one psychologist is working through a private contract. The five psychology interns do not have much access to training.
- ***Occupational and Physical Therapists.*** Generally, OT/PT services are provided on site and through clinic-based services depending on student need. However, it is not unusual for occupational and physical therapy to be provided at the site of a private vendor, with parents being reimbursed for the child's transportation. This model does not support coordination with the students' special education, which the therapy is supposed to benefit. In addition, this model is not consistent with research that shows the benefits of school-based occupational therapy, including the use of a consultative model for students receiving special education.⁹⁸

⁹⁷ This footnote refers to SLPAs to support SLPs. In addition, CODAs are used to support occupational therapists.

⁹⁸ Occupational Therapy: Effective School-Based Practices within a Policy Context, Prepared for the Center on Personnel Studies in Special Education, June 2007, retrieved from http://copsse.education.ufl.edu/docs/OT_CP_081307/1/OT_CP_081307.pdf. Also see, *What's the difference? Clinic-Based Versus School-Based Physical Therapy and Occupational Therapy*, retrieved from <https://blog.easystand.com/2011/04/clinic-based-versus-school-based-physical-therapy-and-occupational-therapy/>.

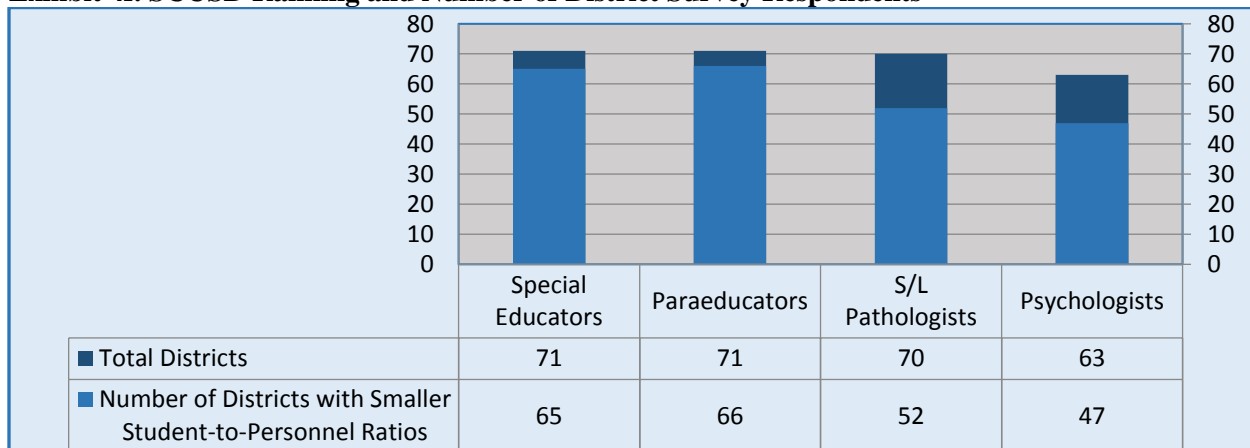
- **Music Therapists.** IDEA does not specifically list music therapy as a related service; however, that list is not exclusive. The state’s Title V regulation does refer to music therapy, which is to be provided by a registered musical therapist. Initially, music therapy was provided to students who lacked mobility and the ability to communicate. The service has expanded to other students regardless of their functioning level. Reportedly, students assessed for this service typically qualify, and there is no exit criteria.
- **Leadership.** Generally, there was concern about the lack of supervision for related services personnel, particularly for individuals who were new to the profession. The SLPs do not currently have a lead provider, but the psychologist has a full caseload and “lead is in name only.” The seven behavior intervention specialists (BIS) do not have a lead BIS, which is especially problematic when one is absent and others have to have their schedules adjusted to cover student needs. There were also overarching concerns that related-service providers are not being asked for feedback on their need for materials and workspace, and replies to their emails are not always timely. Lead personnel can be useful to supervisors when they do not have the expertise related to each provider group supervised. However, the leads need to have their caseloads reduced to have sufficient time to carry out their expected responsibilities.

Overall School District Rankings

Exhibit 4f shows the number of districts having smaller staff-to-student ratios, i.e., fewer students with IEPs per staff member in each area, compared with SCUSD and other districts on which we have data. In all areas, the district had much larger ratios compared to most other districts.

- **Special Educators.** Sixty-five of 71 districts (92 percent) have smaller ratios than SCUSD.
- **Paraprofessionals.** Sixty-six of 71 districts (93 percent) have smaller ratios than SCUSD.
- **Speech/Language Pathologists.** Fifty-two of 70 districts (74 percent) have smaller ratios than SCUSD.
- **Psychologists.** Forty-seven of 63 districts (74 percent) have smaller ratios than SCUSD.

Exhibit 4f. SCUSD Ranking and Number of District Survey Respondents



Compliance and Fiscal Issues

Information in this subsection focuses on issues related to compliance, access to information, dispute resolution, fiscal issues, and accountability.

Compliance Support and Access to Information

The following provides information about the district's data efficacy, maintenance of special education records, the electronic IEP system, the procedural handbook, requirements for IEP meeting participation, and the special education webpage.

- ***SCUSD Data Efficacy.*** The Council's team asked the district to provide data to support the charts, tables, and analysis included in this report. In several areas, the data did not have or did not provide the information requested.
 - ***Special School Reporting.*** The district was asked to report the number of students with IEPs by each of the educational settings that the state and U.S. Department of Education monitors. (State Performance Plan Indicators 5, 9, and 10). The district's report did not show any figures for students placed by the district in special schools operated by the district or nonpublic agencies.⁹⁹ Instead, the educational settings for these students were included in the less restrictive setting of general education less than 40 percent of the time, and between 79 percent and 40 percent of the time.
 - ***Suspensions.*** Rather than providing suspension data on students with and without IEPs by the number of suspension days in the manner monitored by State Performance Plan Indicator 4, the district reported only suspensions for all students by the reasons for suspensions.

Not only were these data important for the Council team to assess district practices, they are also important for the district to assess regularly and before it receives its annual state report based on prior year figures. Only after several discussions was the district able to produce relevant data on the topics that were analyzed in this report.

- ***Maintenance of Special Education Records.*** The district maintains all special education records centrally, even though most of these records are/could be maintained on the district's SEIS system. Furthermore, there is no requirement that schools maintain all special education records for their students. The maintenance of these records at the central office, which requires school office staff to send and special education department staff to manage, is unnecessary and costly. Other school districts, such as the Chicago Public Schools, have not had centralized record filing since the early 1990s.
- ***Usage and Access to Electronic IEP System.*** Various concerns were expressed about training in and access to the district's electronic IEP record system.
 - ***Training.*** There is no structured training in place for new personnel or those who need to supplement their knowledge of the district's IEP system and special education procedures. Although webinars are available, there is a desire for direct professional

⁹⁹ Reportedly, this reporting issue has been corrected.

development. Without a good understanding of the IEP system and relevant procedures, noncompliance issues are more likely to arise.

- **General Educator Access.** Reportedly, general education teachers do not have access to the electronic IEP system--even on a “read only” basis.
- **SIS.** The student information system does not have a field to denote students who have an IEP or 504 disability. This notice, which other districts include in their systems, provides an alert to unaware teachers that there may be information they require to meet student needs.
- **Special Education Procedural Handbook.** The district’s special education procedural handbook, which provides information on special education compliance, is on the special education department’s webpage.¹⁰⁰ Although it is a fairly comprehensive document, the document has a PDF format. As a result, it is not web-based with links to important resources and more detailed information, and it is not easily updated.¹⁰¹ Although the manual is posted online, focus group members (including special education and related services personnel) generally were unaware of its existence.
- **Collective Bargaining Agreement Reference to IEP Meeting Participation.** SCTA/SCUSD Collective Bargaining Agreement’s Appendix D contains written information about which individuals are required to attend IEP meetings. Section 4c) of the Appendix pertains to IEP meeting attendance. The section specifies that “[r]egular education teachers shall have the rights, *but are not required*, to attend IEP meetings.” (Italics added.)

In 1997, IDEA was reauthorized to require at least one of a student’s regular education teachers to participate in the IEP meeting if a student is, or may be, participating in the regular education environment.¹⁰² As part of IDEA’s reauthorization in 2004, a provision was added to allow an IEP team member to be excused or not participate under specific circumstances.¹⁰³ None of these circumstances are based on the regular education teacher’s preference or blanket permission not to attend.

- **Department of Special Education Webpage.** The special education department has a webpage that provides the department’s mission statement, and links to the following five areas of information:
 - Parent Resources with links to the state’s parent notification form and the special education procedural handbook;
 - Community Advisory Committee (CAC) with information for parents;
 - Special education staff with names, phone numbers, and links to send messages;
 - Alternative Dispute Resolution with three ways to resolve disputes without filing complaints or due process hearing requests; and

¹⁰⁰ Retrieved from http://www.scusd.edu/sites/main/files/file-attachments/special_education_procedural_handbook.pdf.

¹⁰¹ See for example, Houston Independent School District’s web-based special education document.¹⁰¹

¹⁰² 34 C.F.R. §300.321(a)(2)

¹⁰³ 34 C.F.R. §300.321(e)

- Local Plan for Special Education.

The department is missing an opportunity to fill its webpage with links to the many publicly available resources that are of interest to district personnel and parents. See, for example, the webpage hosted by the Anchorage School District's special education department.¹⁰⁴

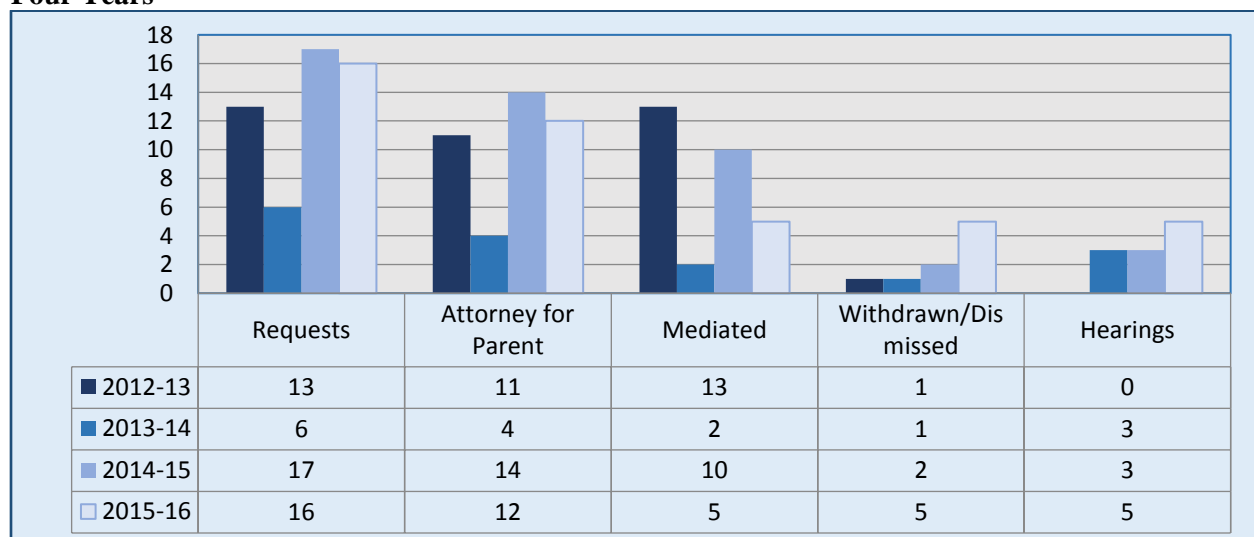
Dispute Resolution

Data on due process hearing requests over the past four years, and information about the reasons for these requests, are provided below.

Due Process Hearing Requests

Special education litigation has historically ebbed and flowed depending on issues within the community, relationships with sites and central staff, and the impact of similar litigation decisions in other areas of the state. Based on information provided by the district for the last four years (2012-13 through 2015-16), parents filed 52 requests for due process hearings. Of these requests, 30 (58 percent) disputes were mediated, 9 (17 percent) were withdrawn or dismissed, and 11 (21 percent) proceeded to a hearing. Attorneys represented parents in 41 (79 percent) of the cases. The yearly figures are shown in Exhibit 4g. Overall the cases reflected 35 different schools. Three schools each had two requests, two schools each had three requests, and the nonpublic schools had five requests. The team was unable to compare these data with other districts.

Exhibit 4g. Number of Due Process Requests, Parent Attorneys, Mediations, and Hearings Over Four Years



Due Process Associated Costs

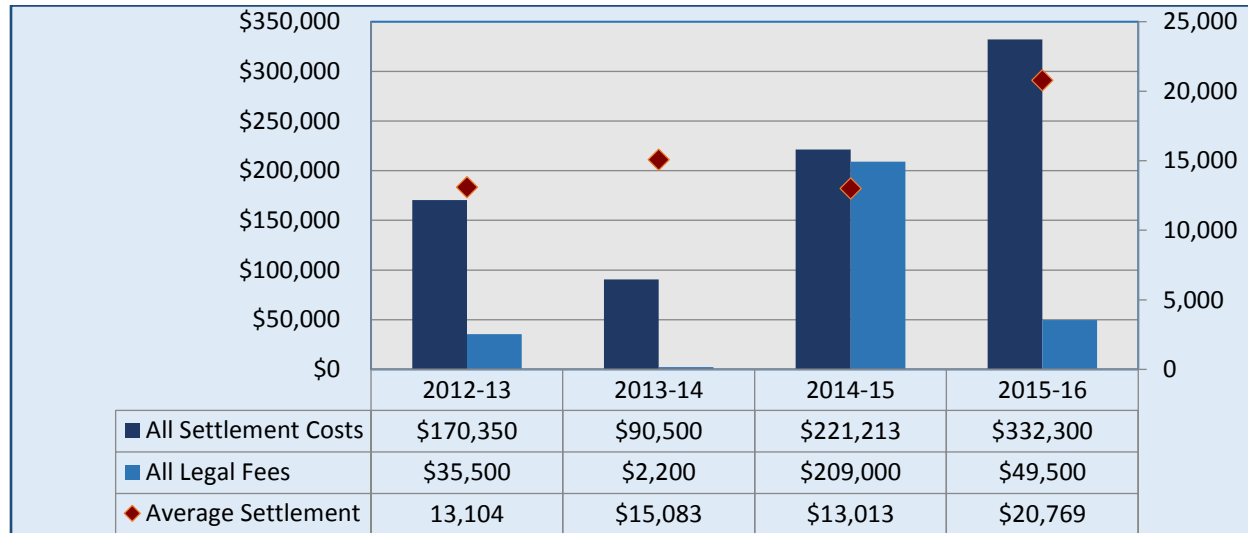
Over these four years, the average settlement cost was \$61,969. The total settlement costs reached \$814,463.00, and legal fees added \$296,200. In total, the district's cost was \$904,713. Some of these costs may decrease as two cases are being negotiated. Also, legal fees associated

¹⁰⁴ Retrieved from <http://asdk12.org/sped/>.

with one case may change because the case is pending in Federal Court. Exhibit 4h shows these costs by year.

In general, cases are lasting longer than before, so costs are going up. This may be due to the fact that there are more procedures now than in the past, and there is an increase in time opposing counsel is calling witnesses and presenting evidence. Moreover, the office of administrative hearings went through a staffing shift in the last few years. There has been substantial turnover in administrative law judges (ALJs), so it is now more common to see judges with little experience in this area. For its part, the special education division has tried out various strategies over the years in terms of training ALJs.

Exhibit 4h. Costs Associated with Due Process Over Four Years



Due Process Hearing Issue Trends

Several major reasons were given to explain the high costs associated with due process.

- ***Shifting of Mental Health Services to Schools.*** Between 1984 and August 2011, county mental health agencies in California funded and provided such mental health services as: individual, group, and family therapy; case management; and services provided in both community-based and residential treatment programs. These decisions were made through an expanded IEP team decision.¹⁰⁵ The California legislature transferred these services to school districts, beginning with the 2011-2012 school year. All funds previously used to pay for these services were transferred to SELPAs and school districts. Although school districts in other states have always provided these services pursuant to students' IEPs, this expectation was new for California school districts. Five due process cases during the past four years led to residential treatment; and associated costs can reach more than \$300,000 per child. Prior to 2012-13, SCUSD had no students placed in residential care. One attorney stated that this

¹⁰⁵ "School Psychologists are the Best Equipped to Deliver Mental Health Services in the Schools," California Association of School Psychologists, retrieved from http://www.casponline.org/pdfs/pdfs/casp_mental_health_papers.pdf.

basis for due process hearing requests is a trend across the 30 California districts she represents.

- ***Shifting Legal Standards.*** There has been some shift by administrative law judges (ALJs) hearing due process cases to depart from the current *Rowley* U.S. Supreme Court standard for determining a student's "benefit from education" to a higher standard, especially for mental health issues, and deferring to the expertise of school district witnesses. Also, a 9th circuit court case that addressed a student's out-of-school behavior is having an influence on ALJ considerations.

Overall, focus group participants indicated that the district's approach to due process was reactive rather than proactive, and involved principals who were not consistently engaged in the special education process, including in mediation and due process. Specifically, the most common procedural compliance issues cited included:

- Proper members of the IEP team not being present at meetings;
- Goals/objectives not being clear and measureable, and periodic progress monitoring reports being missing;
- All IEP designated services not being provided;
- Clear documentation not explaining why services are reduced or terminated;
- Placement offers not being clearly written;
- All areas of suspected disability not being assessed;
- Appropriate and measurable postsecondary transition plans and goals not being developed and implemented;
- Educationally related mental health services and academic supports not being assessed and implemented in a timely manner.

Actions Taken and Planned to Address Legal Issues

According to information provided by district representatives, the following activities are being implemented to address the underlying legal issues that face the district with respect to due process.

- Program specialists are providing monthly training on quality IEP development and implementation/monitoring of IEPs. Such training occurred more frequently prior to the provision of site collaborative time, which was created this school year.
- Administrative staff and program specialists are maintaining strong communication and collaboration with schools to provide support and training when a pattern of deficiency in IEP development and implementation is detected.
- Schools with noted deficiencies are receiving targeted professional learning.
- The special education director and supervisors are attending "difficult" IEP meetings to provide support and guidance to site staff and IEP teams.

- For complicated IEPs, time is being taken after the meeting and before the document is finalized to ensure all decisions are well documented and defensible. Before providing consent, parents are given an ample opportunity to review and reconvene with staff.
- IEP paperwork is being randomly audited at each site to identify areas of needed improvement, monitoring and professional learning for specific case managers.
- Ongoing professional learning is being provided for parents on IEP development, strategies for home, and implementation of the common core curriculum.
- The district is funding an alternate dispute resolution specialist for 2016-17 to provide independent consultation to parents before seeking legal representation.
- An additional program specialist and supervisory position will support the monitoring of more IEPs, and provide a higher level of support to specific sites where training and monitoring is needed

The actions above are proactive and targeted. They do not include, however, any role for principals to play with respect to oversight of special education in their schools. With all responsibility placed on special education department personnel and the absence of accountability by school leaders, disputes may decrease some, but not to the maximum extent possible if more shared ownership existed.

Medi-Cal

Beginning with the 2014-15 school year, the California Department of Health Care Services (DHCS) increased the required documentation to support Medi-Cal reimbursement, documentation that exceeds federal requirements. To address these issues, the district has implemented a system to support the electronic documentation of Medi-Cal eligible services for all students with IEPs, including those who are enrolled in Medi-Cal. Training was provided to facilitate the documentation process.

Reportedly, personnel are struggling with the new electronic documentation process, and not all personnel are using it to track the services required to bill for Medi-Cal reimbursement. Some personnel feel that their caseloads are too large to document services electronically, or simply record that service notes are on file, which is not sufficient for Medi-Cal. District officials have not communicated a clear message that relevant personnel must use the electronic tracking system to document related services, or indicated the frequency by which information are required to be uploaded. Furthermore, there are no stated consequences for any failure to comply. These circumstances are likely to decrease substantially the district's Medi-Cal reimbursement.

Transportation

In addition to other areas discussed above, transportation services comprise a high special education cost area, and there are various concerns about the effectiveness of these services.

Transportation Costs

During 2015-16, there were 107 special education bus routes to transport students to district, nonpublic, and county school programs. With an average cost of some \$96,000 per driver/route, the service's total cost was over \$10,000,000. Reasons for this high cost include the following:

- ***SDCs and Special Schools.*** The district's reliance on a large proportion of SDCs and special schools to educate students with disabilities.
- ***Bell Times.*** Scheduling common bell times that do not allow for buses to run two routes each day. This is now a common transportation pattern for many urban school districts.

Transportation Effectiveness

Focus group participants expressed the following concerns about transportation services.

- ***Length of Routes.*** Reportedly, most transportation routes are not longer than 60 minutes. However, there were estimates that some routes, including those for preschoolers, run as long as 1.5 hours.
- ***Use of Technology.*** Technology is not used to report each student's transportation needs, which delays communications and service initiation.
- ***Bus Driver Shortage.*** There is a shortage of bus drivers, which has affected the number of buses that can operate. (This is a nationwide issue.)
- ***Shortened School Days.*** In some cases, students have a shortened school day because they arrive late and leave early to accommodate bus-route schedules.

Accountability

In the fall of 2011, the Council of the Great City Schools published its report *Pieces of the Puzzle: Factors in the Improvement of Urban School Districts on the National Assessment of Educational Progress*.¹⁰⁶ The report summarized research the Council conducted with the American Institutes for Research (AIR) on characteristics of urban school districts that had made the greatest academic improvements and had the highest overall performance on the National Assessment of Educational Progress (NAEP). The first characteristic involved a district's clear statement of goals and districtwide accountability for results. This helps to create a culture of shared responsibility for student achievement.

Other research found similar results and articulated barriers to effective teaching and learning.¹⁰⁷ School districts that effectively support school leadership often demonstrate a capacity to facilitate learning and development, address barriers to learning and teaching, and

¹⁰⁶ Available at

http://www.cgcs.org/cms/lib/DC00001581/Centricity/Domain/4/Pieces%20of%20the%20Puzzle_FullReport.pdf

¹⁰⁷ Toward a School District Infrastructure that More Effectively Addresses Barriers to Learning and Teaching, A Center Policy & Practice Brief, Center for Mental Health in Schools at UCLA. November 2011, at <http://smhp.psych.ucla.edu/pdfdocs/briefs/toward%20a%20school%20district%20infrastructure.pdf>.

govern and manage the district in ways that prioritize good instruction. In pursuing these goals, districts showing improvement have mechanisms for systemic planning, program implementation, evaluation, and accountability. During the team's review of SCUSD documents and discussions with district personnel, it identified the following issues concerning accountability.

Elements of State Structure

California law requires school districts and schools to develop a Local Control and Accountability Plan (LCAP), and allocate resources based on a Local Control Funding Formula (LCFF). In addition, the state has established several databases to collect data to assess student achievement and other related indicators. Related but not aligned with these components is the federal Results Driven Accountability framework for students with disabilities.

Local Control and Accountability Plan

California law requires each school district to annually develop an LCAP and complete an associated template to provide details on its actions and expenditures to support student outcomes and overall performance. The LCAP must describe the school district's and each school's goals and specific actions to achieve those goals for all pupils and each subgroup of students identified in the Education Code, including students with disabilities. The instructions for completing the LCAP are detailed, and include a requirement for the meaningful engagement of parents, students, and other stakeholders, including those representing relevant subgroups of students.

The purpose of the LCAP is to link transparency and accountability directly to the local budgeting process, and pair local level fiscal and instructional planning with stakeholders to ensure "more cooperative and comprehensive discussions about how to improve outcomes for all students."¹⁰⁸ But as of March 2015, the California statewide special education task force reported that California still had separate instructional services, accountability patterns, and reporting requirements for students with disabilities. Specifically, the state had not embedded the federal Results Driven Accountability indicators within the LCAP framework. "This separation contributes to a special education system that is 'siloed' in much of its implementation and is less effective than it could be."¹⁰⁹

Local Control Funding Formula

In addition to the LCAP, the state's LCFF was designed to ensure that students receive the appropriate supports and services by providing more funding for students with the greatest needs, specifically English language learners, low-income students, and foster youth. However, the LCFF does not direct special education dollars, and "it remains to be seen how the separate special education dollars fit into this picture, and more importantly, how students who have disabilities and other needs will be served."¹¹⁰

¹⁰⁸, page 1, retrieved from <http://www.smcoe.org/assets/files/about-smcoe/superintendents-office/statewide-special-education-task-force/Task%20Force%20Report%205.18.15.pdf>.

¹⁰⁹ *Id.*

¹¹⁰ *Id.* at page 24.

SCUSD Accountability, Core Values, and Practices

The information below reviews how the district is using its Single Plan of Achievement, Strategic Plan, and data, and how it is balancing school autonomy and districtwide expectations to establish a shared accountability for all students, students with disabilities in particular.

Single Plan of Achievement

SCUSD uses the Single Plan for Student Achievement template to implement the state's LCAP requirement. Although the Single Plan is used to address Title I and LCAP expenditures, the template specifically states that it includes students with disabilities. Our review of the template provided to the Council team included achievement data for all students, but it was not sorted by subgroup. Focus groups reported to the Council team that students with disabilities were not included in school priorities or specified implementation activities.

According to district representatives, a new LCAP is being developed, along with a new benchmark system and a new set of key performance indicators (KPIs). Also, staff members expect to complete a data dashboard by mid-February. While the dashboard will include additional data strands, another upgrade is anticipated to make the dashboard more robust. There is an understanding that students with disabilities will be included in this accountability system.

SCUSD's Strategic Plan

The district's Strategic Plan for 2016-2021 includes accountability as one of its four core values. Specifically, SCUSD is committed "to transparency and ongoing review of data [to] create a culture focused on results and continuous improvement in a fiscally sustainable manner."

The Strategic Plan cites the following four goals for the district:

- College, career and life-ready graduates;
- Safe, emotionally healthy and engaged students;
- Family and community empowerment; and
- Operational excellence.

The Council's team reviewed the Strategic Plan actions and proposed services to identify components that specifically affected students with disabilities. In this regard, the Plan calls for the expansion and improvement of interventions and academic supports for all students in order to close the achievement gap by:

- Building systems that lead to positive outcomes for students of color, low income, English learners, foster and homeless youth, students with disabilities, and all underperforming demographic groups;
- Implementing MTSS in order to provide a broad set of solutions for struggling students, and
- Reducing disproportional representation of subgroups in special education.

The action related to the provision of culturally relevant social, emotional, and health supports to ensure positive school climates is particularly relevant to students with disabilities. Also, the area of increasing parent empowerment would include the CAC.

Data

California's system of data collection makes it difficult for the state's school districts, including SCUSD, to produce consistent reports across different databases. Currently, the state stores information about students receiving special education in the following databases and/or management systems: California Special Education Management Information System (CASEMIS), California Longitudinal Pupil Achievement Data system (CALPADS), California Basic Educational Data System (CBEDS), the Special Education Non-Public School and Agency Database, and the Special Education Personnel Database. These databases have inconsistent definitions and time periods for data collection, which causes reports to be dramatically different from each other. These differences affect the ability to accurately and consistently identify and monitor students receiving special education, and to evaluate service effectiveness. As a result, there are concerns about the validity and reliability of data, including data reported to ED's Office of Special Education Programs (OSEP), and the extent to which it is useful to inform policy.¹¹¹

District representatives view the state as emerging from a "data desert," which has significantly impacted the district. School districts are responsible for their own data strands, for how to use the data, and how to introduce growth measures at the school site. There is a tension between the district and SCTA regarding the transparency of data. While the SCTA's position prevents the public and school stakeholders from understanding each school's outcomes compared to others in the district, it is also cognizant of unanticipated consequences that could arise.

School Autonomy vs. Districtwide Expectations

Our discussions with focus group participants revealed a strong perception that the district's current culture is based in school autonomy with no accountability. The following examples show the basis for this perception.

- ***Funding Decisions.*** Many decisions regarding how funds are used are made at the school level. As discussed throughout this report, local decision-making has resulted in fragmented and inconsistent access to evidence-based materials and practices across the district. There is concern that funds are being used for ineffective activities.
- ***Compliant Operations.*** Principals are not consistently involved with their staff to proactively address special education compliance issues. Those who are involved are aware of IEP data that shows approaching due dates for evaluations/IEP meetings, and dates that have not been met. They also ensure that IEPs being developed are meaningful for each child.
- ***Area Assistant Superintendents.*** There is a perception that the AASs have low expectations for principal performance around special education, and spend more time reacting to problematic and operational issues rather than to activities supporting instruction.

¹¹¹ *Id.* At page 46.

- ***Finger Pointing.*** While some feel there is no accountability for teacher performance, others cite the lack of accountability for principals, as well as for central office. Much of this finger pointing is the result of unclear expectations that are accompanied by inadequate human and physical resources.

A more centralized approach would help to address these issues by providing districtwide performance indicators, guidance on the purchasing of evidence-based materials, provision of professional learning, etc. However, with a lack of trust by principals and school-based staff in central office decision-making, any radical movement in this regard is likely to be met with a high level of resistance. A collaborative process between schools and central office is necessary for a balanced and effective outcome. Such a process should produce a system of shared accountability for all students, including students with disabilities, which is based on expectations and consequences, and includes technical assistance and support.

AREAS OF STRENGTH

The following are areas of strength in the district's support for teaching and learning of students with disabilities.

- ***Central Office Collaboration.*** Several meetings are scheduled for the executive cabinet, extended cabinet, academic team, and networks to meet regularly. Also, informal collaboration between departments occurs on a periodic basis.
- ***Special Education Department Operation.*** With a few exceptions, the special education director is viewed positively, especially considering her workload and responsibilities. Also, department personnel we met appear to be committed to students and eager to improve their support for schools. Of special note is the department's employment of personnel dedicated to special education financial transactions.
- ***Partnership with SAC State University.*** The district is revitalizing a prior partnership with SAC State University to recruit graduating teachers before other districts do. Also, by using some teacher credential changes applicable to intern programs, the district hopes to have a cohort of 24 teachers next school year.
- ***Special Education Procedural Handbook.*** The district's special education procedural handbook, which provides information on special education compliance, is on the special education department's webpage reference list of parent resources.
- ***Activities Designed to Address Due Process Issues.*** The special education department has taken various steps to address the underlying legal issues related to due process, such as training, monitoring, involvement in complex IEP meetings, and alternate dispute resolution.
- ***Medi-Cal.*** The district has implemented a system to support the electronic documentation of Medi-Cal-eligible services for all students with IEPs, including those who are enrolled in Medi-Cal. Training was provided to facilitate the documentation process.
- ***Single Plan of Achievement.*** The district's Single Plan of Achievement Plan template contains no figures on disaggregated subgroups, such as students with disabilities.

Recognizing the need to include students with disabilities, the district is developing a new LCAP document, benchmark system, data dashboard, and KPIs.

- **Strategic Plan.** The district's Strategic Plan has sound core values and goals, which are inclusive of students with disabilities and articulate support for the CAC and the development of an MTSS framework and practices.
- **Data.** District representatives recognize the need to improve the district's data collection and reporting capacities.

OPPORTUNITIES FOR IMPROVEMENT

The following describes opportunities to improve teaching and learning for students with disabilities.

Central Office Collaboration

The organization of the central office could be improved to maximize its support for and collaboration with schools. The district does not appear to have a clear vision and theory of action that is consistently communicated through a common language. The district is functioning as a system of schools that provides inconsistent teaching and learning opportunities, rather than a school system built on a foundation of equity and excellence. Schools have a high degree of autonomy without recognized non-negotiables. A number of circumstances, such as those described below, have produced a lack of shared ownership and accountability for special education.

- **Siloed Teaching & Learning Support.** Personnel supporting teaching and learning are not aligned for maximum effect. Leadership is fragmented by the absence of area assistant superintendents from the executive cabinet and their operational distance from the academic office. Network principal meetings are not structured to maximize communication and problem solving. AASs must supervise both principals and large districtwide departments and programs. Moreover, AASs and special education program specialists do not have the same sets of schools. Two sets of personnel support the physical health needs of students, and four sets of personnel support the social/emotional well-being of students. Also, there is separate administration for special education and Section 504 student services.
- **Disjointed District/School Visions and Actions.** Because of the lack of recognized non-negotiables, AASs are less able to hold principals accountable for student outcomes. Principals filter information to protect their schools from district mandates they do not fully embrace, and are disinclined to engage with central office personnel when it does not meet their individual purposes.
- **Insufficient Cross-Departmental and School Collaboration.** Insufficient collaboration has contributed to special education personnel vacancies, transportation issues, ineffective and untimely placement of students with IEPs from the centralized enrollment center, and inconsistent and untimely responses to schools by central office personnel.

To leverage the knowledge and expertise of SCUSD leaders and staff members we met, personnel need to be better aligned to maximize their collective efforts.

Administration and Operation of Special Education

- ***Special Education Department's Organization and Operation.*** As with other central office departments, special education was cut dramatically in 2010, which has made it more difficult for personnel to carry out their responsibilities. Nevertheless, the special education department's organization is not structured for maximum effectiveness. Although necessary, the program specialists' primary focus on compliance and gatekeeping leaves little time for them to support teaching and learning. There are also concerns related to the management of department assistants. The absence of shared responsibility and interdisciplinary accountability between central office and schools exacerbates these issues.
- ***Student/Personnel Ratios.*** Based on survey data that the Council team has collected, SCUSD has larger student-per-staff ratios compared to 70 other urban school districts. When compared to the Oakland Unified School District, for instance, which we recently reviewed, Sacramento City's ratios were larger except for paraprofessionals (which was also large). Smaller ratios in districts other than SCUSD or Oakland Unified School District are: special educators (92 percent and 44 percent, respectively), paraprofessionals (93 percent and 96 percent, respectively), speech/language pathologists (74 percent and 69 percent, respectively), and psychologists (74 percent and 33 percent, respectively). Complete data were not provided for social workers, nurses, occupational therapists (OT), and physical therapists (PT).
- ***Personnel Vacancies.*** Also, the presence of teacher, paraprofessional, speech/language pathologist, and psychologist vacancies has an impact on teaching and learning, and may increase reliance on the use of designated instructional paraprofessionals. A provision of the SCTA contract that limits district hiring for school positions until July 1st of each year is viewed as having a negative impact on the district's hiring prospects. Several methods used to boost teacher hires, i.e., the early hiring of a teaching pool for non-specified schools and the recruitment of teachers from the Philippines, have been useful in helping to fill vacant positions, but these efforts have been insufficient. There is also an inconsistent understanding about a principal's authority to hire special educators. These issues brought into question the lack of a full-time human resources staff member to focus on this complex personnel area.
- ***Paraprofessional Usage.*** The district has relied on three private agencies to hire some 200 behavior and individual aides to supplement paraprofessionals who are district employed. There are many concerns about one vendor, in particular, with respect to their training and ability to communicate with school personnel.
- ***Personnel Concerns.*** Additional concerns related to speech/language pathologists include high caseloads that leave little opportunity for the provision of general education interventions, little administrative support, and limited access to professional learning. Concerns related to psychologists include an overreliance on assessments. Also, some occupational and physical therapy offerings depend on students traveling off-site for private therapy, which does not foster collaboration with teachers. Music therapy is provided without any apparent guidance for determining need. Finally, the limited supervision of related-services providers is problematic. This circumstance is a result of the supervisors' large span of responsibilities.

Compliance

- ***Data and Special Education Records.*** The district does not routinely report educational setting and suspension data for students in special education in a manner that is aligned with state and federal reporting templates. The district maintains all special education records centrally even though most of these records are/could be maintained on the district's SEIS system. Furthermore, although the district uses an electronic IEP record system, there were concerns about training, access by general educators, and migration of disability data to the student information system.
- ***Special Education Procedural Handbook.*** The district's document is not web-based with links to important resources and more detailed information, and is not readily assessable to stakeholders or able to be updated easily.¹¹² Also, the special education webpage has minimal information and is underutilized as a mechanism for communicating with parents and other stakeholders. Information contained in the SCTA/SCUSD Appendix D at Section 4c) pertaining to IEP attendance by regular education teachers is inconsistent with the handbook and federal/state requirements.
- ***Dispute Resolution.*** Settlement and legal costs associated with due process have increased over the last several years. The following issues are thought to be reasons: the shifting of state mental health services, including residential placement, from counties to schools; the local legal trend that has increased the standard for determining a student's benefit from education; procedural errors; and a lack of principal leadership and oversight.

Fiscal Issues

- ***Transportation.*** Transportation services are a high special education cost area, and there are various concerns about the effectiveness of these services. These concerns are related to the transportation of students to SDCs and special schools, the use of common bell times, long bus routes, a lack of technology for efficiency and communication, driver shortages, and routes that result in shortened school days for some students.
- ***Medi-Cal.*** Not all related services personnel are using the electronic process to track services required to bill for Medi-Cal reimbursement. There does not appear to be sufficient proactive steps being taken to address documentation concerns, provide written expectations, or articulate consequences for failure to comply. These circumstances are likely to substantially decrease the district's Medi-Cal reimbursement.

Accountability

- ***Single Plan of Achievement.*** District schools annually complete a Single Plan of Achievement template to show how each will expend Title I and other funds. Although the Plan is intended to include student subgroups, including students with disabilities, the sample template provided to the Council team contained no figures with disaggregated subgroups.

¹¹² See for example, Houston Independent School District's web-based special education document.¹¹²

- **Data.** The district and SCTA have not resolved differences regarding the transparency of school-based data, and the extent to which various data outcomes will be visible to stakeholders.
- **School Autonomy vs. Districtwide Expectations.** There is a strong perception that the district's current culture is based on school autonomy with no accountability. Critical areas that are impacted include funding decisions, special education compliance, the role of area assistant superintendents, and unclear expectations accompanied by inadequate human and physical resources.

RECOMMENDATIONS

The following recommendations are offered to improve support for teaching and learning for students with disabilities.

4. **Interoffice Collaboration.** With a representative group of principals, the AASs, the deputy superintendent, and the chief academic officer, discuss the optimum configuration for principals to communicate with each other and central office leadership. Follow up based on these discussions.
5. **Special Education and Support Services Organization.** Consider the following organization proposal to more effectively support students with disabilities as well as all students with respect to social/emotional learning and physical/mental health concerns. (See Appendix B for a proposed organization table.)
 - a. **Department of Special Education and Student Support Services.** Group together support for special education and student support services to improve collaboration between personnel with expertise in social/emotional learning and students with physical and mental health concerns. Have an executive director with three direct reports in the following areas: 1) specially designed instruction, 2) SELPA/special education operations, and 3) student support services. Allocate office technicians to each area based on need, and have appropriate personnel attend CAO meetings.
 - b. **Specially Designed Instruction.** Have two supervisors report to the director: one for area support and the other for districtwide services.
 - **Area Support.** Have the following personnel report to the area support supervisor, assigning them to schools that align with a single area assistant superintendent –
 - Program specialists*
 - Behavior intervention specialists who collaborate with student support services personnel*
 - Inclusive practice coaches
 - Designated instructional paraprofessionals.* Employ the DIPs at the school site when supporting specific students pursuant to their IEPs, and have principals provide supervision. Maintain a relatively small number of DIPs to deploy for crisis intervention.

Have the area support unit manage the following additional functions –

 - Placement of new students with IEPs

- SDC coordination
- Behavior review and pre-expulsion hearings for students with IEPs (with student hearing/placement director)
- Field trips
- ***Districtwide Services.*** Have the following personnel report to the districtwide services supervisor –
 - Speech/language pathologists and hearing interpreters*
 - Preschool coordination
 - Home/hospital instruction*
 - Assistive technology*
 - Occupational therapy*
 - Postsecondary transition*
 - Adapted PE*
 - Extended school year coordination

Have the districtwide unit also manage the following additional functions –

- Deaf Task Force
- Coordination of staff development
- Residential placement
- Special Arts program
- County Office of Education programs
- Alternate standards curriculum
- Extended school year coordination
- ***Other Specially Designed Instruction Personnel***
 - Based on the number of personnel in each area designated with an asterisk, designate leadership for the area to provide support to the respective group members and to coordinate activities with the director and other leadership personnel within and outside of the specially designed instruction unit. This structure is essential to support communication, supervision, and collaboration.
 - Employ DIPs at the school site when supporting specific students pursuant to IEPs with principal supervision.¹¹³ Maintain a relatively small number of DIPs by area to deploy for crisis intervention.
 - Employ preschool personnel at the school site. Maintain specially designed instruction coordination for preschool students with IEPs in collaboration with administrative support for general education preschoolers.
 - Move responsibility for processing paperwork for special education teachers with students over the contract limit to human resources.
 - Have preschool personnel be employed at the school site, but maintain support for preschool coordination.

- c. ***SELPA/Special Education Operations.*** . Have the SELPA/Special Education Operations director, with SELPA support staff, the budget technician, and others as appropriate –

¹¹³ Note Recommendation 6c regarding the review of paraprofessionals and their respective roles, and employment status.

- Coordinate policy and compliance requirements
- Shift to a web-based special education policy and procedures information system
- Manage due process, complaint management, and alternate dispute resolution
- Coordinate internal monitoring
- Coordinate surrogate parents
- Coordinate and track the provision of compensatory education and tutoring.

d. *Student Support Services.* Have the following units report to the student support services director—

- Social workers, including those that support students with IEPs
- School psychologists
- Social/emotional learning
- Nurses/health aides
- Behavior/reentry
- Youth development
- Family and community partnerships

With the exception of social workers and health aides supporting students with IEPs and psychologists, these units are currently housed together. The combination of these personnel will enable staff to better collaborate, support students with common issues, manage Section 504, and manage Medi-Cal.

6. *School-Based Special Education Personnel.* Ensure that personnel who support students with IEPs are employed in sufficient numbers, and are available to meet student needs.

a. *Student-Staff Ratios.* On a regular basis with the AAS, review the staffing ratios summarized in this report (see Appendix A). *NOTE: Relatively low or high student-to-personnel ratios do not necessarily mean that any given area is staffed inappropriately; however, the ratios should prompt further review.* Ensure that adequate numbers of special education and related-services personnel are at each school to carry out their expected responsibilities. Based on a full review, consider the changes needed in the short and long term.

a. *Hiring Practices.* Review hiring practices for special educators and paraprofessionals employed by the district, and modify them if necessary to allow principals to select staff for their schools. Provide assistance to principals for them to carry out this responsibility, such as prescreening and identifying high-quality applicants. Under the current collective bargaining agreement terms, continue to have an applicant pool, and enable principals to select personnel for the next school year at the appropriate time. Encourage principals with expected or potential vacancies to participate in the process of selecting personnel from the applicant pool to increase their satisfaction with the quality of hires. Consider moving the induction program for all personnel to human resources, and ensure that it provides new personnel, especially those who come from other countries, with the training they need to be successful. Develop and implement a support program for new teachers from other countries in order to facilitate their adjustment to the culture, community and school based responsibilities of teaching and learning in the United States.

b. **Staff Shortages, Retention, and Recruitment.** Convene a diverse group of stakeholders such as principals, special educators, CAC representatives, and SCTA representatives. Have a high-level district official with decision-making authority convene the group to—

- **Recruitment/Retention.** Specifically, the group should discuss the need to recruit special education, paraprofessional, and related services personnel vacancies, and to address relevant high staff turnover. Have the group identify proactive and aggressive strategies to:
 - Promote recruitment/retention (including those discussed in this report);
 - Improve communication about high-quality applicants;
 - Support internship programs, such as the collaboration with Cal State to recruit speech/language pathologists;
 - Use assistants to support related services personnel;
 - Improve working conditions and access to essential materials, such as assessment tools for psychologists; and
 - Bolster recruitment activities.

Include in these strategies the need for bilingual personnel with special education and related-services expertise. Until the vacancy issues are resolved, have human resources consider committing a full-time person to implementing these strategies with the assistance, and continue to review the success of these and other strategies.

- **Paraprofessional Usage.** The group should consider –
 - **An audit.** Auditing contractual aides would help the district determine the quality of training, retention, communication (between teacher and aide), and cost effectiveness. Depending on the results, reconsider the balance between district and private employment.
 - **Roles.** The district should review the roles of the three paraprofessionals types, and the value of this and other approaches, such as using a highly trained group of paraeducators to train and support one set of paraprofessionals for students with IEPs;
 - **Communication.** The district should also review the differences between how educators and paraprofessionals are allowed to communicate with schools based on the paraprofessionals' hiring status, as well as their participation in IEP meetings and other mechanisms for collaboration.

Based on the outcome of these discussions, develop a plan for improving the usage and effectiveness of paraprofessionals.

7. **Compliance Support and Access to Information.** Consider the following actions to improve compliance and access to student special education records.

- a. **Special Education Procedure Manual.** Update on an annual basis the *Special Education Procedures* document to include relevant written expectations developed in accordance with these recommendations. Provide public access to the information by posting it as a webpage with links to more detailed information and online resources. Collaborate with

CAC and other stakeholders to identify relevant information and resource links. Ensure staff members are available to update the information regularly with current information and resources. Provide training to stakeholders and parents to boost their understanding of the *Procedures*' contents. Ensure training is accessible to parents with diverse linguistic needs and sensory limitations.

- b. SCUSD/SCTA Collective Bargaining Agreement.* Ensure all provisions, such as attendance of regular education teachers at IEP meetings, comply with federal and state laws.
- c. Department of Special Education Webpage.* To the extent possible, enhance the special education webpage with links to information for stakeholders, including district and publicly available resources.¹¹⁴
- d. Dispute Resolution.* To reduce future disputes and resolve disputes quickly and effectively, consider the following actions—

 - **High Level Attention.** Provide information to the extended cabinet and a representative group of principals on the costs of special education disputes and current processes in order to facilitate a discussion about the role and accountability of principals for the operation and administration of special education at their respective school sites.
 - **Principal Involvement.** Establish written expectations for principals, and how they will be supported and monitored. As part of these expectations, provide principals with CDE, OCR, and due process complaints, and have principals take a leading role in their resolution. Have principals attend due process hearings to address issues in their schools.
 - **AASs.** Involve area assistant superintendents to support compliance, resolve complaints, and address due process matters.
 - **Red Alerts.** Establish a “red alert” system for validated complaints and due process to inform all relevant stakeholders about the issues and ways to avoid them in the future.
- e. Special Education Records.* Consider the following actions to improve access to student special education information –

 - **Training.** Ensure hands-on special education IEP training is available for new personnel and for those who need to supplement their knowledge to support the development of effective IEPs and compliance practices.
 - **Access.** Provide general educators with access to the IEP system, using read only access for inapplicable provisions.
 - **Notice.** Add a disability field for IEPs and Section 504 to the student information system to notify teachers of students with disabilities, and the need to obtain additional information. If possible, migrate this data from other systems to avoid double entry of the information.

¹¹⁴ See, for example, the Anchorage School District’s special education webpage, retrieved from <http://asdk12.org/sped/>.

- **Record Maintenance.** Develop a plan to stop sending all special education records to the central office and require schools to maintain the records according to privacy requirements. To the maximum extent, scan records to the electronic system to avoid record loss and to maximize their organization.
8. **Fiscal Considerations.** Pursue the following activities to enhance revenue and shift more funds toward improving instruction at home schools, schools of choice, and SDCs.
- a. **Medicaid Revenue Enhancement.** To increase Medicaid revenue, survey users of the district's new electronic documentation process through focus groups, an electronic survey, or other means to understand the challenges associated with its use. Take follow up actions based on the results, and execute accountability for usage and monitoring, including central office, school leadership, and others users of the system. Establish a group that will continually review usage and monitoring trends, and identify ways to maximize billing opportunities.
 - b. **Potential Transportation Efficiencies.** Consider the following actions to enhance transportation efficiency.
 - **Maximize Technology.** To make transportation more efficient, research how other school districts have used technology to enhance the communication of student needs. As quickly as possible, move to an electronic process for managing requests for transportation. Council staff can provide support for this activity.
 - **Reduce Long Routes.** Identify all students by the length of their bus routes to address the routes that are excessive.¹¹⁵ Based on this information, identify ways to reduce the routes.
 - **Comparable Length of School Day.** Review student routes to ensure that no student with IEPs have a shortened school day due to transportation schedules.
 - **Transportation Point Person.** Establish a point person in the transportation department to handle special education busing reimbursement.¹¹⁶
 - c. **Long-Term Capacity Building.** Begin putting together a long-term plan to reduce the district's reliance on special schools. For such a plan to be successful, the district must build the capacity of each school to provide appropriate and equitable educational support. To support this process, consider the amount of transportation savings, and the expertise of district staff (including John Morse school personnel) that can be leveraged to build school capacity. (See also Recommendation 3c.)
9. **Shared Accountability for Student Achievement.** Consider the following actions that would strengthen the district's shared accountability for student achievement.
- a. **State Structure.** Work with other school districts to influence the CDE and legislature if necessary, to implement the March 2015 California statewide special education task force recommendations. Specifically, there is a need for universal accountability patterns and

¹¹⁵ Districts with good technology are able to sort this data easily and quickly.

¹¹⁶ Team recognizes there is a transportation supervisor in the special education department but this responsibility needs to be embedded within the district's transportation department to maximize coordination with transportation functions.

reporting requirements for all students, including those with disabilities, and the inclusion of the federal Results Driven Accountability indicators within the LCAP framework.

- b. Single Plan of Achievement and Data Dashboard.* Ensure that school-based planning and dashboards include data and actions relevant to the achievement of students with disabilities, including special education state performance plan indicators.
 - c. Strategic Plan.* Supplement the district's next iteration of its strategic plan with action necessary for the implementation of the Council team's recommendations.
 - d. Data.* Review all the data elements contained in these recommendations and consolidate them into a comprehensive plan for implementation. (See Chapter 4's Recommendation Matrix, which identifies data and reporting elements.) As part of SCUSD's work with other districts pursuant to Recommendation 10a, address the state data collection issues that make reporting unnecessarily complex and time consuming.
 - e. SCUSD/SCTA Collective Bargaining Agreement.* Consider requesting Council assistance in facilitating discussions between the SCUSD and SCTA to help resolve the issues identified in this report as well as others that may exist.
 - f. Professional Learning.* Review all the recommendations related to professional learning to map out coordinated implementation activities. (See Chapter 4's Recommendation Matrix, which identifies training components.)
 - g. Shared Accountability for Actions.* Review the information in this report and relevant recommendations pertaining to the need for districtwide expectations, and shared accountability with school and district personnel. Establish clear processes that track when and how resources and training have been made available, and follow up on initiatives that have been announced or launched. There is no justification for actions not carried out as expected. (See Chapter 4's Recommendation Matrix, which identifies accountability components.)
- 10. Internal Project Manager.** Consider appointing an internal project manager reporting to the superintendent to support the execution of the district's plan and initiatives, including activities to follow up on the recommendations in this report. Have the project manager report on relevant data, the status of implementation, and barriers to execution that require interdepartmental collaboration, the superintendent's involvement, or the need for any adjustments to the plan.

CHAPTER 4. SUMMARY OF RECOMMENDATIONS

This chapter summarizes the recommendations made in Chapter 3 in two ways. The first way lists the recommendations and the functional categories into which each one falls. The categories include accountability, planning, criteria/process, training, data/reports, and cross-references. The second way simply lists all the recommendations so the reader can see them in one place.

Recommendation Matrix

The exhibit below lists the recommendations from the previous chapter in table form corresponding to their functional categories.

Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
I. Multi-tiered Systems of Support					
1. Broad, Systemwide MTSS Framework, and Plan for Implementation and Oversight. Using information from CDE's website as well as other sources, develop and communicate a comprehensive written vision, framework, and action plan that supports MTSS.					
f. District and School-based Leadership MTSS Teams. Establish leadership teams at the district and school levels to support MTSS planning and oversee implementation activities.	X				
b. Implementation Plan. Have the district MTSS leadership team evaluate its current program infrastructure as it develops its MTSS framework and implementation plan, e.g., universal screeners, formative assessments, standard protocols for intervention/support, curricular materials, supplemental and intensive resources, data platforms, use of data, professional learning, budget allocations, etc. Embed universal design for learning (UDL) into the MTSS framework, and incorporate the areas discussed below. As a part of the plan include benchmark and on-going district wide and school based progress monitoring to support the evaluation of MTSS implementation. When finalized, post the MTSS implementation plan on the district's website along with information relevant links to district information/resources, and publicly available resources. Ensure that the district's Strategic Plan intentionally embeds and utilizes the MTSS framework in its goals and activities. Embed relevant aspects of the MTSS framework in the district's Strategic Plan and school-based planning templates.	X	X			
c. Map Resources and Analyze Gaps. As part of a comprehensive planning process, conduct an assessment of current MTSS-related human and material resources provided by the district and independently funded by schools. As part of this process, consider the current roles of school psychologists and speech/language pathologists, and how they may be adjusted/reallocated to support students proactively within general education. Compare these resources to evidence-based resources in use, and plan for filling gaps. Conduct a data analysis of currently used resources by schools to	X			X	

Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
evaluate the return on investment in terms of improved student outcomes. Identify which are supporting/accelerating student learning and those that are not. Consider having the district sponsor appropriate evidence-based resources from which all schools can choose to implement. As part of this process, consider how additional Title I resources provided to schools, can enhance the district provided resources based on the needs of students.					
d. Written Expectations. Establish a school board policy and written expectations for the district's MTSS framework (for academics in addition to social/emotional learning/restorative justice) that is consistent with the district's theory of action. Ensure that the MTSS framework includes all grades, and supports linguistically appropriate and culturally competent instruction. Develop a multi-year implementation plan that includes regular board updates.	X	X			
e. Professional Learning. Based on the MTSS framework, implementation plan, and written expectations, develop a professional-learning curriculum that is targeted to different audiences, e.g., special education teachers, related-services personnel, paraprofessionals, parents, etc. Provide at least four to five days of training for school-based leadership teams for two consecutive years. Ground training in the Learning Forward Standards for Professional Learning. Consider and budget for how access to training will be supported, e.g., through the use of stipends, funds for substitute coverage, incentives for after-school and Saturday training, summer training, etc. Embed specified components in the district's MTSS implementation plan.			X		
g. Data Analysis and Reports. Establish an early warning system that highlights students on track for graduation. Ensure key performance indicators, across elementary, middle and high schools are established data collection systems, and analysis (e.g., custom reports) are designed to enable the superintendent, administrators, principals, teachers, and related-services personnel to review student growth, identify patterns, solve problems, and make informed decisions.				X	
h. Monitoring and Accountability. Evaluate the effectiveness, fidelity, and results of MTSS implementation, and include specified areas in the assessment.					X
II. Special Education Demographics and Referral/Eligibility for Services					
2. Special Education Referral, Assessment, and Eligibility. Improve consistency and appropriateness of referrals, assessments, and eligibility decisions for special education.					
a. Data Review. With a multidisciplinary team of individuals inside and outside of the special education department, review Exhibits 2a through 2i and their associated analysis (along with other relevant data), and develop a hypothesis about areas, including those identified in the recommendations.				X	
b. Written Expectations. For any area that the multi-disciplinary team identifies as problematic, review current processes for referral, assessment, and eligibility, and amend those processes to provide more guidance. Ensure that the special education procedural manual and ELL master plan incorporate the additional guidance. Have both documents provide appropriate information regarding translation services for and written notices to parents who are ELL, and ensure that assessments are linguistically		X			

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Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
and culturally appropriate for ELL students. Specify that personnel who assess students should have access to sufficient and all current assessment tools.					
c. Educationally Related Mental Health Services (ERMHS) Teams. With a representative group of special education department personnel and school-based personnel knowledgeable about the ERMHS process, review concerns discussed in this report and revise the process so that the team's expertise can be used more appropriately to support teaching and learning, and schools are more accountable for following written expectations.		X			
d. Data Analysis and Reports. Develop user-friendly summary reports for district leadership showing data similar to, and as appropriate in addition to Exhibits 2a - 2i. Share data by area and by school. As part of this process, address issues making it difficult for the district to provide the Council team with data aligned with the state performance plan indicators for special education (i.e., special/residential schools and suspensions), and supplement data with these reports. Consider how these data are attended to and reviewed by district leadership on a regular basis.				X	
e. Differentiated Professional Learning. Plan for and provide all relevant district stakeholders with the professional learning they need to implement the recommendations in this section. As part of this process, have special education and ELL department personnel collaborate on the referral and assessment needs of ELL students. (Coordinate this activity with Recommendation 1f.)			X		
f. Monitoring and Accountability. Develop a process for ongoing monitoring of expected referral, evaluation, and eligibility practices. Rather than using a traditional record-review model, review files so that school-based personnel are aware of issues and problems, and will better understand the need for follow-up action. Enable staff to observe best practices shown by others and receive coaching that will improve their knowledge and skills. (Coordinate this activity with Recommendation 1g.)					X
III. Teaching and Learning for Students with Disabilities					
3. Academic Achievement and Social/Emotional Well-Being for Students with IEPs. Review and address relevant data, and follow-up with actions such as the following –					
a. Data Review. With a multidisciplinary team of individuals in and outside the special education department, review Exhibits 3a through 3q and their accompanying analysis (along with other relevant data), and develop hypothesis about problematic patterns, such as those identified in the recommendations.				X	
h. Inclusive Education Vision. Have the extended cabinet establish a clear and defined vision for the value of inclusivity. Embed in that vision language from the common core state standards website and March 2015 statewide task force on special education to clarify the district's support for higher academic outcomes and the social/emotional well-being of students. Highlight the importance of providing students educated in general education classes with the differentiated and scaffolded instruction they need to learn. Emphasize that instruction needs to be linguistically appropriate and culturally relevant, and aligned with common core standards. These expectations will be easier to meet as teachers become more familiar with and base their instruction on the principles of UDL. At the same time, the vision should reinforce the importance of	X				

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Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
evidence-based academic and positive behavior interventions/supports that increase in intensity with specified student needs. The implementation of this vision will require substantial changes to Appendix D of the SCUSD/SCTA collective bargaining agreement, which portrays inclusive education as occurring in three static models.					
c. Implementation Plan. Based on the data review and the district's inclusive education vision, have the extended cabinet develop a written multi-year action plan that provides written expectations, professional learning, data analytics, and accountability (as specified below). Upon completion of the overall plan, establish a uniform way for school-based teams to embed local implementation activities into their school-based planning documents. In addition, include those areas identified in the recommendations. Establish a feedback loop as described in the full recommendation.	X				
d. Written Expectations. Develop and provide guidance on the implementation of practices designed to promote student achievement and positive behavior, including the areas specified in the recommendations.		X			
e. Differentiated Professional Learning and Parent Training. Embed in the professional learning curriculum mentioned in Recommendation 1e and the content needed to carry out Recommendation 3. Consider those areas listed in the full recommendation. Review training and information-sharing opportunities for parents and community partners, and identify topics for the 2017-18 school year, including areas mentioned in this report and what data suggest might be needed. As part of this process, consider how professional learning will be provided within the current weekly collaborative time limitations.			X		
f. Data Analysis and Reports. In addition to ensuring that activities described in Recommendation 1e include data and analysis of academic instruction and behavior/emotional supports for students with disabilities, consider the actions specified in the recommendations. Also, to the extent possible, embed data in the dashboard system used for all students.				X	
g. Monitoring and Accountability. Expect that all principals are responsible for overseeing special education in their buildings, and that area assistant superintendents hold principals accountable for this responsibility. Embed the activities identified in the recommendation for this area in the monitoring/accountability systems described in Recommendation 1g.					X
IV. Support for Teaching and Learning for Students with IEPs					
4. Interoffice Collaboration. With a representative group of principals, the AASs, the deputy superintendent, and the chief academic officer, discuss the optimum configuration for principals to communicate with each other and central office leadership. Follow up based on these discussions.	X				
5. Special Education and Support Services Organization. Consider organization proposal fully described in the recommendations and at Appendix B to more effectively support students with disabilities as well as all students with respect to social/emotional learning and physical/mental health concerns.	X				
6. School-Based Special Education Personnel. Ensure that personnel who support students with IEPs are employed					

Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
in sufficient numbers, and are available to meet student needs.					
c. <i>Student-Staff Ratios.</i> On a regular basis with the AAS, review the staffing ratios summarized in this report (see Appendix A). <i>NOTE: Relatively low or high student-to-personnel ratios do not necessarily mean that any given area is staffed inappropriately; however, the ratios should prompt further review.</i> Ensure that adequate numbers of special education and related-services personnel are at each school to carry out their expected responsibilities. Based on a full review, consider the changes needed in the short and long term.				X	
b. <i>Hiring Practices.</i> Review hiring practices for special educators and paraprofessionals employed by the district, and modify them if necessary to allow principals to select staff for their schools. Provide assistance to principals for them to carry out this responsibility, such as prescreening and identifying high-quality applicants. Under the current collective bargaining agreement terms, continue to have an applicant pool, and enable principals to select personnel for the next school year at the appropriate time. Encourage principals with expected or potential vacancies to participate in the process of selecting personnel from the applicant pool to increase their satisfaction with the quality of hires. Consider moving the induction program for all personnel to human resources, and ensure that it provides new personnel, especially those who come from other countries, with the training they need to be successful. need to be successful. Develop and implement a support program for new teachers from other countries to facilitate the adjustment to the culture, community and school based responsibilities of teaching and learning in the United States.	X	X	X		
c. <i>Staff Shortages, Retention, and Recruitment.</i> Convene a diverse group of stakeholders such as principals, special educators, CAC representatives, and SCTA representatives. Have a high-level district official with decision-making authority convene the group to discuss recruitment/retention and paraprofessional usage as described in the recommendation. Based on the outcome of these discussions, develop a plan for improving the usage and effectiveness of paraprofessionals.	X				
7. <i>Compliance Support and Access to Information.</i> Consider the following actions to improve compliance and access to student special education records.					
a. <i>Special Education Procedure Manual.</i> Update on an annual basis the <i>Special Education Procedures</i> document to include relevant written expectations developed in accordance with these recommendations. Provide public access to the information by posting it as a webpage with links to more detailed information and online resources. Collaborate with CAC and other stakeholders to identify relevant information and resource links. Ensure staff members are available to update the information regularly with current information and resources. Provide training to stakeholders and parents to boost their understanding of the <i>Procedures'</i> contents. Ensure training is accessible to parents with diverse linguistic needs and sensory limitations.		X	X		
b. <i>SCUSD/SCTA Collective Bargaining Agreement.</i> Ensure all provisions, such as attendance of regular education teachers at IEP meetings, comply with federal and state laws.	X				X

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Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
<i>c. Department of Special Education Webpage.</i> To the extent possible, enhance the special education webpage with links to information for stakeholders, including district and publicly available resources.				X	
<i>d. Dispute Resolution.</i> To reduce future disputes and resolve disputes quickly and effectively, consider the actions specified for this recommendation.	X	X			
<i>e. Special Education Records.</i> Consider the specified actions described in the recommendation to improve access to student special education information.	X			X	
8. Fiscal Considerations. Pursue the following activities to enhance revenue and shift more funds toward improving instruction at home schools, schools of choice, and SDCs.					
<i>a. Medicaid Revenue Enhancement.</i> To increase Medicaid revenue, survey users of the district's new electronic documentation process through focus groups, an electronic survey, or other means to understand the challenges associated with its use. Take follow up actions based on the results, and execute accountability for usage and monitoring, including central office, school leadership, and others users of the system. Establish a group that will continually review usage and monitoring trends, and identify ways to maximize billing opportunities.	X			X	
<i>b. Potential Transportation Efficiencies.</i> Consider the following actions to enhance transportation efficiency.	X	X		X	
<i>c. Long-Term Capacity Building.</i> Begin putting together a long-term plan to reduce the district's reliance on special schools. For such a plan to be successful, the district must build the capacity of each school to provide appropriate and equitable educational support. To support this process, consider the amount of transportation savings, and the expertise of district staff (including John Morse school personnel) that can be leveraged to build school capacity. (See also Recommendation 3c.)	X				
9. Shared Accountability for Student Achievement. Consider the following actions that would strengthen the district's shared accountability for student achievement.					
<i>a. State Structure.</i> Work with other school districts to influence the CDE and legislature if necessary, to implement the March 2015 California statewide special education task force recommendations. Specifically, there is a need for universal accountability patterns and reporting requirements for all students, including those with disabilities, and the inclusion of the federal Results Driven Accountability indicators within the LCAP framework.	X			X	
<i>b. Single Plan of Achievement and Data Dashboard.</i> Ensure that school-based planning and dashboards include data and actions relevant to the achievement of students with disabilities, including special education state performance plan indicators.	X			X	
<i>c. Strategic Plan.</i> Supplement the district's next iteration of the strategic plan with action necessary for the implementation of the Council team's recommendations.	X				
<i>d. Data.</i> Review all data elements contained in these recommendations and consolidate them into a comprehensive plan for implementation. (See Chapter 4's				X	

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Recommendations	Planning	Standards/Procedures	Training	Data/Reports/Tech	Accountability
Recommendation Matrix, which identifies data and reporting elements.) As part of SCUSD's work with other districts pursuant to Recommendation 10a, address state data collection issues making reporting unnecessarily complex and time consuming.					
<i>e. SCUSD/SCTA Collective Bargaining Agreement.</i> Consider requesting Council assistance in facilitating discussions between the SCUSD and SCTA to help resolve the issues identified in this report as well as others that may exist.	X				X
<i>f. Professional Learning.</i> Review all the recommendations related to professional learning to map out coordinated implementation activities. (See Chapter 4's Recommendation Matrix, which identifies training components.)			X		
<i>g. Shared Accountability for Actions.</i> Review the information in this report and relevant recommendations pertaining to the need for districtwide expectations, and shared accountability with school and district personnel. Establish clear processes that track when and how resources and training have been made available, and follow up on initiatives that have been announced or launched. There is no justification for actions not carried out as expected. (See Chapter 4's Recommendation Matrix, which identifies accountability components.)					X
<i>10. Internal Project Manager.</i> Consider appointing an internal project manager reporting to the superintendent to support the execution of the district's plan and initiatives, including activities to follow up on the recommendations in this report. Have the project manager report on relevant data, the status of implementation, and barriers to execution that require interdepartmental collaboration, the superintendent's involvement, or the need for any adjustments to the plan.	X				X

Recommendations

The following is a comprehensive list of all recommendations prepared by the Strategic Support Team of the Council of the Great City Schools for the Sacramento Unified School District. Detailed recommendations are found in the body of the report.

1. *Systemwide MTSS Framework, Implementation Plan, and Oversight.* As part of the district's theory of action, establish MTSS as the underlying structure for all work designed to improve student outcomes. Based on information from the CDE website and other sources, develop, distribute, and implement a comprehensive vision, framework, and action plan to support MTSS systemwide.¹¹⁷ This collective work must communicate that MTSS is neither a mechanism for delaying special education evaluations when they warranted nor a process having the singular purpose of justifying such valuations. Rather, the work needs to facilitate a shared sense of urgency among all stakeholders to improve educational outcomes for all students.

We strongly recommend that the district use a consultant who has experience developing and implementing MTSS in various urban school districts to facilitate collaboration among the central office, schools, the SCTA, and other stakeholders. The use of a consultant with this expertise would enable the district to benefit from other school districts' experiences; help resolve SCTA issues regarding MTSS, including SPARK; and to expedite completion of the MTSS framework and implementation plan.

a. *District and School-based Leadership MTSS Teams.* Establish leadership teams at the district and school levels to support MTSS planning and oversee implementation activities.

- ***District MTSS Leadership Team.*** Ensure that the district MTSS leadership team includes representatives from all relevant stakeholder groups, e.g., area assistant superintendents, central office personnel, principals, all types of teachers (general, special, EL, gifted/talented), related-services personnel, SCTA representatives, etc. Plan a two-day overview and monthly meetings with the MTSS leadership team to continue to develop common language and planning for necessary implementation resources. Invite various advisory groups representing differing interests, such as the Community Advisory Committee (CAC) for special education, to give feedback to the leadership team.
- ***School-Based Leadership Teams.*** Based on the district's comprehensive MTSS-implementation plan (Recommendation 1b below), identify school-based leadership teams (SBLT) at each site for training on and work toward the development of an implementation plan at each site. The SBLT is responsible for the health and wellness of the school and leads the MTSS work to ensure a common understanding of the framework. SBLTs will necessarily have defined responsibilities, such as learning/applying/modeling the problem-solving process, providing professional learning and technical assistance opportunities for staff, monitoring implementation and needed supports, conducting school-based data days, and the like.

¹¹⁷ CDE webpage for MTSS, retrieved at <http://www.cde.ca.gov/ci/cr/ri/mtsscomprti2.asp>.

- b. *Implementation Plan.*** Have the district MTSS leadership team evaluate its current program infrastructure as it develops its MTSS framework and implementation plan, e.g., universal screeners, formative assessments, standard protocols for intervention/support, curricular materials, supplemental and intensive resources, data platforms, use of data, professional learning, budget allocations, etc. Embed universal design for learning (UDL) into the MTSS framework,¹¹⁸ and incorporate the areas discussed below. As a part of the plan include benchmark and on-going district wide and school based progress monitoring to support the evaluation of MTSS implementation. When finalized, post the MTSS implementation plan on the district's website along with information relevant links to district information/resources, and publicly available resources. Ensure that the district's Strategic Plan intentionally embeds and utilizes the MTSS framework in its goals and activities. Embed relevant aspects of the MTSS framework in the district's Strategic Plan and school-based planning templates.
- c. *Map Resources and Analyze Gaps.*** As part of a comprehensive planning process, conduct an assessment of current MTSS-related human and material resources provided by the district and independently funded by schools. As part of this process, consider the current roles of school psychologists and speech/language pathologists, and how they may be adjusted/reallocated to support students proactively within general education. Compare these resources to evidence-based resources in use, and plan for filling gaps. Conduct an analysis of currently used resources by schools to assess their return on investment in terms of improved student outcomes. Identify those that are supporting/accelerating student learning and those that are not. Consider having the district sponsor appropriate evidence-based resources from which all schools can choose to implement. As part of this process, consider how additional Title I resources provided to schools could enhance district resources to meet student needs.
- d. *Written Expectations.*** Establish a school board policy¹¹⁹ and written expectations for the district's MTSS framework (for academics in addition to social/emotional learning/restorative justice) that is consistent with the district's theory of action. Ensure that the MTSS framework includes all grades, and supports linguistically appropriate and culturally competent instruction. Develop a multi-year implementation plan that includes regular board updates. Address all areas of MTSS described in the current program literature, including expectations for the following:
- Use of MTSS for systemic and sustainable change;
 - High-quality, differentiated classroom instruction and research-based academic and behavior interventions and supports aligned with student needs;

¹¹⁸ Consider expanding the district leadership team's knowledge of UDL by having representatives from IT and departments in addition to past participants attend the Harvard University UDL summer program, having the team receive training from district personnel with UDL expertise, etc.

¹¹⁹ April 7, 2014 board policy (BUL-6269.0), retrieved from April http://notebook.lausd.net/pls/ptl/docs/PAGE/CA_LAUSD/FLDR_ORGANIZATIONS/FLDR_SPECIAL_EDUCATION/BUL-6269.0%20MULTI%20TIERED%20BEHAVIOR%20SUPPORT%20SWD%20W%20ATTACHMENTS.PDF.

- Evidence-based universal screening, benchmark assessments, and progress monitoring;¹²⁰
 - Use of school based leadership teams and problem-solving methodology;
 - Fidelity of implementation;
 - Professional learning, technical assistance, and collaboration;
 - Parent/family involvement in the MTSS process; and
 - Use of MTSS to identify students in need of special education evaluations and to consider in the assessment process. More information about this process is provided as part of the recommendations in Section II, Disability Prevalence Rates and 2014-15 Evaluation Outcomes.
- e. **Professional Learning.** Based on the MTSS framework, implementation plan, and written expectations, develop a professional-learning curriculum that is targeted to different audiences, e.g., special education teachers, related-services personnel, paraprofessionals, parents, etc. Provide at least four to five days of training for school-based leadership teams over two consecutive years. Ground training in the Learning Forward Standards for Professional Learning.¹²¹ Consider how access to training will be supported and budgeted, e.g., through the use of stipends, funds for substitute coverage, incentives for after-school and Saturday training, summer training, etc.

Embed the following components in the district's MTSS implementation plan —

- **Cross-Functional Teams.** Cross-train individuals from different departments to ensure a common language and common understanding of MTSS that can be applied to district offices in order to intentionally align and support the work of schools as they work toward implementation. Maximize their knowledge and skills in MTSS in order to provide direct support, mentoring, coaching, and technical assistance to principals and teachers.
- **Develop the Capacity of High-Quality Trainers.** Develop a plan to develop the capacity of internal staff to deliver data-driven professional development and the critical components of MTSS. Ensure that all trainers are knowledgeable and experienced in data analysis, problem solving, and effective professional development for adult learners.
- **Access to Differentiated Learning.** Ensure that professional learning is engaging and differentiated according to the audience's skills, experience, and need. Have professional learning and technical assistance available to new personnel and those needing additional support.
- **Multiple Formats.** Use multiple formats (e.g., videos, webinars, and narrative text) and presentation approaches (e.g., school-based, small groups).

¹²⁰ See the evaluation tool available on the Center on Response to Intervention website to determine the research-based value of tools being considered.¹²⁰

¹²¹ Retrieved from <http://www.learningforward.org/standards#.UMvVD7Yt0kU>

- **Coaching/Modeling.** Develop a plan for coaching and technical assistance to support principals and school-based leadership teams in practices highlighted in training sessions and materials.
 - **School Walk Throughs.** Establish a common, differentiated electronic protocol for conducting instructional rounds, collecting data from classroom visits, and informing teachers of results and observations. It is important that the protocol be aligned with the teaching and learning framework of the district.
 - **Exemplary Implementation Models.** Provide a forum where schools can highlight and share best practices, lessons learned, victories, and challenges in implementing MTSS for all students (e.g., gifted, English learners, students with IEPs, students who are twice exceptional). Encourage staff to visit exemplary schools, and set aside time for that to happen.
 - **District Website.** Develop and provide a well-informed and resourced interactive web page that includes links to other local and national sites. Highlight schools within the district and share stories about the impact of MTSS on student outcomes using multiple measures.
- d. Data Analysis and Reports.** Establish an early warning system that measures students on track for graduation. Ensure that key performance indicators across elementary, middle and high schools are established, and analysis (e.g., custom reports) are designed to enable the superintendent, administrators, principals, teachers, and related-services personnel to review student growth, identify patterns, solve problems, and make informed decisions.
- e. Monitoring and Accountability.** Evaluate the effectiveness, fidelity, and results of MTSS implementation, and include the following in the assessment –
- **Baseline Data and Fidelity Assessments.** Develop a standard protocol for school-site baseline data on instructional practices and supports using multiple measures (academic, suspension, attendance, etc.), for assessing academic and behavioral outcomes, and for measuring the fidelity of program implementation. For example, consider using evaluation tools and protocols provided at no cost through the federally funded Positive Behavioral Interventions and Supports website.¹²²
 - **Data Checks.** Conduct at least three health and wellness checks per year at the school level to facilitate the monitoring and impact of MTSS implementation. In addition, using data and reports associated with Recommendation 1f, have the superintendent host regular data conversations with administrators and principals on key performance indicators to discuss results, anomalies, support needed, follow-up activities, and outcomes.

¹²² Several tools are available for monitoring fidelity, such as Florida's MTSS school level tool, retrieved at http://floridarti.usf.edu/resources/presentations/2014/nasp/StockslagerCastillo/NASP%202014_School%20Level%20MTSS%20Instrument_Final.pdf; and tools available from the RTI Action Network, retrieved from <http://www.rtinetwork.org/essential/tieredinstruction/tier1/accurate-decision-making-within-a-multi-tier-system-of-supports-critical-areas-in-tier-1>.

- ***Timely Communication and Feedback.*** Design feedback loops involving central office, school personnel, parents, and the community to inform current as well as future work. Use this process to provide regular and timely feedback to the district MTSS leadership team about barriers that are beyond the control of local schools or where schools require additional assistance.
2. ***Special Education Referral, Assessment, and Eligibility.*** Improve consistency and appropriateness of referrals, assessments, and eligibility decisions for special education.
- a. ***Data Review.*** With a multidisciplinary team of individuals inside and outside of the special education department, review Exhibits 2a through 2i and their associated analysis (along with other relevant data), and develop a hypothesis about--
- Comparatively high number of students with IEPs and with autism in pre-K compared to kindergarten;
 - Pattern of students with IEPs by grade;
 - Likelihood that African American students have an other health impairment compared to other students with IEPs;
 - Likelihood that English learners have an intellectual disability and specific learning disability compared to non-ELLs.
 - High percentage (91 percent) of students assessed for speech/language only services qualify compared to other disabilities (76 percent) who qualify for services;
 - High percentage (16 percent) of pending 2015-16 full evaluations compared to speech/language-only evaluations (5 percent).
- b. ***Written Expectations.*** For any area that the multi-disciplinary team identifies as problematic, review current processes for referral, assessment, and eligibility, and amend those processes to provide more guidance. Ensure that the special education procedural manual and ELL master plan incorporate the additional guidance. Have both documents provide appropriate information regarding translation services for and written notices to parents who are ELL, and ensure that assessments are linguistically and culturally appropriate for ELL students. Specify that personnel who assess students should have access to sufficient and all current assessment tools.
- c. ***Educationally Related Mental Health Services (ERMHS) Teams.*** With a representative group of special education department personnel and school-based personnel knowledgeable about the ERMHS process, review concerns discussed in this report and revise the process so that the team's expertise can be used more appropriately to support teaching and learning, and schools are more accountable for following written expectations.
- d. ***Data Analysis and Reports.*** Develop user-friendly summary reports for the district's leadership showing data similar to and as appropriate in addition to Exhibits 2a through 2i. As appropriate, share data by area and by school. As part of this process, address the issues that made it difficult for the district to provide the Council team with data aligned with the state's performance plan indicators for special education (i.e., special/residential schools and suspensions), and supplement the data with these reports. Consider how these data are handled and reviewed by district leadership on a regular basis

- e. Differentiated Professional Learning.* Plan for and provide all relevant district stakeholders with the professional learning they need to implement the recommendations in this section. As part of this process, have special education and ELL department personnel collaborate on the referral and assessment needs of ELL students. (Coordinate this activity with Recommendation 1f.)
 - f. Monitoring and Accountability.* Develop a process for ongoing monitoring of expected referral, evaluation, and eligibility practices. Rather than using a traditional record-review model, review files so that school-based personnel are aware of issues and problems, and will better understand the need for follow-up action. Enable staff to observe best practices shown by others and receive coaching that will improve their knowledge and skills. (Coordinate this activity with Recommendation 1g.)
- 3. Academic Achievement and Social/Emotional Well-Being for Students with IEPs.** Review and address relevant data, and follow-up with actions such as the following –
 - a. Data Review.* With a multidisciplinary team of individuals in and outside the special education department, review Exhibits 3a through 3q and their accompanying analysis (along with other relevant data), and develop hypothesis about problematic patterns, such as:
 - Weak educational outcomes for early childhood students with IEPs compared to state targets;
 - High percentage of young children with autism educated in separate schools;
 - Low educational outcomes on state assessments for students with and without IEPs compared to the state;
 - High percentage of students in more restrictive settings by disability area and in separate schools compared to the nation and state;
 - Variability of educational setting placements by grade;
 - High OSS rates for students with IEPs compared to those without IEPs;
 - Disproportionately high OSS rates for African American students;
 - Higher in- and out-of-school suspensions for students with IEPs compared to those without IEPs, especially at the seventh through ninth grades; and
 - Declining graduation rate for students with IEPs as the graduation rate for students without IEPs was increasing.
 - b. Inclusive Education Vision.* Have the extended cabinet establish a clear and defined vision for the value of inclusivity. Embed in that vision language from the common core state standards website and March 2015 statewide task force on special education to clarify the district’s support for higher academic outcomes and the social/emotional well-being of students. Highlight the importance of providing students educated in general education classes with the differentiated and scaffolded instruction they need to learn. Emphasize that instruction needs to be linguistically appropriate and culturally relevant, and aligned with common core standards. These expectations will be easier to meet as teachers become more familiar with and base their instruction on the principles of UDL. At the same time, the vision should reinforce the importance of evidence-based academic

and positive behavior interventions/supports that increase in intensity with specified student needs.¹²³ The implementation of this vision will require substantial changes to Appendix D of the SCUSD/SCTA collective bargaining agreement, which portrays inclusive education as occurring in three static models.

c. *Implementation Plan.* Based on the data review and the district's inclusive education vision, have the extended cabinet develop a written multi-year action plan that provides written expectations, professional learning, data analytics, and accountability (as specified below). Upon completion of the overall plan, establish a uniform way for school-based teams to embed local implementation activities into their school-based planning documents. In addition –

- ***Resource Specialist Program (RSP) Services.*** Develop ways to reduce the current practice of RSP teachers reporting/supporting more than one school and mitigate the impact it has on collaborating with general education teachers and providing necessary interventions for students
- ***Resource Allocation.*** Review how services are currently configured and how they can be shifted to meet the needs of more students in their neighborhood schools and schools of choice. This shift may reduce reliance on student transportation, and allow savings to be reallocated to instruction and interventions.
- ***Regular vs. Alternate Assessments.*** Determine how many students in SDCs and separate schools take an alternate assessment, and ascertain the extent to which the number correlates with 1 percent of all students who take the regular state assessment. Also, determine how many students in SDCs and separate schools take a regular state assessment, and address the extent to which they are receiving instruction aligned with common core standards.
- ***Special Day Class Structure.*** Review focus group comments about SDCs, such as those concerning instruction of students in multiple grades, the impact of teacher vacancies, reliance on paraprofessionals, caseloads, etc. In addition, discuss the equity ramifications associated with schools without SDCs, and their reliance on other schools to provide educational support. Also consider transportation expenses and how these funds could be used differently. Review the specifications for each SDC and clarify criteria for more flexible instructional and service adaptations, program specifications, and the like. Develop protocols for providing rigorous instruction and supports to students in SDCs, including personnel training and quality control processes.
- ***Separate Schools.*** Review the characteristics of students attending separate schools, and the reasons why the district is unable to meet their needs (especially young children with autism). With stakeholders, define the kinds of high-quality instruction and supports needed to keep students in regular schools or to attract them back to the district. Consider average special school costs per child (in and outside of the district), including transportation costs and how funds could be shifted to support this

¹²³ The suggested activities are not intended to be a blueprint or to be exclusive. They are provided as a basis for discussion and further development.

initiative.

- ***Social/Emotional Supports and Interventions.*** Review the ERMHS process for providing designated instruction and services (DIS) in order to maximize the use of behavior specialists for purposes of modeling interventions, coaching teachers, and providing effective technical assistance. As discussed below, better leverage the expertise of all staff qualified to provide supports for students' social/emotional needs, such as psychologists and social workers, as well as staff from the John Morse Therapeutic Center.
- ***Related Services.*** Consider the manner in which related services are provided (e.g., push-in versus pull-out) and the extent to which personnel are able to engage in general education MTSS activities), the extent to which occupational and/or physical therapy is provided at sites away from schools, and how these practices could change to improve their impact.

Feedback. Have the team collect feedback on the draft plan from stakeholders at varying grade levels, special/general education administrators, principals, general/special education teachers, related-service providers, teacher assistants, CAC, other parent-based and community-based organizations, etc. Continue this feedback loop as the plan is implemented to address concerns.

- d. ***Written Expectations.*** Develop and provide guidance on the implementation of practices designed to promote student achievement and positive behavior, including the following.
- ***Differentiated Instruction.*** Delineate expectations for the provision of linguistically appropriate and culturally competent instruction aligned with core standards that are differentiated for students with reading and math performance levels significantly below those of their classroom peers.
 - ***Co-Teaching.*** Delineate effective co-teaching models. Do not expand co-teaching until there is data showing achievement gains based on the current instructional co-teaching model. Conduct a data analysis on the impact of service delivery and student performance (e.g., co-teaching vs. RSP).
 - ***Increasingly Intensive Academic Interventions.*** Identify targeted interventions for English language arts and math that will fill instructional gaps for students with disabilities who are behind academically. Describe flexible groupings for students with and without IEPs when there is a need for common interventions. Consider how groupings need to adjust based on changing student needs.
 - ***English Learners.*** Describe models for providing ELLs with IEPs the linguistic support they require when receiving special education and related services.¹²⁴
 - ***Documentation for ERMHS Services.*** Establish expectations for individual schools on the reasonable documentation personnel must gather to show a student's need for

¹²⁴ See *Meeting the Needs of English Learners with Disabilities*, which was prepared by a staff member from the Santa Barbara County SELPA, retrieved from <http://www.sonomaselpa.org/docs/els-with-disabilities.pdf>.

ERMHS services. Clarify that the suspension of students should not be the basis for determining a student's need for intervention and support.

- ***Administrative Support Teams.*** Reconstitute the purpose of the administrative review teams as groups devoted to problem-solving for students with behavioral and academic concerns. Make it clear that their advice does not substitute for the IEP team's consideration, and that students are not to be suspended either in-school or out-of-school to justify service needs. Coordinate this review with student support services.
 - ***IEP Decision Making.*** Provide guidance to IEP teams on determining the extent to which students would benefit from general education classes, and specifying the supports needed to provide instruction based on the core curriculum and evidence-based interventions.
 - ***Personnel Roles and Staffing.*** Identify the number and type of personnel available to support students with disabilities in general education classes and to provide interventions inside or outside of the class. Specify and differentiate their roles. In addition, address staffing ratios for students in SDCs and how staffing needs to be adjusted when students need support in order to benefit from general education. (See Recommendation 6a.)
 - ***Planned Collaboration.*** Provide ways to better structuring time to promote more collaboration between general and special educators, various types of paraprofessionals, and related-services personnel in order to discuss instruction and intervention for students they share.
 - ***Progress Monitoring and Problem Solving.*** Monitor the progress of students with disabilities on instruction and interventions, as well as progress on IEP goals.
 - ***Assistive Technology.*** Specify and monitor a reasonable time frame for students to receive AT devices, and consider the resources needed to meet the time frame.
 - ***Music Therapy.*** Provide specific entry and exit criteria for students believed to need music therapy to benefit from special education instruction.
 - ***Postsecondary Transition Activities and Supports.*** Delineate school leadership responsibility for ensuring students with IEPs have access to high quality postsecondary transition activities and supports, and identify funding for community work.
- e. ***Differentiated Professional Learning and Parent Training.*** Embed in the professional learning curriculum mentioned in Recommendation 1e and the content needed to carry out Recommendation 3. In addition, consider –
- How and when personnel will be provided access to training in each critical area;
 - How key information will be communicated effectively;
 - How information will be used; and
 - What additional coaching and supports may be needed.

Review training and information-sharing opportunities for parents and community partners, and identify topics for the 2017-18 school year, including areas mentioned in this report and what data suggest might be needed. As part of this process, consider how professional learning will be provided within the current weekly collaborative time limitations.

f. Data Analysis and Reports. In addition to ensuring that activities described in Recommendation 1e include data and analysis of academic instruction and behavior/emotional supports for students with disabilities, consider the following actions—

- **Data Reporting.** Report data using the charts in this report as a guide, expanding upon them to better target patterns and areas of concern.
- **Risk Ratios.** To the extent possible and when appropriate, report disparities on indicators using a risk ratio.
- **Progress Monitoring.** Establish common school-based data collection and reporting systems to monitor the progress of students with disabilities, both academically and behaviorally. Ensure that benchmark and progress-monitoring data on students taking alternate assessments are included.

To the extent possible, embed data in the dashboard system used for all students.

g. Monitoring and Accountability. Expect that all principals are responsible for overseeing special education in their buildings, and that area assistant superintendents hold principals accountable for this responsibility. Embed the following activities in the monitoring and accountability systems described in Recommendation 1g.

- **Baseline Data.** To the extent possible, collect baseline data on the use of interventions with students with IEPs. Include data on educational setting rates, achievement, suspension/expulsion rates, and graduation and dropout rates, and begin evaluating the effects of interventions. In each area, consider collecting and analyzing data by race/ethnicity and gender, and develop risk ratios by indicator/subgroups.
- **Data Collection and Reports.** Review data, data collection issues, and reports that are requested by the superintendent and school board. Begin including baseline data described above, as well as special education state performance plan indicators. Provide regular updates on the status of special education reforms. Develop protocols for reporting data to inform decision-making. Produce templates for user-friendly summary reports showing academic and behavioral interventions and outcomes for students with disabilities. Review necessary changes in programs and interventions based on the data. Plan follow-up activities to collect data that the district does not currently collect and produce reports it currently does not produce.
- **Data Checks.** Include information on students with disabilities in data discussion sessions in order to develop follow-up actions and track outcomes.
- **Fidelity Assessments and Walk-Throughs.** Review current walk-through tools used to monitor instruction and interventions in general education classes, RSP classes, and SDCs to see how students are being taught and engaged, and how consistent

instruction is across schools for students with disabilities. Provide guidance such as that called for in Recommendation 3c. Initiate technical assistance, professional development, coaching, and mentoring to improve practices.

- ***Timely Communication and Feedback.*** Establish a process for timely feedback to the district's MTSS leadership team on barriers to problem-solving activities, particularly when they are beyond the control of local schools. Require the schools to seek assistance in resolving problems.
4. ***Interoffice Collaboration.*** With a representative group of principals, the AASs, the deputy superintendent, and the chief academic officer, discuss the optimum configuration for principals to communicate with each other and central office leadership. Follow up based on these discussions.
5. ***Special Education and Support Services Organization.*** Consider the following organization proposal to more effectively support students with disabilities as well as all students with respect to social/emotional learning and physical/mental health concerns. (See Appendix B for a proposed organization table.)
- a. ***Department of Special Education and Student Support Services.*** Group together support for special education and student support services to improve collaboration between personnel with expertise in social/emotional learning and students with physical and mental health concerns. Have an executive director with three direct reports in the following areas: 1) specially designed instruction, 2) SELPA/special education operations, and 3) student support services. Allocate office technicians to each area based on need, and have appropriate personnel attend CAO meetings.
- b. ***Specially Designed Instruction.*** Have two supervisors report to the director: one for area support and the other for districtwide services.
- ***Area Support.*** Have the following personnel report to the area support supervisor, assigning them to schools that align with a single area assistant superintendent –
 - Program specialists*
 - Behavior intervention specialists who collaborate with student support services personnel*
 - Inclusive practice coaches
 - Designated instructional paraprofessionals.* Employ the DIPs at the school site when supporting specific students pursuant to their IEPs, and have principals provide supervision. Maintain a relatively small number of DIPs to deploy for crisis intervention.
- Have the area support unit manage the following additional functions –
- Placement of new students with IEPs
 - SDC coordination
 - Behavior review and pre-expulsion hearings for students with IEPs (with student hearing/placement director)
 - Field trips

- ***Districtwide Services.*** Have the following personnel report to the districtwide services supervisor –
 - Speech/language pathologists and hearing interpreters*
 - Preschool coordination
 - Home/hospital instruction*
 - Assistive technology*
 - Occupational therapy*
 - Postsecondary transition*
 - Adapted PE*
 - Extended school year coordination

Have the districtwide unit also manage the following additional functions –

- Deaf Task Force
- Coordination of staff development
- Residential placement
- Special Arts program
- County Office of Education programs
- Alternate standards curriculum
- Extended school year coordination

- ***Other Specially Designed Instruction Personnel***
 - Based on the number of personnel in each area designated with an asterisk, designate leadership for the area to provide support to the respective group members and to coordinate activities with the director and other leadership personnel within and outside of the specially designed instruction unit. This structure is essential to support communication, supervision, and collaboration.
 - Employ DIPs at the school site when supporting specific students pursuant to IEPs with principal supervision.¹²⁵ Maintain a relatively small number of DIPs by area to deploy for crisis intervention.
 - Employ preschool personnel at the school site. Maintain specially designed instruction coordination for preschool students with IEPs in collaboration with administrative support for general education preschoolers.
 - Move responsibility for processing paperwork for special education teachers with students over the contract limit to human resources.
 - Have preschool personnel be employed at the school site, but maintain support for preschool coordination.
- c. ***SELPA/Special Education Operations.*** Have the SELPA/Special Education Operations director, with SELPA support staff, the budget technician, and others as appropriate –
 - Coordinate policy and compliance requirements
 - Shift to a web-based special education policy and procedures information system
 - Manage due process, complaint management, and alternate dispute resolution

¹²⁵ Note Recommendation 6c regarding the review of paraprofessionals and their respective roles, and employment status.

- Coordinate internal monitoring
- Coordinate surrogate parents
- Coordinate and track the provision of compensatory education and tutoring.

d. *Student Support Services.* Have the following units report to the student support services director—

- Social workers, including those that support students with IEPs
- School psychologists
- Social/emotional learning
- Nurses/health aides
- Behavior/reentry
- Youth development
- Family and community partnerships

With the exception of social workers and health aides supporting students with IEPs and psychologists, these units are currently housed together. The combination of these personnel will enable staff to better collaborate, support students with common issues, manage Section 504, and manage Medi-Cal.

6. *School-Based Special Education Personnel.* Ensure that personnel who support students with IEPs are employed in sufficient numbers, and are available to meet student needs.

a. *Student-Staff Ratios.* On a regular basis with the AAS, review the staffing ratios summarized in this report (see Appendix A). *NOTE: Relatively low or high student-to-personnel ratios do not necessarily mean that any given area is staffed inappropriately; however, the ratios should prompt further review.* Ensure that adequate numbers of special education and related-services personnel are at each school to carry out their expected responsibilities. Based on a full review, consider the changes needed in the short and long term.

b. *Hiring Practices.* Review hiring practices for special educators and paraprofessionals employed by the district, and modify them if necessary to allow principals to select staff for their schools. Provide assistance to principals for them to carry out this responsibility, such as prescreening and identifying high-quality applicants. Under the current collective bargaining agreement terms, continue to have an applicant pool, and enable principals to select personnel for the next school year at the appropriate time. Encourage principals with expected or potential vacancies to participate in the process of selecting personnel from the applicant pool to increase their satisfaction with the quality of hires. Consider moving the induction program for all personnel to human resources, and ensure that it provides new personnel, especially those who come from other countries, with the training they need to be successful. Develop and implement a support program for new teachers from other countries in order to facilitate their adjustment to the culture, community and school based responsibilities of teaching and learning in the United States.

c. *Staff Shortages, Retention, and Recruitment.* Convene a diverse group of stakeholders such as principals, special educators, CAC representatives, and SCTA representatives. Have a high-level district official with decision-making authority convene the group to—

- **Recruitment/Retention.** Specifically, the group should discuss the need to recruit special education, paraprofessional, and related services personnel vacancies, and to address relevant high staff turnover. Have the group identify proactive and aggressive strategies to:
 - Promote recruitment/retention (including those discussed in this report);
 - Improve communication about high-quality applicants;
 - Support internship programs, such as the collaboration with Cal State to recruit speech/language pathologists;
 - Use assistants to support related services personnel;
 - Improve working conditions and access to essential materials, such as assessment tools for psychologists; and
 - Bolster recruitment activities.

Include in these strategies the need for bilingual personnel with special education and related-services expertise. Until the vacancy issues are resolved, have human resources consider committing a full-time person to implementing these strategies with the assistance, and continue to review the success of these and other strategies.

- **Paraprofessional Usage.** The group should consider –
 - **An audit.** Auditing contractual aides would help the district determine the quality of training, retention, communication (between teacher and aide), and cost effectiveness. Depending on the results, reconsider the balance between district and private employment.
 - **Roles.** The district should review the roles of the three paraprofessionals types, and the value of this and other approaches, such as using a highly trained group of paraeducators to train and support one set of paraprofessionals for students with IEPs;
 - **Communication.** The district should also review the differences between how educators and paraprofessionals are allowed to communicate with schools based on the paraprofessionals' hiring status, as well as their participation in IEP meetings and other mechanisms for collaboration.

Based on the outcome of these discussions, develop a plan for improving the usage and effectiveness of paraprofessionals.

7. **Compliance Support and Access to Information.** Consider the following actions to improve compliance and access to student special education records.
 - a. **Special Education Procedure Manual.** Update on an annual basis the *Special Education Procedures* document to include relevant written expectations developed in accordance with these recommendations. Provide public access to the information by posting it as a webpage with links to more detailed information and online resources. Collaborate with CAC and other stakeholders to identify relevant information and resource links. Ensure staff members are available to update the information regularly with current information and resources. Provide training to stakeholders and parents to boost their understanding

of the *Procedures*' contents. Ensure training is accessible to parents with diverse linguistic needs and sensory limitations.

- b. SCUSD/SCTA Collective Bargaining Agreement.* Ensure all provisions, such as attendance of regular education teachers at IEP meetings, comply with federal and state laws.
- c. Department of Special Education Webpage.* To the extent possible, enhance the special education webpage with links to information for stakeholders, including district and publicly available resources.¹²⁶
- d. Dispute Resolution.* To reduce future disputes and resolve disputes quickly and effectively, consider the following actions—

 - **High Level Attention.** Provide information to the extended cabinet and a representative group of principals on the costs of special education disputes and current processes in order to facilitate a discussion about the role and accountability of principals for the operation and administration of special education at their respective school sites.
 - **Principal Involvement.** Establish written expectations for principals, and how they will be supported and monitored. As part of these expectations, provide principals with CDE, OCR, and due process complaints, and have principals take a leading role in their resolution. Have principals attend due process hearings to address issues in their schools.
 - **AASs.** Involve area assistant superintendents to support compliance, resolve complaints, and address due process matters.
 - **Red Alerts.** Establish a “red alert” system for validated complaints and due process to inform all relevant stakeholders about the issues and ways to avoid them in the future.
- e. Special Education Records.* Consider the following actions to improve access to student special education information –

 - **Training.** Ensure hands-on special education IEP training is available for new personnel and for those who need to supplement their knowledge to support the development of effective IEPs and compliance practices.
 - **Access.** Provide general educators with access to the IEP system, using read only access for inapplicable provisions.
 - **Notice.** Add a disability field for IEPs and Section 504 to the student information system to notify teachers of students with disabilities, and the need to obtain additional information. If possible, migrate this data from other systems to avoid double entry of the information.
 - **Record Maintenance.** Develop a plan to stop sending all special education records to the central office and require schools to maintain the records according to privacy

¹²⁶ See, for example, the Anchorage School District's special education webpage, retrieved from <http://asdk12.org/sped/>.

requirements. To the maximum extent, scan records to the electronic system to avoid record loss and to maximize their organization.

8. ***Fiscal Considerations.*** Pursue the following activities to enhance revenue and shift more funds toward improving instruction at home schools, schools of choice, and SDCs.
 - a. ***Medicaid Revenue Enhancement.*** To increase Medicaid revenue, survey users of the district's new electronic documentation process through focus groups, an electronic survey, or other means to understand the challenges associated with its use. Take follow up actions based on the results, and execute accountability for usage and monitoring, including central office, school leadership, and others users of the system. Establish a group that will continually review usage and monitoring trends, and identify ways to maximize billing opportunities.
 - b. ***Potential Transportation Efficiencies.*** Consider the following actions to enhance transportation efficiency.
 - ***Maximize Technology.*** To make transportation more efficient, research how other school districts have used technology to enhance the communication of student needs. As quickly as possible, move to an electronic process for managing requests for transportation. Council staff can provide support for this activity.
 - ***Reduce Long Routes.*** Identify all students by the length of their bus routes to address the routes that are excessive.¹²⁷ Based on this information, identify ways to reduce the routes.
 - ***Comparable Length of School Day.*** Review student routes to ensure that no student with IEPs have a shortened school day due to transportation schedules.
 - ***Transportation Point Person.*** Establish a point person in transportation to handle special education busing reimbursement.
 - c. ***Long-Term Capacity Building.*** Begin putting together a long-term plan to reduce the district's reliance on special schools. For such a plan to be successful, the district must build the capacity of each school to provide appropriate and equitable educational support. To support this process, consider the amount of transportation savings, and the expertise of district staff (including John Morse school personnel) that can be leveraged to build school capacity. (See also Recommendation 3c.)
9. ***Shared Accountability for Student Achievement.*** Consider the following actions that would strengthen the district's shared accountability for student achievement.
 - a. ***State Structure.*** Work with other school districts to influence the CDE and legislature if necessary, to implement the March 2015 California statewide special education task force recommendations. Specifically, there is a need for universal accountability patterns and reporting requirements for all students, including those with disabilities, and the inclusion of the federal Results Driven Accountability indicators within the LCAP framework.
 - b. ***Single Plan of Achievement and Data Dashboard.*** Ensure that school-based planning

¹²⁷ Districts with good technology are able to sort this data easily and quickly.

and dashboards include data and actions relevant to the achievement of students with disabilities, including special education state performance plan indicators.

- c. Strategic Plan.* Supplement the district's next iteration of its strategic plan with action necessary for the implementation of the Council team's recommendations.
 - d. Data.* Review all the data elements contained in these recommendations and consolidate them into a comprehensive plan for implementation. (See Chapter 4's Recommendation Matrix, which identifies data and reporting elements.) As part of SCUSD's work with other districts pursuant to Recommendation 10a, address the state data collection issues that make reporting unnecessarily complex and time consuming.
 - e. SCUSD/SCTA Collective Bargaining Agreement.* Consider requesting Council assistance in facilitating discussions between the SCUSD and SCTA to help resolve the issues identified in this report as well as others that may exist.
 - f. Professional Learning.* Review all the recommendations related to professional learning to map out coordinated implementation activities. (See Chapter 4's Recommendation Matrix, which identifies training components.)
 - g. Shared Accountability for Actions.* Review the information in this report and relevant recommendations pertaining to the need for districtwide expectations, and shared accountability with school and district personnel. Establish clear processes that track when and how resources and training have been made available, and follow up on initiatives that have been announced or launched. There is no justification for actions not carried out as expected. (See Chapter 4's Recommendation Matrix, which identifies accountability components.)
- 10. Internal Project Manager.** Consider appointing an internal project manager reporting to the superintendent to support the execution of the district's plan and initiatives, including activities to follow up on the recommendations in this report. Have the project manager report on relevant data, the status of implementation, and barriers to execution that require interdepartmental collaboration, the superintendent's involvement, or the need for any adjustments to the plan.

CHAPTER 5. SYNOPSIS AND DISCUSSION

The Sacramento Unified School District asked the Council of the Great City Schools to review the district's special education programs and to make recommendations on how to improve services for students with disabilities. To conduct its work, the Council assembled a team of special education experts with strong reputations for improving services in their own districts. The Council team visited Sacramento in November, conducted numerous interviews, reviewed documents, and analyzed data. At the end of the visit, the team formulated preliminary recommendations and held a conference call with the superintendent to discuss high-level observations and proposals.

The Council has reviewed numerous special education programs in big city schools across the country, and the organization is not always able to point out positive features of each school district's work with students with disabilities. In this case, however, the SCUSD has a number of things it can be proud of.

For instance, the district does not appear to have an unusually high percentage of its students identified for special education. At 13.9 percent, the district's identification rate is comparable to state and national averages.

In addition, while there are some racial groups that are identified at higher rates than other groups, most rates do not rise to traditional levels of disproportionality. In addition, identification rates for English Language Learners appear not be either disproportionately high or low. Moreover, the state's 2014-15 finding of disproportionate identification of African American students in the area of emotional disturbance was promptly and successfully addressed by the district.

At the same time, there are disparities in identification rates among various student groups in individual disability areas that warrant the school system's attention and vigilance.

Programmatically, the district has pursued efforts in the areas of MTSS, Universal Design for Learning, and social/emotional support. Its work in these areas is uneven at best because of the site-based theory of action the school system uses. But it is developing capacity in these areas.

In addition, the district's rate of educating students with disabilities in general education settings at least 80 percent of the time is higher than the state rate and near the national rate. Conversely, the district's rate of educating students with disabilities outside of general education more than 60 percent of the time is lower than state and national rates.

In addition, with 94.8 percent of IEPs meeting requirements for postsecondary transition activities and services, the district almost met the state's 100 percent compliance target. And the district has almost met state targets for students enrolled in higher education, being competitively employed, and/or engaged in other postsecondary education or training programs. The district's transition services are much better than most other districts the Council's team has reviewed.

At the same time, the district has considerable work to do in order to make its special education services a model. For example, the district's organizational structure is not as well defined around the needs of students with disabilities as is optimal. In fact, there are substantial organizational disconnects that make it harder for staff to collaborate in the ways they say they want to. The system's operational challenges are serious as well, particularly in the areas of transportation and paraprofessional hiring.

In addition, as was noted, district efforts to implement a systemic MTSS system is fractured, and efforts to broaden its implementation is stalled over disagreements with the union. The district's data systems are also not capable of readily producing the kinds of data that it needs to improve achievement or to produce necessary reports.

It was also clear that suspension rates were higher among students with disabilities than among students without disabilities. And the graduation rate among students with disabilities dipped at the same time that the district's overall graduation rate improved.

The Council also found that staffing levels to carry out an adequate special education staffing program were low, along with some organizational mismatches referred to earlier. Moreover, there were critical staff vacancies. And the system's ability to maximize Medicaid reimbursements were not being realized.

To address these and other issues, the Council of the Great City Schools has provided numerous recommendations to help the Sacramento schools move forward on behalf of its students with disabilities. These proposals can be grouped into three big buckets: organizational, instructional, and operational.

The organizational proposals are generally meant to create greater coherence in the district's special educational programming and less siloing of staff. The instructional recommendations are meant to take the good work the district has done around MTSS and UDL to scale. And the operational proposals are designed to remove barriers in how smoothly the district's special education program runs.

Interestingly, many of the challenges that the district faces have been addressed at least in part by a number of other urban school systems—like the District of Columbia and Baltimore—that Sacramento can turn to for approaches.

The Sacramento school district clearly has the talent and the commitment to do much better for its students with disabilities, particularly in areas of achievement and opportunity. The Council hopes that this report will help the district create an integrated set of services for its students. The Council and its member districts stand ready to help.

APPENDICES

Improving Special Education Services in the Sacramento Unified School District

Appendix A. Incidence Rate and Staffing Survey Results

The Urban Special Education Leadership Collaborative and the Council of the Great City Schools, including its team members who conducted school district special education reviews, collected the data reported in these tables. *The data do not give precise comparisons, so the results need to be used with caution.* District data are not consistently reported (e.g., some districts include contractual personnel and others may exclude them) and are sometimes affected by varying placement types used by a school district. The data may count all students with IEPs, including those placed in charters, agencies, and nonpublic schools. Still, these data are the best available and are useful as a rough guide to staffing ratios.

	Total Enrollment	Incidence		Sp Educator			Paraeducator			Speech/Lang			Psychologist		
		% SpEd	SpEd Enr	Number	Ratio To:		Number	Ratio To:		Number	Ratio To:		Number	Ratio To:	
					Sp Ed	All		Sp Ed	All		Sp Ed	All		Sp Ed	All
Agawam Public Schools	4,347	15%	656	39	17	112	100	7	44	15	44	290	3	219	1449
Atlanta Public Schools	43,443	11%	4,950	431	11	101	224	22	194	65	76	688	22	225	1975
Anchorage School Dist	48,154	14.1%	6,779	716.8	9.5	67.2	786.4	8.6	61.2	65	104	741	44.7	151	1010
Arlington VA Pub Sch	21,231	13.9%	2,952	343	8.6	62	262	11	81	38	77	574	22	134	923
Austin Pub S D	84,676	10%	8,062	772.5	10.4	110	824	9.7	103	70.5	114	1,201	34.6	233	2,447
Baltimore City Publ Sch	82,824	16%	12,866	1,121	12	74	620	21	134	92	140	901	NA	NA	NA
Baltimore County P Sch	107,033	11.4%	12,127	1,025.4	11.8	104	2,305*	5.26	46	187.5	65	571	85.3	142	1,254
Boston Public Schools	54,966	21%	11,534	1,200	10	47	800	14	70	147	78	383	48	240	1,173
Bellevue, WA SD	18,883	10.3%	1,947	82.7	23.5	228	118.6	16.4	159	17.4	112	1,085	17.3	112.5	1,092
Bridgeport, CT	20,300	14.3%	2,618	204	13	100	254	10	80	25	105	812	33	79	615
Buffalo Public Schools	46,583	16.6%	7,744	753	10.3	61.9	439	17.6	106	109	71	427	62	125	751
Cambridge Publ Schools	6,000	20%	1,200	176	7	35	103	12	59	20	60	300	22	55	273
Carpentersville, IL	19,844	15.8%	3,139	227	13.8	87	380	8.3	52	43	73	461	28	112	708
Chicago Public Schools	397,092	13.7%	54,376	4,649	11.7	85.4	4,228	12.9	94	390	139	1,018	261	208	1,521
Cincinnati Pub Schools	51,431	17.4%	8,928	457	19.5	112.5	801	11.1	64	62	144	830	57.7	155	891
Clark Cty School Dist	309,476	10%	32,167	2,247	15	138	1,346	24	230	299	108	1,036	180	179	1,720
Cleve Hts-UnivHtsCty	6,000	18%	1,100	83	14	73	58	19	104	7	158	858	8	NA	NA
Compton CA Unified SD	26,703	11.2%	2,981	126	28	256	118	25	226	5	596	5341	14	213	1,907
DeKalb 428, IL	6,249	14.1%	879	58	15.2	108	205	4.3	30	9	98	694	7.5	117	833
DesMoines Public Schls	31,654	15.3%	4,854	493*	9.8	64	358.5**	13.5	88	37.3	130	849	11.5	422	2,753
D.C. Public Schools	48,991	18%	8,603	669	13	74	653	14	76	90	96	545	78	111	629
Davenport Comm Sch	15,302	12%	1,857	188	10	82	287	7	54	NA	NA	NA	NA	NA	NA
Deer Valley Unified SD	36,086	9%	3,289	190	18	190	229	15	158	49	68	737	108	31	335
Denver Public Schools	78,352	12%	9,142	592	16	133	528	18	149	94	98	834	98	94	800
ESD 112	13,764	14%	1,987	55	37	251	158	13	88	20	100	689	12	166	1,147
Elgin U-46, IL	40,525	13.1%	5,304	252.8	21	160	288.5	18	140	71.9	74	564	20	265	2,026
Everett Pub Schools, WA	6,100	17%	1,049	74	15	83	51	21	178	4	263	1,525	5	210	1,220
Fort Worth	79,885	8%	6,144	520	12	154	450	14	178	73	85	1,095	31	199	2,577
Greenville County, SC	70,282	14%	9,894	463	21	152	376	26	187	93	106	756	25	396	2,111
Houston Indepen SD	200,568	9%	17,489	1,625	11	124	1,145	16	176	158	111	1,270	NA	NA	NA
Kalamazoo Pub Schools	12,100	14%	1,667	70	24	173	79	22	154	15	112	807	NA	NA	NA
Kent, WA Pub Schools	27,196	11.3%	3,069	148.7	20.6	183	318	9.7	85.5	32.3	95	842	25	123	1,088
Lake Washington, WA	26,864	11.7%	3,145	155.1	20.3	111.2	241.5	13.0	111.2	32.6	96.5	824	24.7	127.3	1,087.6
Kyrene School District	17,910	9%	1,544	141	11	128	124	13	145	27	58	664	14	111	1,280
Lakota Local	18,500	10%	1,800	126	15	147	120	15	155	39	47	475	18	100	1,021
LAUSD	632,881	13%	82,326	4,470	19	142	8,470	10	75	379	218	1,670	599	138	1,057
Lincoln	1,060	12%	128	21	7	51	21	7	51	5	26	212	2	64	530
Madison, WI Pub Schls	27,185	14.0%	3,808	347	10.9	78	448	8.5	61	86	44	316	49	77.7	555
Marlborough Pub Sch	4,835	25%	1,198	141	9	35	115	11	43	7	172	691	4	300	1,209
Memphis City	110,863	15%	16,637	912	19	122	655	26	170	53	314	2,092	58	287	1,912
Miami-Dade	376,264	11%	40,012	2,500	17	151	1,226	33	307	209	192	1,801	206	195	1,827
Milwaukee	78,533	20.9%	16,406	1,281	13	61	988	16.6	79	169	80	465	136	121	577
Montgomery Cty Sch	146,812	12%	17,226	1,588	11	93	1,398	13	106	293	59	502	97	178	1,514
Naperville IL 203	81,131	11%	1,978	150	13	120	237	8	76	33	59	549	22	90	824
Nashville	82,260	12.3%	10,141	680.5	14.9	121	594	17.1	138	109	93	755	65.5	155	1,256
New Bedford	12,692	21%	2,655	204	14	63	205	13	62	26	103	489	9	295	1,411
Oak Park Sch Dist 97	5,400	16%	875	78	12	70	90	10	60	14	63	386	8	110	675
N. Chicago, IL (in Dist.)	3803	16%	614	39	15.7	92	27	22.7	141	8	76.8	475.4	5	122.8	760.6
Oakland Unified SD	33,312	15.4%	5,401	404	13.4	82.5	175	31	190	47	115	709	43.5	125	766
Pittsburgh Pub Schools	23,276	18.1%	4,210	308	13.7	76	263	16	89	31	136	751	16	263	1,455
Portland Public Schools	46,596	14%	6,513	355	19	132	535	13	88	92	71	507	56	117	833
Providence, RI	23,695	18.8%	4,460	340	13	70	339	13	70	40	111	592	28	159	846
Renton, WA	14,343	14.7%	2,108	129	16.3	111	294	7	48	20	105	717	15	140	956

Improving Special Education Services in the Sacramento Unified School District

	Total Enrollment	Incidence		Sp Educator			Paraeducator			Speech/Lang			Psychologist		
		% SpEd	SpEd Enr	Number	Ratio To:		Number	Ratio To:		Number	Ratio To:		Number	Ratio To:	
					Sp Ed	All		Sp Ed	All		Sp Ed	All		Sp Ed	All
Rockford IL Pub S	28,973	14%	4,065	336	12	86	334	12	87	49	83	591	24	169	1207
Round Rock	43,000	8%	3,313	369	9	117	171	20	252	41	81	1049	29	115	1483
Sacramento	46,843	13.9%	6,519	288.1	22.6	162	246.2	26.5	190	50.8	128.3	922	29.7	219.5	1419
San Diego Unified SD	132,500	12%	16,300	1,100	15	121	1,300	13	102	196	84	677	129	126	1027
Saugus, MA	3,012	15%	462	28	17	108	29	16	104	6	77	502	NA	NA	NA
Sch Dist of Philadelphia	168,181	20%	33,686	1,535	22	110	610	56	276	99	341	1699	100	337	1682
Scottsdale, AZ	26,544	10.9%	2,891	246	11.8	108	230	12.6	115	39.4	73	674	28.4	102	935
Shelby County (Memphis)	114,760	12.7%	14,556	852	17.1	135	768	19.0	149	55	265	2087	60	243	1913
St. Paul, MN	38,086	18.8%	7,152	523	13.7	73	536	13.3	71	97	74	392	19	376	2004
Sun Prairie Area S Dist	6,656	10%	697	62	12	108	93	8	72	14	50	476	7	100	951
Tacoma Pub Schl WA	32,412	12%	3,894	172.5	23	188	223	17	145	33.6	116	965	27	144	1200
Tucson Unified SD	56,000	14%	8,092	409	20	137	419	20	134	61	133	919	54	150	1038
Washoe County Dist, NV	63,310	14%	8,551	472	19	135	325	27	195	77	112	823	37	232	1712
Williamson Cty Schl	31,292	9%	2,824	213	13	147	400	7	78	34	121	911	23	178	1346
West Aurora, IL SD	12,725	13%	1,688	120	14	106	101	17	126	21	80	606	13	130	979
Worcester, MA	24,825	21%	5,172	254	21	98	366	15	68	38	137	654	NA	NA	NA
Averages		13.1%			14.5	111		15.3	116		119	903		173	1317

Improving Special Education Services in the Sacramento Unified School District

Ratios for Social Workers, Nurses, OTs & PTs	Total Student Enrollment	Total Special Ed	Social Worker			Nursing (School/RN, etc.)			Occupational Therapy		Physical Therapy	
			Number	Ratio To:		Number	Ratio To:		Number	Ratio	Number	Ratio
				SpEd	All		SpEd	All				SpEd
Agawam Pub Schools	4,347	656	NA	NA	NA	8	82	544	3	219	3	219
Anchorage School Dist.	48,154	6,779	NA	NA	NA	112.8	60	426	21.9	309	7.8	869
Atlanta Public Schools	43,443	4,950	30	165	1448	58	85	511	12	413	3	1650
Arlington Pub Schools	21231	2952	15	197	1415	*30	98	708	20	147	6	492
Austin Pub S D	84,676	8,062	21	384	4032	68	119	1245	19	424	13	620
Baltimore City Public	82,824	12,866	193	67	430	78	165	1062	20	644	5	2574
Baltimore County Pub Sc	107,033	12,127	48.7	249	1701	179.8	67	595	65.2	186	27	449
Bellevue, WA SD	18,883	1,947	4	487	4721	13.2	148	1431	5.3	367	5.3	367
Boston Public Schools	54,966	11534	NA	NA	NA	100	115	563	67	172	17	680
Bridgeport, CT	20,300	2618	38	69	534	28	94	82	7	374	2	1309
Buffalo Public Schools	46,583	7744	48.5	160	960	NA	NA	NA	75	103	29	267
Cambridge Pub School	6,000	1,200	16	75	375	0	NA	NA	16	75	7	172
Carpentersville	19,844	3,139	36.5	86	544	27.5	114	722	22	142	6	523
Chicago Pub Schools	404,151	50,566	355.7	142	1136	334	151	1210	115	440	35	1445
Cincinnati Pub Sch	51,431	8,928	NA	NA	NA	NA	NA	NA	19	470	5	1786
Clark Cty School Dist	309,476	32,167	NA	NA	NA	173	186	1789	68	474	29	1100
Cleve Hts-UnivHtsCty	6,000	1,100	7	158	858	5	220	1200	2	550	1	1100
Compton CA Unified SD	26,703	2981	1	2981	NA	1	2981	NA	1.5	1987	.5	5962
DeKalb 428, IL	6,249	879	8	110	781	7	126	893	3.4	256	1.3	204
DesMoines Public Schls	31,654	4,854	25.8	188	1227	58.4	83	542	7	693	4.8	1011
D.C. Public Schools	48,991	8,603	90	96	545	127	68	386	48	180	16	538
Davenport CommSch	15,302	1,857	NA	NA	NA	7	266	2186	NA	NA	NA	NA
Deer Valley Unified SD	36,086	3,289	NA	NA	NA	37	89	976	19	174	4	823
Denver Public Schools	78,352	9,142	74	124	1059	77	119	1018	25	366	12	762
Elgin U-46, IL	40,525	5,304	56	95	724	59.5	89	681	25.2	210	4	1326
ESD 112	13,764	1,987	NA	NA	NA	5	398	2753	6	332	3	663
Everett Public Schools	6,100	1,049	2	525	3050	11	96	555	2	525	3	350
Fort Worth	79,885	6,144	NA	NA	NA	106	58	754	16	384	10	615
Greenville County, SC	70,282	9,894	20	495	3514	132	75	532	14	707	4	2574
Houston Indepen SD	200,568	17,489	26	673	7715	25	700	8020	17	1029	8	2187
Kalamazoo Pub	12,100	1,667	5	334	2420	2	834	6050	4	417	3	556
Kent, WA Pub Schools	27,196	3069	2.2	NA	NA	NA	NA	NA	12.8	240	4.8	639
Kyrene School District	17,910	1,544	NA	NA	NA	4	386	4478	2	772	2	772
Lake Washington SD	26864	3145	NA	NA	NA	23.6	133	1138	19.3	163	3.3	953
Lakota Local	18,500	1,800	6	300	3084	14	129	1322	8	225	2	900
LAUSD	632,881	82,326	275	300	2302	575	144	1101	159	518	28	2941
Lincoln	1,060	128	5	26	212	2	64	530	2	64	1	128
Madison, WI Public Schls	27,185	3,808	68	56	399	38	100	715	34	112	13	293
Marlborough Public	4,835	1,198	9	134	538	10	120	484	4	300	2	599
Memphis City	110,863	16,637	55	303	2016	68	245	1641	11	1513	9	1849
Miami-Dade	376,264	40,012	NA	NA	NA	206	195	1827	65	616	23	1740
Montgomery CtySch	146,812	17,226	NA	NA	NA	NA	NA	NA	112	154	61	283
Milwaukee	78533	16,406	140	117	560	101	162	778	30	547	13	1262
Naperville, IL 203	81,131	1978	27	73	671	29	68	625	4	494	3	659
Nashville	82,260	10,141	NA	NA	NA	57	178	1443	29.5	344	6	1690
New Bedford	12,692	2,655	67	40	190	30	89	424	11	242	3	885
North Chicago, IL	3,803	614	10	61.4	380.3	NA	NA	NA	3.6	170.5	1.6	383.8
Oak Park Sch Dist 97	5,400	875	12	73	450	8	110	675	7	1125	1	875
Pittsburgh Pub Sch	23,276	4,210	40	105	582	40.6	104	573	7	601	8	526
Oakland Unified SD	33312	5315	19	284	1753	30.8	175	1082	12	450	2	2701
Portland Pub Schools	46,596	6,513	10	652	4660	NA	NA	NA	20	326	9	724
Providence	23,695	4460	35	127	677	NA	NA	NA	11.5	388	4.5	991
Renton, WA	14,343	2,108	0	NA	NA	17	124	844	15	141	3	703
Rockford IL Pub S	28,973	4,065	26	135	1114	32	127	905	12.5	325	4.5	903
Round Rock	43,000	3,313	NA	NA	NA	1	NA	NA	10	332	3	1105
Sacramento	46,843	6,519	8	NA	NA	5*	NA	NA	2	NA	0	NA
San Diego Unified SD	132,500	16,300	NA	NA	NA	129	127	1028	40	408	10	1630
Saugus, MA	3,012	462	4	116	753	5	93	603	2	231	1	462
Schl Dist of Philadelphia	168,181	33,686	NA	NA	NA	280	121	601	20	1685	20	1685
Scottsdale	26,544	2,891	NA	NA	NA	31	93	856	13.8	210	3.8	761
Shelby County (Memphis)	114760	14556	66	221	1739	79	184	1453	29.22	498	12.84	1134

Improving Special Education Services in the Sacramento Unified School District

Ratios for Social Workers, Nurses, OTs & PTs	Total Student Enrollment	Total Special Ed	Social Worker			Nursing (School/RN, etc.)			Occupational Therapy		Physical Therapy	
			Number	Ratio To:		Number	Ratio To:		Number	Ratio	Number	Ratio
				SpEd	All		SpEd	All				SpEd
St. Paul Pub Schools	38,086	7,152	92	78	414	33	217	1154	36	199	12	596
Sun Prairie Area S Dist	6,656	697	8	88	832	1	NA	NA	5	140	2	349
Tacoma Pub Sch (WA)	32,412	3,894	NA	NA	NA	1.2	NA	NA	19	205	11	354
Tucson Unified SD	56,000	8,092	26	312	2154	53	153	1057	10	810	4	2023
Washoe Cty Sc Dist	63,310	8,551	NA	NA	NA	35	248	1836	12	713	7	1222
West Aurora SD, IL	12,725	1688	19	89	670	7	241	1818	11	154	7	241
Williamson Cty Schl	30,942	4,093	NA	NA	NA	37	111	837	22	187	5	819
Worcester	24,825	5,172	NA	NA	NA	NA	NA	NA	12	431	5	1035
Averages				271	2079		153	1172		371		1001

Improving Special Education Services in the Sacramento Unified School District

Percent Students with IEPs of Total Enrollment & Students with IEPs to Staff Ratio in Ascending Order

Rank	% IEPs	Special Educators	Paraeducators	Speech/Lang Pathologists	Psychologists	Social Workers	Nurses	Occupational Therapists	Physical Therapists
1	8%	7	4.3	26	31	26	58	64	128
2	8%	7	5.26	44	55	40	60	75	172
3	9%	8.6	7	44	64	56	62	103	219
4	9%	9	7	47	77.7	61	64	112	241
5	9%	9	7	50	79	67	67	140	283
6	9%	9.5	7	58	90	69	68	141	293
7	10%	9.8	7	59	94	73	75	142	349
8	10%	10	8	59	100	73	82	147	350
9	10%	10	8	60	100	75	83	154	354
10	10%	10	8.3	63	102	78	85	154	367
11	10.3%	10.3	8.5	65	110	86	89	163	384
12	11%	10.9	8.6	68	110	88	89	171	449
13	11%	11	9.7	71	111	89	89	172	462
14	11%	11	9.7	71	111	95	93	174	492
15	11%	11	10	73	112	96	93	180	523
16	11.2%	11	10	73	113	105	94	186	526
17	11.3%	11.4	10	74	115	116	96	187	538
18	11.4%	11.7	11	74	117	124	98	199	556
19	12%	12	11	76	121	126	100	205	596
20	12%	12	11.1	77	123	127	104	210	599
21	12%	12	12	78	124	134	110	211	615
22	12%	12	12	79	125	135	111	219	620
23	12%	12	12.6	80	127	140	114	225	639
24	12%	12	12.9	80	128	142	115	231	659
25	12%	13	13	80	130	153	119	240	663
26	12.3%	13	13	81	134	158	119	242	676
27	12.7%	13	13	83	138	160	120	285	680
28	13%	13	13	84	140	165	121	300	703
29	13%	13	13	85	142	188	124	309	724
30	13.1%	13	13	93	144	197	126	325	761
31	13.7%	13.4	13	95	150	221	127	326	762
32	13.9%	13.7	13	96	151	249	127	332	772
33	14%	14	13	96.5	154	284	129	332	819
34	14%	14	13.5	98	155	300	133	344	823
35	14%	14	14	100	155	300	144	366	869
36	14%	14	14	103	159	303	148	367	875
37	14%	14	14	104	166	312	153	374	885
38	14%	14	15	105	169	334	155	384	900
39	14%	14	15	105	178	384	162	388	903
40	14%	14.9	15	106	178	487	163	408	953
41	14%	15	15	108	179	495	165	413	991
42	14%	15	16	111	195	525	175	417	1011
43	14.1%	15	16	111	199	652	178	424	1079
44	14.1%	15	16	112	208	673	184	431	1035
45	14.7%	15.2	16.4	112	210		186	450	1100
46	15%	15.7	16.6	112	213		195	470	1100
47	15%	16.0	17	114	219		217	473	1105
48	15%	16.3	17	115	219.5		220	474	1134
49	15.3%	17	17.1	116	223		241	477	1222
50	15.4%	17	17.6	117	225		245	494	1262
51	16%	17	18	121	232		248	498	1309
52	16%	17.1	18	127	233		266	518	1326
53	16%	18	18.4	128.3	240		386	525	1532
54	16.2%	19	19	130	243		398	547	1553
55	17%	19	19	133	263		700	550	1630
56	17.4%	19	20	135	265		834	601	1650
57	17.7%	19	20	136	287			616	1685
58	18%	19.5	20	137	295			644	1690
59	18%	20	21	139	300			693	1740
60	18%	20.3	21	140	319			702	1786
61	18%	20.6	22	144	337			713	1849
62	18.1%	21	22	158	376			772	2023

Improving Special Education Services in the Sacramento Unified School District

Rank	% IEPs	Special Educators	Paraeducators	Speech/Lang Pathologists	Psychologists	Social Workers	Nurses	Occupational Therapists	Physical Therapists
63	19%	21	24	172	396			810	2187
64	19%	21	25	192				1029	2574
65	19.3%	22	26	218				1125	2574
66	20%	22.6	26	263				1513	2701
67	20%	23	26.5	265				1685	2941
68	20.9%	23.5	27	314					
69	21%	24	31	341					
70	21%	24	33	596					
71	21%	37	56						
Avg.	13.1%	14.5	15	118	173	271	153	371	1001

Appendix B. Proposed Organization for Special Education & Student Supports

Executive Director of Special Education and Student Support Services		
Specially Designed Instruction Director	SELPA/Special Education Operations Director	Student Support Director
Specially Designed Instruction Director		
Area Support Supervisor	Districtwide Services Supervisor	
<ul style="list-style-type: none">• Program Specialists* (Align with area assistant superintendents)• Behavior Intervention Specialists* (Coordinate with Student Support Services personnel)• Inclusive Practices Coaches• Designated Instructional Professionals** Align staff to schools associated with each AAS	<ul style="list-style-type: none">• Speech/language Pathology/Hearing Interpreters*• Preschool** (5 preschool teachers, 8 instructional aides)• Home/Hospital Instruction• Assistive Technology*• Occupational Therapists/Assistants*• Postsecondary Transition*• Adapted PE*	
<ul style="list-style-type: none">• Based on number of personnel in each area, have administrative heads provide leadership and support the director. ** Employ DIPs at the school site (with principal supervision) when supporting specific students pursuant to IEPs. Maintain a relatively small number of DIPs by area to deploy for crisis intervention. Also, employ preschool personnel at the school site. Maintain support for preschool coordination. Move to human resources paperwork for teachers with students over the contract limit.		
Additional Functions for Each Supervisory Area		
<ul style="list-style-type: none">• Placement for new students with IEPs• SDC coordination• Behavior review and pre-expulsion hearings for students with IEPs (with student hearing/placement director)• Field trips	<ul style="list-style-type: none">• Deaf Task Force• Coordination of staff development• Residential placement• Special Arts program• County Office of Education programs• Alternate standards curriculum• Extended school year coordination	
<ul style="list-style-type: none">• Personnel support re: posting and interviewing for vacant special education positions• Job fairs• Administrative support team• ERMHS support in collaboration with Student Support Services• Special education induction (with induction coordinator) and new teachers not in induction program with coordination support provided by human resource		
SELPA/Operations Director		
<ul style="list-style-type: none">• SELPA Support Staff: Coordination of policy and compliance requirements, special education procedural manual, management of due process, complaint management, alternate dispute resolution, coordination of monitoring, coordination of surrogate parents, coordination/monitoring of compensatory education and tutoring.• Budget Technician		

Improving Special Education Services in the Sacramento Unified School District

Student Support Services Director		
<ul style="list-style-type: none">• Social Workers• Psychologists• Social/Emotional Learning	<ul style="list-style-type: none">• Behavior/Reentry• Nurses/Health Aides	<ul style="list-style-type: none">• Youth Development• Family & Community Partnerships
<ul style="list-style-type: none">• Based on number of personnel in each area, have administrative heads provide leadership and support the director.• Collaborate with Behavior Intervention Specialists, and with ERMHS		

Allocate office technicians to each division based on need; and have appropriate personnel attend CAO meetings.

Appendix C. Data and Documents Reviewed

- Self-Contained Programs
- Written feedback from Speech Language Pathology
- 2015-2016 SPED 3000s, 6000s (Fiscal- Account Summary)
- Single Plan for Student Achievement
- 2015-16 California Assessment of Student Performance and Progress Data Review 10/6/16
- Non-Public Schools Data 2013-2017
- Graduation Data 2010-15
- Drop-out Data 2010-15
- SCUSD Enrolled Data
- SCUSD Disability Data
- SCUSD Enrolled Students by Race/Ethnicity
- SCUSD IEPs by Race/Ethnicity and Disability
- SCUSD Enrolled ELs
- SCUSD ELs with Disabilities
- SCUSD Referrals for Initial Special Education Evaluation
- SCUSD Educational Settings by Disability, Race, Ethnicity, Non- Public Schools Etc.
- SCUSD Out of School Suspensions 2014-15
- SCUSD Personnel Data
- Copy of Superintendent's Audit Revised
- District Procedures Fall 2016 / Determination of Eligibility and Related Services
- SCUSD Organization Charts for the Cabinet and All Central Offices
- Narrative Items from CGCS Audit Request
- SCUSD Budget Summary Balance
- Plan for Title 1 Supplemental Educational Services for Alternative Supports Program
- Revised Special Education Organization Chart
- Special Ed Personnel and Job Descriptions
- CGCS Scope of Work for SCUSD
- SCTA and SCUSD Agreement for 2014-15 and 2015-16
- SCTA Contract
- Special Education Procedural Handbook
- California Department of Education Assessment and Evaluation
- Special Education Division Data
- Title 1 Supplemental Educational Services Plan

Appendix D. Working Agenda¹²⁸

Draft Agenda

Tuesday, November 15:

6:30-8:00 p.m. Dinner with Superintendent (Location and District Participants TBD)

Wednesday, November 16:

8:00-9:00 a.m. Becky Bryant, Director III, Special Education/SELPA Director
9:00-9:45 a.m. Iris Taylor, Ed.D. Chief Academic Officer – Lisa Allen, Deputy Superintendent
9:45-10:45 a.m. CAC Executive Committee (for the SELPA)
10:45-11:45 a.m. Related Department Office Management Staff – List of Participants Attached Under This Notation
11:45-12:30 p.m. Gerardo Castillo, CFO, Michael Smith, Director III, Budget Services, Ronald Hill, Transportation Director
12:30-1:00 p.m. Lunch
1:00-2:00 p.m. Area Assistant Superintendents, including Equity
2:00-2:45 p.m. Special Education Supervisors: Kathryn Brown, Michael Kast, Lynne Ruvalcaba
2:45-3:45 p.m. Special Education Program Specialists (
3:45-4:00 p.m. Break
4:00-5:00 p.m. Special Education Teachers
5:00-6:00 p.m. Site Principals
6:00-6:30 p.m. Chief Human Resources Officer – Cancy McArn
7:00-8:30 p.m. Dinner for Council of Great City Schools Staff with Select Board Members

Thursday, November 17 (Day Two):

8:00-8:30 a.m. California Department of Education Consultant – Aaron Christenson
8:30-9:15 a.m. Special Education Staff #1 – List of Invitees Attached Under This Notation
9:15-10:30 a.m. Related Services Providers – List of Invitees Attached Under This Notation
10:30-11:45 a.m. Special Education Staff #2 – List of Invitees Attached Under This Notation
11:45-12:45 p.m. Academic Office – List of Participants Attached Under This Notation
12:45-1:15 p.m. Lunch
1:15-2:00 p.m. Paraeducators – List of Invitees Attached Under This Notation
2:00-2:45 p.m. Legal Compliance: Sarah Garcia, Partner, Lozano Smith (by phone), Raoul Bozio, Legal Services Manager, and Becky Bryant, Director, Special Education
2:45-3:30 p.m. Bargaining Units Representatives: SCTA, SEIU
3:30-4:15 p.m. Al Rogers Ed.D., Chief Strategy Officer

¹²⁸ This is the agenda prepared for the team prior to its arrival. It was modified as the team conducted its work.

Improving Special Education Services in the Sacramento Unified School District

4:15-4:30 p.m.	Break
4:30-5:30 p.m.	General Education Teachers
6:15	Dinner Council Great City Schools Staff

Friday, November 18 (Day 3)

8:00-12:00 p.m.	Prepare for meeting with Superintendent
1:00-2:30 p.m.	Debrief with Superintendent

Appendix E. Focus Group Participants Interviewees with Team

- Jose Banda
- Iris Taylor
- Becky Bryant

CAC Executive Committee (for the SELPA)

- Angie Sutherland, Chair
- Benita Ayala, Vice Chair
- Angel Garcia, Secretary
- Renee Webster–Hawkins, Member
- Grace Trujillo, Treasury
- Nathaniel Browning
- Darlene Anderson

Related Department Office Management Staff

- Stephan Brown, Director, Student, Hearing and Placement
- Stan Echols, Coordinator, Behavior and ReEntry
- Victoria Flores, Director, Student Support and Health Services
- Jacqueline Rodriguez, Coordinator, Student Support Services
- Teresa Fox, School Nurse
- Sean Alexander, Supervisor, School, Family and Community Partnerships
- Lynne Ruvalcaba, Special Education Supervisor

Budget and Transportation

- Cathy Allen, COO
- Michael Smith, Director III, Budget Services
- Ronald Hill, Interim Director III, Transportation

Area Assistant Superintendent, Including Equity

- Tu Moua, Area Assistant Superintendent
- Chad Sweitzer, Area Assistant Superintendent
- Olga Sims, Area Assistant Superintendent

Special Education Supervisors

- Kathryn Brown
- Michael Kast
- Lynn Ruvalcaba

Special Education Program Specialists

- Jeri Chase-DuCray
- Jeffie Vogt
- Narda Beckman
- Johnnetta Bell Webb
- Lisa Friend
- Kris Peixoto

- Holly Rogers
- Allyson Bailey
- Andrew Smith
- Brittany Tom
- Scott Speights
- Tracy Pena

Special Education Teachers

- Shannon Teves, RSP, Parkway Elementary
- Crystal Au, Special Education Support Teacher, Sutterville Elementary
- Karla Packwood, SDC – Autism, Bret Harte Elementary
- Ying Lacy, RSP, William Land/Phoebe Hearst Elementary
- Greg Van Koersel, RSP, Ethel Phillips Elementary
- Suzanne Odekirk, SDC – CD, Caroline Wenzel Elementary
- Jessica Abercombie, SDC – Preschool, Ethel Phillips Elementary
- David Young, Special Education Support Teacher, CK McClatchy High School
- Joseph Salonga, SDC- Adult Transition, Luther Burbank High School
- Joselyn Stewart, RSP – JF Kennedy High School
- Robin Kafouros, SDC-LD – Hiram Johnson High School
- Laurie Polster, RSP, Isador Cohen Elementary
- Maria Lomboy, SDC- ED, Matsuyama Elementary
- Miriam Goff, Special Education Support Teacher, Cal Middle

Site Principals

- Daniel Roller, Oak Ridge Elementary
- Lori Aoun, Sutterville Elementary
- Eric Chapman, Leataata Floyd Elementary
- Mechelle Horning, Alice Birney Waldorf Inspired K-8
- Andrea Egan, Cal Middle
- Rick Flores, Sam Brannan Middle
- Liz Vigil, Rosemont High School
- David Van Natten, JF Kennedy High School
- Devon Davis, LDV K-8

Human Resources Chief

- Cancy McArn

California Department of Education

- Aaron Christenson

Special Education Staff, Group 1

- Susan McKellar, Workability, Work Experience
- Angelic Williams, Transition Partnership Program Employment Coach
- Bernadette Carmona, AT Specialist
- Ted Wattenberg, AT Specialist
- Kelly Dunkley, Coordinator, Induction

- Michael Kast, Special Education Supervisor
- Robin Pierson, Assistant Superintendent, Special Education, SCOE
- Melissa Ferrante, Inclusive Practices Coach
- Linda Mangum, Inclusive Practices Coach
- Courtney Coffin, Inclusive Practices Coach
- Andrea Lemos, Director Special Programs

Related Services Providers

- Karen Oakley, Language, Speech and Hearing Specialist
- Shelly Takaha, Language, Speech and Hearing Specialist
- Martin Young, School Psychologist
- Linda Lee, School Psychologist
- Monica Underwood, Social Worker
- Selecia Fletcher, Behavior Intervention Specialist
- Christine Anjo , Occupational Therapist
- Leslie Ingram, VI Specialist
- George Zinner, Adaptive Physical Education
- Michelle Coon, Home/Hospital
- Leilani Armstrong, Behavior Intervention Specialist

Special Education Staff, Group 2

- John Brown, Budget Technician
- Janice Lovato, Legal Technician
- Carol Martyn, Application Specialist
- Norma Hardy, Program Records Technician
- Cathy Bennett, Medi-Cal Program Specialist
- Maria Colmenares, Office Technician II, Compliance Review
- Christy Lindfeldt, Program Records Technician
- Laura Chavez, Office Technician II

Academic Office

- Matt Turkie, Assistant Superintendent, Curriculum and Instruction
- Vanessa Girard, Director III, Multilingual Literacy
- Rachel Cooper, Instructional Technology
- Denise Leograndis, Coordinator, ELA
- Lisa Hayes, Director I, State and Federal Programs
- Joseph Stymeist, Director, College and Career

Paraeducators

- Danielle McKay
- Marene Mask
- Carla Williams
- Michelle Hull
- Jordan Hicks

- Darell Jones
- Adreena Smithe
- Pakettu Cobian
- Kristina Gorbenko
- Eva Rios
- Anissa Pulido
- Nellie Arias
- Summer Clore
- Elena Cortez
- Courtney Cowling
- Donald Uhl

Legal Compliance

- Sarah Garcia
- Raoul Bozio
- Becky Bryant

Bargaining Units

- John Borsos, SCTA
- Nikki Milevsky, SCTA
- Ian Arnold, SEIU
- Karla Faucett, SEIU
- David Fishes, SCTA
- Hasan McWhorter, SCTA
- Mike Breverly, SEIU
- Nafeesab Youns, SCTA School Psychologist
- Jamar Sullivan, SCTA
- Mary Rodriquez, SCTA Resource
- Monica Harvey, SCTA Language, Speech, Hearing Specialists

Chief Strategy Officer

- Al Roger, Ed. D.

General Education Teachers

- Roseanne Cherry, Caleb Greenwood Elementary
- Nicole Bridgham, Camella Elementary
- Dave Decker, Peter Burnett Elementary
- Senna Vasquez, New Technology High School
- Michelle Apperson, Sutterville Elementary
- Deana Mafua, Caleb Greenwood Elementary
- Debbie Bonilla, Ethel I Baker
- Athena Lee, Parkway Elementary
- Rebecca Raul , Caleb Greenwood

Appendix E. Strategic Support Team

The following were members of the Council's Strategic Support Team on special education who conducted this project for the Sacramento Unified School District.

Judy Elliott, Ph.D.

Judy Elliott is the former Chief Academic Officer of the Los Angeles Unified School District where she was responsible for curriculum and instruction from early childhood through adult, professional development, innovation, accountability, assessment, afterschool programs, state and federal programs, health and human services, magnet programs language acquisition for both English and Standard English learners, parent outreach, and intervention programs for all students. Before that she was the Chief of Teaching and Learning in the Portland Oregon Public Schools and prior to that an Assistant Superintendent of Student Support Services in the Long Beach Unified School District in CA. Dr. Elliott also worked as a Senior Researcher at the National Center on Educational Outcomes at the University of Minnesota. In 2012, she was appointed by NYS Commissioner John King as "Distinguished Educator" to help support and oversee the Buffalo City School District Priority Schools.

Dr. Elliott assists districts, cooperatives, schools, national organizations, state and federal departments of education in their efforts to update and realign systems and infrastructure around curriculum, instruction, assessment, data use, leadership and accountability that includes all students and renders a return on investment. She has trained thousands of staff, teachers, and administrators in the U.S. and abroad in areas of integrated service delivery systems, multi-tiered system of supports, effective use of data, linking assessment to District and classroom instruction, intervention, strategies and tactics for effective instruction, curriculum adaptation, collaborative teaching and behavior management. Dr. Elliott has published over 51 articles, book chapters, technical/research reports and books. She is nationally known for her work in Multi-Tiered System of Supports/Response to Instruction and Intervention.

Sue Gamm, Esq.

Sue Gamm, Esq., is a special educator and attorney who has spent more than 40 years specializing in the study and understanding of evidence-based practices, policies, and procedures that support a systemic and effective education of students with disabilities and those with academic and social/emotional challenges. Ms. Gamm has blended her unique legal and special education programmatic expertise with her experiences as the chief specialized services officer for the Chicago Public Schools, attorney and division director for the Office for Civil Rights (US Department of Education) and special educator to become a highly regarded national expert as an author, consultant, presenter, and evaluator. Since her retirement from the Chicago Public Schools in 2003, has been engaged in 30 states and the District of Columbia with more than 50 school districts and five state educational agencies working to improve the instruction and support provided to students with disabilities. Twenty-one of these reviews were conducted through the auspices of the Council of the Great City Schools. Ms. Gamm has written standard operating procedure manuals for special education practices and multi-tiered systems of support (MTSS) for more than 10 school districts, and has shared her knowledge of the IDEA, Section 504 of the Rehabilitation Act, the Americans with Disabilities Act and related issues at more than 70 national, state and local conferences.

Ms. Gamm has authored/co-authored numerous periodicals and publications, including those focused on MTSS, disproportionality in special education, responding to OCR investigations, and assessment. She also testified before Congressional and Illinois legislative committees. Ms. Gamm has served as a consulting attorney on several of the Council's *amicus* briefs focusing on special education that were submitted to the U.S. Supreme Court. Further, she consults with the Public Consulting Group and numerous school districts and state educational agencies and provides training at national, state, and local conferences on special education matters, particularly in the area of special education disproportionality. Ms. Gamm has also been recognized for her legal expertise in the area of special education through her engagement as an expert witness or consultant involving nine special education federal class action or systemic cases. She is admitted to practice before the Illinois Bar, the Federal Bar, and the U.S. Supreme Court Bar.

Neil Guthrie

Neil Guthrie has worked in the area of special education and district administration for over 30 years. He is currently the assistant superintendent of student support services for the Wichita Public Schools. Mr. Guthrie began his career as a school psychologist before moving into educational administration. He has filled various roles, including day school principal and assistant director and division director of student support services. He earned his bachelor's, master's, and EdS degrees from Wichita State University, where he currently teaches special education administration. Mr. Guthrie worked in rural and suburban areas for 18 years with Sedgwick County Special Education Coop and has been with Wichita Public Schools for 13 years. He is committed to a system of reform efforts that support all students under one unified system. He has been instrumental in providing leadership and implementation for the Wichita Multi-Tiered System of Support.

Julie Wright Halbert, Esq.

Julie Halbert has been legislative counsel for the Council of the Great City Schools for over 22 years. In that capacity, she has served as a national education legal and policy specialist, with emphasis on special education. She worked extensively on the reauthorizations of the Individuals with Disabilities Education Act (IDEA) in 1997 and 2004. Ms. Halbert is responsible for drafting numerous technical provisions to the IDEA and providing technical assistance to Congress and the U. S. Department of Education. In 1997 and again in 2005, she testified before the U.S. Department of Education on its proposed regulations on IDEA 2004. Ms. Halbert has directed each of the Council's special education strategic review teams, including special education reviews in the Anchorage, Austin, Boston, Chicago, Charleston, Cincinnati, Des Moines, District of Columbia, Guilford County (NC), Memphis, New York City, Richmond, Philadelphia, Pittsburgh, Providence and St. Louis. Working with national experts Sue Gamm and Judy Elliott, she has published a Council national white paper on the implementation and development of MTSS, Multi-Tiered Systems of Supports for our nation's urban school districts.

Ms. Halbert most recently, January 2017, took the lead working with our cities in the development of the Council's *amicus* brief to the Supreme Court of the United States in *Endrews v. Douglas County School District*, on determining the educational benefit standard due by our districts to students with disabilities when implementing their IEPs. This case is certain to be one of the most important cases since *Rowley* decided over thirty years ago. She was also the counsel

of record for the Council of the Great City Schools' *amicus* briefs in the Supreme Court of the United States in (a) *Board of Education of the City School District of the City of New York v. Tom F., On Behalf of Gilbert F., A Minor Child* (2007); (b) *Jacob Winkelman, a Minor By and Through His Parents and Legal Guardians, Jeff and Sander Winkelman, et al., v. Parma City School District* (2007); (c) *Brian Schaffer v. Jerry Weast, Superintendent of Montgomery County Public Schools, et al.*, (2005); (d) *Parents Involved in Community Schools v. Seattle School District*, and *Meredith v. Jefferson County Board of Education* (2007) and *Forest Grove School District v. T.A.*, (2009). Ms. Halbert graduated with honors from the University of Maryland and the University of Miami School of Law. She is admitted to practice in the Federal Bar, the U.S. Supreme Court Bar, and the Florida and Pennsylvania Bars.

Additionally, for the past year, together with Husch Blackwell partner John Borkowski, Ms. Halbert is assisting to develop and implement national legal webinars for urban district's counsel and key staff on emerging legal issues for the Council's districts. They include, Civil Rights Priorities at the End of One Administration and Beginning of Another, Hate Speech, Micro-aggressions and Student First Amendment Rights,

Sowmya Kumar

Sowmya Kumar was the assistant superintendent for special education in the Houston Independent School District from July 2010 to March 2017. Through comprehensive, and systemic planning based on data, Ms. Kumar focused on the district's efforts on balancing compliance with improving outcomes for students with disabilities. She was an education specialist at Region 4 Education Service Center in Houston for 13 years before her tenure in Houston ISD. Prior to moving to Houston, she served as director of special services in New Jersey. Ms. Kumar has over 36 years of experience in special education. She has a BA in chemistry from Queens College, NY, and an MA in special education/supervision and administration from Columbia University, NY.

Appendix F. About the Council and History of Strategic Support Teams

The Council of the Great City Schools is a coalition of 68 of the nation's largest urban public school systems.¹²⁹ The organization's Board of Directors is composed of the superintendent, CEO, or chancellor of schools and one school board member from each member city. An executive committee of 24 individuals, equally divided in number between superintendents and school board members, provides regular oversight of the 501(c)(3) organization. The composition of the organization makes it the only independent national group representing the governing and administrative leadership of urban education and the only association whose sole purpose revolves around urban schooling.

The mission of the Council is to advocate for urban public education and to assist its members in to improve and reform. The Council provides services to its members in the areas of legislation, research, communications, curriculum and instruction, and management. The group also convenes two major conferences each year; conducts studies of urban school conditions and trends; and operates ongoing networks of senior school district managers with responsibilities for areas such as federal programs, operations, finance, personnel, communications, instruction, research, and technology. Finally, the organization informs the nation's policymakers, the media, and the public of the successes and challenges of schools in the nation's Great Cities. Urban school leaders from across the country use the organization as a source of information and an umbrella for their joint activities and concerns.

The Council was founded in 1956 and incorporated in 1961 and has its headquarters in Washington, DC. Since the organization's founding, geographic, ethnic, language, and cultural diversity has typified the Council's membership and staff.

¹²⁹ Albuquerque, Anchorage, Atlanta, Austin, Baltimore, Birmingham, Boston, Broward County (Ft. Lauderdale), Buffalo, Caddo Parish (Shreveport), Charleston County, Charlotte-Mecklenburg, Chicago, Buffalo, Clark County (Las Vegas), Cleveland, Columbus, Dallas, Dayton, Denver, Des Moines, Detroit, Duval County (Jacksonville), East Baton Rouge, Fort Worth, Fresno, Guilford County (Greensboro, N.C.), Hillsborough County (Tampa), Houston, Indianapolis, Jackson, Jefferson County (Louisville), Kansas City, Little Rock School District, Long Beach, Los Angeles, Memphis, Miami-Dade County, Milwaukee, Minneapolis, Nashville, Newark, New Orleans, New York City, Norfolk, Sacramento, Oklahoma City, Omaha, Orange County (Orlando), Palm Beach County, Philadelphia, Pittsburgh, Portland, Providence, Richmond, Rochester, Sacramento, Salt Lake City, San Diego, San Francisco, Seattle, St. Louis, St. Paul, Toledo, Washington, D.C., and Wichita

History of Strategic Support Teams of the Council of the Great City Schools

The following is a history of the Strategic Support Teams provided by the Council of the Great City Schools to its member urban school districts over the last 18 years.

City	Area	Year
Albuquerque		
	Facilities and Roofing	2003
	Human Resources	2003
	Information Technology	2003
	Special Education	2005
	Legal Services	2005
	Safety and Security	2007
	Research	2013
	Human Resources	2016
Anchorage		
	Finance	2004
	Communications	2008
	Math Instruction	2010
	Food Services	2011
	Organizational Structure	2012
	Facilities Operations	2015
	Special Education	2015
	Human Resources	2016
Atlanta		
	Facilities	2009
	Transportation	2010
Austin		
	Special Education	2010
Baltimore		
	Information Technology	2011
Birmingham		
	Organizational Structure	2007
	Operations	2008
	Facilities	2010
	Human Resources	2014
	Financial Operations	2015
Boston		
	Special Education	2009
	Curriculum & Instruction	2014
	Food Service	2014
	Facilities	2016
Bridgeport		
	Transportation	2012
Broward County (FL)		
	Information Technology	2000
	Food Services	2009
	Transportation	2009
	Information Technology	2012

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Buffalo		
	Superintendent Support	2000
	Organizational Structure	2000
	Curriculum and Instruction	2000
	Personnel	2000
	Facilities and Operations	2000
	Communications	2000
	Finance	2000
	Finance II	2003
	Bilingual Education	2009
	Special Education	2014
Caddo Parish (LA)		
	Facilities	2004
Charleston		
	Special Education	2005
	Transportation	2014
Charlotte- Mecklenburg		
	Human Resources	2007
	Organizational Structure	2012
	Transportation	2013
Cincinnati		
	Curriculum and Instruction	2004
	Curriculum and Instruction	2009
	Special Education	2013
Chicago		
	Warehouse Operations	2010
	Special Education I	2011
	Special Education II	2012
	Bilingual Education	2014
Christina (DE)		
	Curriculum and Instruction	2007
Cleveland		
	Student Assignments	1999, 2000
	Transportation	2000
	Safety and Security	2000
	Facilities Financing	2000
	Facilities Operations	2000
	Transportation	2004
	Curriculum and Instruction	2005
	Safety and Security	2007
	Safety and Security	2008
	Theme Schools	2009
Columbus		
	Superintendent Support	2001
	Human Resources	2001
	Facilities Financing	2002
	Finance and Treasury	2003
	Budget	2003

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	Curriculum and Instruction	2005
	Information Technology	2007
	Food Services	2007
	Transportation	2009
Dallas		
	Procurement	2007
	Staffing Levels	2009
Dayton		
	Superintendent Support	2001
	Curriculum and Instruction	2001
	Finance	2001
	Communications	2002
	Curriculum and Instruction	2005
	Budget	2005
	Curriculum and Instruction	2008
Denver		
	Superintendent Support	2001
	Personnel	2001
	Curriculum and Instruction	2005
	Bilingual Education	2006
	Curriculum and Instruction	2008
	Common Core Implementation	2014
Des Moines		
	Budget and Finance	2003
	Staffing Levels	2012
	Human Resources	2012
	Special Education	2015
	Bilingual Education	2015
Detroit		
	Curriculum and Instruction	2002
	Assessment	2002
	Communications	2002
	Curriculum and Assessment	2003
	Communications	2003
	Textbook Procurement	2004
	Food Services	2007
	Curriculum and Instruction	2008
	Facilities	2008
	Finance and Budget	2008
	Information Technology	2008
	Stimulus planning	2009
	Human Resources	2009
Fresno		
	Curriculum and Instruction	2012
Guilford County		
	Bilingual Education	2002
	Information Technology	2003
	Special Education	2003

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	Facilities	2004
	Human Resources	2007
Hillsborough County		
	Transportation	2005
	Procurement	2005
	Special Education	2012
	Transportation	2015
Houston		
	Facilities Operations	2010
	Capitol Program	2010
	Information Technology	2011
	Procurement	2011
Indianapolis		
	Transportation	2007
	Information Technology	2010
	Finance and Budget	2013
Jackson (MS)		
	Bond Referendum	2006
	Communications	2009
Jacksonville		
	Organization and Management	2002
	Operations	2002
	Human Resources	2002
	Finance	2002
	Information Technology	2002
	Finance	2006
	Facilities operations	2015
	Budget and finance	2015
Kansas City		
	Human Resources	2005
	Information Technology	2005
	Finance	2005
	Operations	2005
	Purchasing	2006
	Curriculum and Instruction	2006
	Program Implementation	2007
	Stimulus Planning	2009
Little Rock		
	Curriculum and Instruction	2010
Los Angeles		
	Budget and Finance	2002
	Organizational Structure	2005
	Finance	2005
	Information Technology	2005
	Human Resources	2005
	Business Services	2005
Louisville		
	Management Information	2005

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	Staffing study	2009
Memphis		
	Information Technology	2007
	Special Education	2015
Miami-Dade County		
	Construction Management	2003
	Food Services	2009
	Transportation	2009
	Maintenance & Operations	2009
	Capital Projects	2009
	Information Technology	2013
Milwaukee		
	Research and Testing	1999
	Safety and Security	2000
	School Board Support	1999
	Curriculum and Instruction	2006
	Alternative Education	2007
	Human Resources	2009
	Human Resources	2013
	Information Technology	2013
Minneapolis		
	Curriculum and Instruction	2004
	Finance	2004
	Federal Programs	2004
Nashville		
	Food Service	2010
	Bilingual Education	2014
Newark		
	Curriculum and Instruction	2007
	Food Service	2008
New Orleans		
	Personnel	2001
	Transportation	2002
	Information Technology	2003
	Hurricane Damage Assessment	2005
	Curriculum and Instruction	2006
New York City		
	Special Education	2008
Norfolk		
	Testing and Assessment	2003
	Curriculum and Instruction	2012
Orange County		
	Information Technology	2010
Palm Beach County		
	Transportation	2015
Philadelphia		
	Curriculum and Instruction	2003
	Federal Programs	2003

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	Food Service	2003
	Facilities	2003
	Transportation	2003
	Human Resources	2004
	Budget	2008
	Human Resource	2009
	Special Education	2009
	Transportation	2014
Pittsburgh		
	Curriculum and Instruction	2005
	Technology	2006
	Finance	2006
	Special Education	2009
Portland		
	Finance and Budget	2010
	Procurement	2010
	Operations	2010
Prince George's County		
	Transportation	2012
Providence		
	Business Operations	2001
	MIS and Technology	2001
	Personnel	2001
	Human Resources	2007
	Special Education	2011
	Bilingual Education	2011
Reno		
	Facilities Management	2013
	Food Services	2013
	Purchasing	2013
	School Police	2013
	Transportation	2013
	Information Technology	2013
Richmond		
	Transportation	2003
	Curriculum and Instruction	2003
	Federal Programs	2003
	Special Education	2003
	Human Resources	2014
Rochester		
	Finance and Technology	2003
	Transportation	2004
	Food Services	2004
	Special Education	2008
San Diego		
	Finance	2006
	Food Service	2006
	Transportation	2007

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	Procurement	2007
San Francisco		
	Technology	2001
St. Louis		
	Special Education	2003
	Curriculum and Instruction	2004
	Federal Programs	2004
	Textbook Procurement	2004
	Human Resources	2005
St. Paul		
	Special Education	2011
	Transportation	2011
Seattle		
	Human Resources	2008
	Budget and Finance	2008
	Information Technology	2008
	Bilingual Education	2008
	Transportation	2008
	Capital Projects	2008
	Maintenance and Operations	2008
	Procurement	2008
	Food Services	2008
	Capital Projects	2013
Toledo		
	Curriculum and Instruction	2005
Washington, D.C.		
	Finance and Procurement	1998
	Personnel	1998
	Communications	1998
	Transportation	1998
	Facilities Management	1998
	Special Education	1998
	Legal and General Counsel	1998
	MIS and Technology	1998
	Curriculum and Instruction	2003
	Budget and Finance	2005
	Transportation	2005
	Curriculum and Instruction	2007
	Common Core Implementation	2011
Wichita		
	Transportation	2009

