



CSIS California School Information Services

Capistrano Unified School District

Special Education Review

June 28, 2016



Joel D. Montero
Chief Executive Officer





June 28, 2016

Kirstin M. Vital, Superintendent
Capistrano Unified School District
33122 Valle Road,
San Juan Capistrano, California 92675

Dear Superintendent Vital:

In September 2015, the Capistrano Unified School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for a review of the district's special education programs and services. Specifically, the agreement states that FCMAT will perform the following:

1. Analyze whether the district provides a continuum of special education and related services from preschool through 22 years of age, and include an analysis of the least restrictive environments.
2. Analyze special education teacher staffing ratios, class and caseload size using the statutory requirements for mandated services and statewide guidelines.
3. Analyze the efficiency of staffing allocation of special education paraeducators throughout the school district. Review the procedures for identifying the need for paraeducators, as well as the process for monitoring the resources for allocating paraeducators and determining the ongoing need for continued support from year to year (include classroom and 1:1 paraeducators).
4. Analyze all caseloads of staffing for related service providers, including but not limited to: speech therapists, psychologists, occupational/physical therapists, behavior specialists, adaptive physical education teachers, autism supervision, vision, orientation and mobility, augmentative and alternative communication, and assistive technology, and make recommendations for greater efficiencies.
5. Review special education department staffing and organization in the district's central office, including staffing comparisons, to ensure that clerical and administrative support, programs, and overall functionality are aligned with those of districts of comparable size and structure. Compare the district's special education staffing and organization with that of three to six similar sized elementary districts using the Ed-Data website, or six districts selected by the district. Include recommendations to improve staffing and organizational efficiency and effectiveness.

FCMAT

Joel D. Montero, Chief Executive Officer

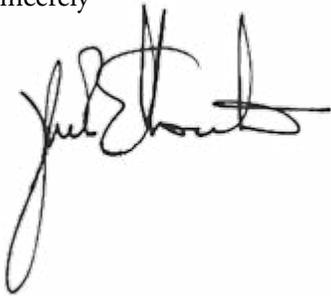
1300 17th Street - CITY CENTRE, Bakersfield, CA 93301-4533 • Telephone 661-636-4611 • Fax 661-636-4647
755 Baywood Drive, 2nd Floor, Petaluma, CA 94954 • Telephone: 707-775-2850 • Fax: 707-636-4647 • www.fcmat.org
Administrative Agent: Christine L. Frazier - Office of Kern County Superintendent of Schools

6. Review the district's implementation of Student Success Team (SST), Response to Intervention (RtI), and Multi-Tiered System of Supports (MTSS) and make recommendations as needed.
7. Determine whether the district is over-identifying students for special education services as compared to the statewide average, and make recommendations that will reduce over-identification, if needed.
8. Evaluate the transportation services for special education students to ensure efficiency and identify potential cost savings.
9. Review the special education transportation delivery system, including but not limited to the role of the IEP, routing, scheduling, operations and staffing.
10. Determine the district's general education fund contribution to special education and make recommendations for greater efficiency.

This report contains the study team's findings and recommendations.

We appreciate the opportunity to serve you and extend thanks to all the staff of the Capistrano Unified School District for their cooperation and assistance during fieldwork.

Sincerely

A handwritten signature in black ink, appearing to read "Joel D. Montero". The signature is fluid and cursive, with a large initial "J" and "M".

Joel D. Montero
Chief Executive Officer

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About FCMAT

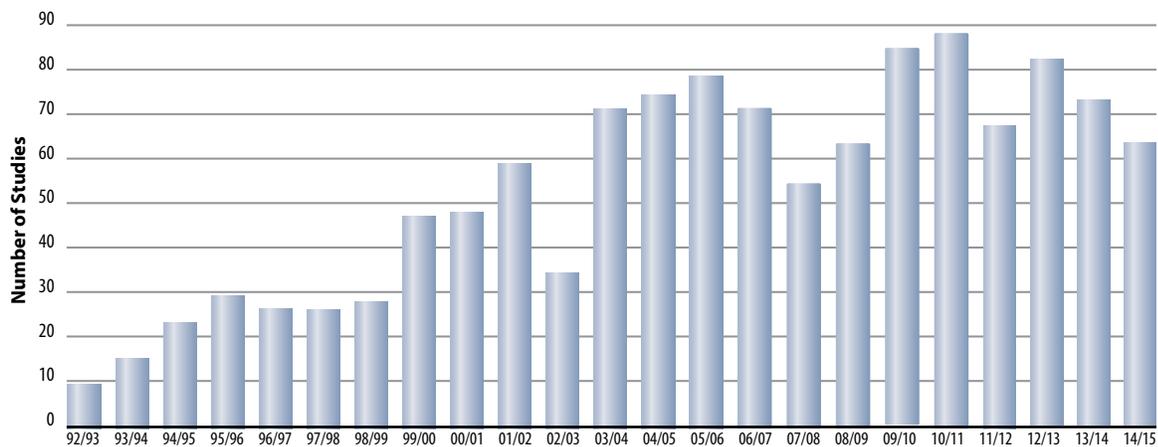
FCMAT’s primary mission is to assist California’s local K-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related school business and data services. FCMAT’s fiscal and management assistance services are used not just to help avert fiscal crisis, but to promote sound financial practices, support the training and development of chief business officials and help to create efficient organizational operations. FCMAT’s data management services are used to help local educational agencies (LEAs) meet state reporting responsibilities, improve data quality, and inform instructional program decisions.

FCMAT may be requested to provide fiscal crisis or management assistance by a school district, charter school, community college, county office of education, the state Superintendent of Public Instruction, or the Legislature.

When a request or assignment is received, FCMAT assembles a study team that works closely with the LEA to define the scope of work, conduct on-site fieldwork and provide a written report with findings and recommendations to help resolve issues, overcome challenges and plan for the future.

FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of K-14 LEAs and the implementation of major educational reforms.

Studies by Fiscal Year



FCMAT also develops and provides numerous publications, software tools, workshops and professional development opportunities to help LEAs operate more effectively and fulfill their fiscal oversight and data management responsibilities. The California School Information Services (CSIS) division of FCMAT assists the California Department of Education with the implementation of the California Longitudinal Pupil Achievement Data System (CALPADS) and also maintains DataGate, the FCMAT/CSIS software LEAs use for CSIS services. FCMAT was created by Assembly Bill (AB) 1200 in 1992 to assist LEAs to meet and sustain their financial obligations. AB 107 in 1997 charged FCMAT with responsibility for CSIS and its statewide data management work. AB 1115 in 1999 codified CSIS’ mission.

AB 1200 is also a statewide plan for county offices of education and school districts to work together locally to improve fiscal procedures and accountability standards. AB 2756 (2004) provides specific responsibilities to FCMAT with regard to districts that have received emergency state loans.

In January 2006, Senate Bill 430 (charter schools) and AB 1366 (community colleges) became law and expanded FCMAT's services to those types of LEAs.

Since 1992, FCMAT has been engaged to perform more than 1,000 reviews for LEAs, including school districts, county offices of education, charter schools and community colleges. The Kern County Superintendent of Schools is the administrative agent for FCMAT. The team is led by Joel D. Montero, Chief Executive Officer, with funding derived through appropriations in the state budget and a modest fee schedule for charges to requesting agencies.

Introduction

Background

The Capistrano Unified School District has an enrollment of more than 50,000 students including two charter schools within the SELPA from infant to age 22, and 5,202 of them are identified as special needs. The district has more than 4,000 employees and encompasses 201.2 square miles in seven cities and a portion of the unincorporated area of Orange County. The district includes all or part of the cities of San Clemente, Dana Point, San Juan Capistrano, Laguna Niguel, Aliso Viejo, Mission Viejo and Rancho Santa Margarita, and the communities of Las Flores, Coto de Caza, Dove Canyon, Ladera Ranch, Sendero/Rancho Mission Viejo, and Wagon Wheel.

Capistrano Unified's student population is 60.2% white, 25.1% Hispanic, 5.4% Asian, 1.6% Filipino, 1.3% African American, .1% American Indian/Alaska native, and .1% Pacific Islander; 5.7% are of multiple ethnicities or declined to state their ethnicity.

The district operates 64 schools/programs including: 33 elementary school, 2 K-8 school, 10 middle schools, six comprehensive high schools, five charter schools, and eight alternative schools/programs. The latter includes the adult education program, the Adult Transition Program, Bridges Community Day School, California Preparatory Academy, Capistrano Home/Virtual Academy, Fresh Start and RH Dana Exceptional Needs Facility.

All school districts and county school offices in the state are required to belong to a special education local plan area (SELPA) to address the needs of disabled children. All SELPAs have the same basic goal of delivering high-quality special education programs and services to these students in the most effective, efficient, and cost-effective manner feasible. SELPAs generally come in two types. The single-district SELPA serves one district that may be unified or nonunified. This SELPA generally functions within the district's administrative structure and operates all of the district's special education programs as well as providing the functions of the SELPA. The second type is a multidistrict SELPA, which may or may not operate programs along with providing SELPA functions. The Capistrano Unified School District is a single-district SELPA and therefore is required to operate a continuum of programs to meet the needs of students from birth to age 22.

In September 2015, the district requested that FCMAT review its special education programs and services.

Study and Report Guidelines

FCMAT visited the district on February 9-12, 2016 to conduct interviews, collect data and review documents. This report is the result of those activities and is divided into the following sections:

- Executive Summary
- Special Education Program and Services
- Staffing and Caseloads
- Related Service Provider Caseloads

- Instructional Assistants
- Organizational Structure
- Response to Intervention
- Identification Rate
- Fiscal Efficiencies
- Transportation
- Appendices

In writing its reports, FCMAT uses the Associated Press Stylebook, a comprehensive guide to usage and accepted style that emphasizes conciseness and clarity. In addition, this guide emphasizes plain language, discourages the use of jargon and capitalizes relatively few terms.

Study Team

The study team was composed of the following members:

William P. Gillaspie, Ed.D.
Deputy Administrative Officer
Sacramento, CA

Jackie Kirk-Martinez, Ed.D.
FCMAT Consultant
Pismo Beach, CA

Leonel Martínez
FCMAT Technical Writer
Bakersfield, CA

Don Dennison
FCMAT Consultant
Arroyo Grande, CA

Keith Butler*
Associate Superintendent
Coronado Unified School District
Coronado, CA

Timothy Purvis*
Director, Transportation
Poway Unified School District
Poway, CA

Jeffery Felix, Ed.D.*
Superintendent
Coronado Unified School District
Coronado, CA

Mike Rea*
Executive Director
West County Transportation Agency
Santa Rosa, CA

JoAnn Murphy
FCMAT Consultant
Santee, CA

*As members of this study team, these consultants were not representing their respective employers but were working solely as independent contractors for FCMAT. Each team member reviewed the draft report to confirm accuracy and achieve consensus on the final recommendations.

Executive Summary

FCMAT analyzed multiple areas in the district from special-education prereferral through transportation and the fiscal efficiencies. FCMAT found many areas of potential improvement and recommends the development of a strategic plan with goals to be accomplished within 3-7 years.

The California Department of Education (CDE) Special Education Division provides guidance and instructions on developing calculations to measure progress toward meeting the least restrictive environment (LRE) provision of the Individuals with Disabilities Education Act (IDEA). Targets and corresponding benchmarks have been established in the State Performance plan for IDEA 2004 at both the preschool and K-12 areas. The district should continue efforts to meet the state LRE guidelines.

The district provides a range of services to disabled students in kindergarten through 12th grade that include designated instructional services and general education program/support. No strategic planning was completed with school site and district staff (general and special education) to redesign the program delivery model.

In an effort to consolidate programs and services and reduce student transition from school to school the district created “hubs” of special education classes on a regionalized basis across the district. The district does not have a written plan that outlines the programs and services designed to meet the mental health needs of disabled students.

The district reorganized service to mild/moderate students at the elementary level. The district still operates approximately 14-15 mild/moderate day classes at the elementary level. There are no special day classes for mild/moderate students at the secondary level. The secondary mild/moderate students receive service in the general education setting and have access to special education classes based on need in specific content areas.

FCMAT reviewed all of the related services provider caseloads and compared the district caseloads to industry standards or the Education Code as appropriate. The district should review the findings and determine action.

The district has established ten different paraeducator job categories with distinct job descriptions and placement on the classified salary schedule. The job descriptions encompass a spread from caregiver at Range 16 to senior intensive behavior intervention assistant/tutor at Range 44. The district wants to consolidate these positions, and a district reclassification study for classified staff is underway.

FCMAT reviewed the available job descriptions for administrative and clerical positions and combined some categories into similar groups for purpose of this study only. Some caution is necessary when using the comparative data in this sample because the number of administrators in any district is affected by whether program specialists are on the administrative salary scale or not.

Although the district does not overidentify special-needs students, special-education identification is increasing annually while the total district enrollment is declining. By next year, if no district changes to preintervention are made, the district will be at or above the state average for special education identification, and special education costs to service students will increase. Serving a student with an IEP costs more than serving one through interventions and general education supports. Identifying a student for special education prior to general education interventions is illegal and not in students’ best interest. While the district has a formalized SST process, it lacks systematic implementation of the process.

FCMAT compared the district's identification rate to the statewide average. The district's K-22 identification rate is 9.4%, which is well below the state average of 10.7%. The state average for students from birth to age 22 is 11.31%, and the district is below that with an average of 10.3%.

The district uses a contractor to transport a small number of special education students. These students attend programs outside of the district and are difficult to integrate into the bus routes. This service is more expensive than the district's school bus service. The district should strive to evaluate each placement to determine if they can ride on a district bus route.

The district transports 553 special education students on 60 special education bus routes. This amounts to approximately 9.2 students per bus route, which is relatively low compared to similar districts in the state. In a 2011 FCMAT study of the district Transportation department, 773 students were transported on 58 routes, for an efficiency of 13.32 students per route. That is closer to what FCMAT has seen in similar districts.

The district reduced many positions during the Great Recession. The district should add a transportation supervisor position and a driver instructor position. The most critical need is for a manager of vehicle maintenance, and the district is recruiting for that position.

The district fleet is old. The regular-education buses have been eligible for replacement grants for years, but the district has not taken advantage of these resources. Special education buses do not qualify for these grants; however, the district should establish and fund a vehicle-replacement plan.

The district contribution to special education has increased by 5%, from 49% to 54% (an increase of 10% from the base percentage), while other unified districts in Orange County have increased by 2%, from 44% to 46% (an increase of 5% from the base percentage) during the same time period. In other words, Capistrano Unified's rate of contribution increase is approximately double that of other unified districts in Orange County.

According to the special education report from the California Statewide Task Force released in March 2015, the statewide average contribution to special education is 43%. The district's contribution that year was 52%, or 9% above the average percentage. If the district can reduce its contribution to the statewide average, it would decrease the contribution expense by more than \$8 million annually.

Findings and Recommendations

Special Education Programs and Services

Continuum of Options

The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring services to disabled children throughout the nation. IDEA governs how states and public agencies provide early interventions, special education and related services to all eligible infants or toddlers with a disability. In California, an early education program includes services specially designed to meet the unique needs of infants from birth to age three (EC 56426). Further, each state must ensure that a free appropriate public education (FAPE) is available to any individual disabled child who needs special education and related services even though the child has not failed or been retained in a course or grade and is advancing from grade level to grade level (34 CFR 300.101(c)). A review of data and staff interviews indicates the Capistrano Unified School District provides special education services to students from preschool age through 12th grade.

In California, a child who is eligible for special education services must have an individual education program (IEP) in effect by the time he or she turns three years old. The district provides services for infants, which supports continuity of service and effective communication regarding student needs as they transition into preschool. The district partners in the transition process with Regional Center of Orange County. The California Department of Education has established targets for the transition from Part C to Part B at 100%. The district has a rate of 97.4%; however, this represents only one student of 24 delayed 90 days from the third birthday and five students whose parents declined services.

Preschool program staff reported the district has regular meetings with the regional center (the agency that provides early intervention services) regarding transition from infant to preschool services of the IDEA. An effective and smooth transition is an essential part of the IDEA and the district has those procedures. State and federal laws mandate that students have the opportunity to be educated in a general education setting with their nondisabled peers, also known as the least restrictive environment (LRE), to the greatest extent possible. Compliance with this mandate is measured by the percentage of time a student is removed from the general education classroom and placed in a special education setting.

The U.S. Department of Education, Office of Special Education Programs has provided the California Department of Education (CDE) Special Education Division with guidance and instructions on developing calculations to measure progress toward meeting the LRE provision of IDEA. Targets and corresponding benchmarks have been established in the state performance plan for IDEA 2004 at both the preschool and K-12 areas.

Preschool Least Restrictive Environment

The Annual Performance Report includes the following two preschool measures of LRE developed by the California Department of Education:

1. It is a regular early childhood program and receives a majority of special education and related services in the regular program.
2. It is a separate special education class, separate school or residential facility.

CDE establishes targets for each district in all areas identified on the Annual Performance Report.

The district has exceeded statewide targets for access to LRE, with 63.9% of students receiving special education in a regular program of the required target of more than 32.9%. The district maintains only 12.5% of students in separate programs of the required target of less than 34.4%, which demonstrates significant gains in preschool age students accessing LRE.

2014-15 District Level Special Education Annual Performance Report Measure for Capistrano Preschool

Measure	Total Number of Students Receiving Special Education Ages 3-5	Number of Students in the environment	Percent of Students in Environment Receiving special Education	Target This Year	Target Met
Regular Program	618	395	63.9%	>32.9%	Yes
Separate Program		77	12.5%	<34.4%	Yes

Data Source: December 2014 CASEMIS Submission Items of Accountability, Age, and Federal Preschool Setting

Note: The column labeled total number of students also includes those students that receive speech only which are not calculated into the programmatic measures for least restrictive environment.

The staff reported that the transition from the Supporting Early Academic Language Skills (SEALS) preschool program to kindergarten does not always include assessment. A decision is made on whether the student requires special education services, only speech and language or both speech and small group instruction. Once students enter kindergarten, they must show they are experiencing significant struggles before being reassessed. The district assesses all current students with IEPs entering preschool or kindergarten or kindergarten to first grade depending on the student's initial assessment date and needs.

K-12 Least Restrictive Environment

Indicator 5 on the District Level Special Education Annual Performance Report measures the district's efforts to decrease the average amount of time that students age six through 22 receive special education apart from nondisabled peers.

The K-12 areas have the following three measures:

- In a regular class 80% or more of the day
- In a regular class less than 40% of the day
- In separate schools, residential facilities or homebound/hospital placement

The table below from CDE indicates that the district has met LRE goals for K-12 students.

2014-15 District Level Special Education Annual Performance Report Measure for Capistrano Unified School District K-12

Measure	Total Number of Students Receiving Special Education (ages 6-22)	Number of Students in the environment	Percent of Students in Environment Receiving special education	Target this year	Target met
>80%		2431	53.5%	>49.2%	Yes
<40%		722	15.9%	<24.6%	Yes
Separate Schools	4543	97	2.1%	<4.4%	Yes

Data Source: December 2014 CASEMIS Submission items- district of accountability, age, and a complete data field consisting of unduplicated federal school setting and percent in regular class. Retrieved from www.cde.gov April 16, 2015

Note: Separate schools include students in separate schools, residential facilities and homebound/hospital. It does not include students in correctional facilities or those that are parentally placed in private school. Note: The column labeled total number of students also includes those students that receive speech only which are not calculated into the programmatic measures for least restrictive environment.

The district exceeded statewide targets for decreasing the percent of time students receive special education services apart from their nondisabled peers, achieving 53.5% compared to the target of 49.2% and 15.9% of students in separate programs of the target of 24.6%. The district has met the target to significantly reduce the number of students in separate schools.

Recommendations

The district should:

1. Continue to adhere to district procedures for the transition of students receiving services under Part C and eligible for services under Part B of IDEA.
2. Continue efforts and ability to meet LRE targets by maintaining students in programs with general education students instead of segregated sites.
3. Develop a strategic plan for special education that defines LRE and program delivery and that includes representatives from all those affected: teachers, specialists, administrators, parents etc.
4. Develop an implementation guide to ensure that critical elements of the strategic plan are implemented.
5. Provide training and support on co-teaching models for general education and special education teachers.
6. Continue efforts and ability to meet LRE targets by maintaining students in programs with access to general education students within the district instead of segregated sites.
7. Develop a screening or reassessment process prior to a student's transition to kindergarten.

Program Delivery

The district provides a range of services to disabled students in kindergarten through 12th grade that include designated instructional services and general education program/support divided into two categories: mild to moderate and moderate/severe. No strategic planning was completed with school site and district staff (general and special education) to redesign the program delivery model. Both general and special education teachers reported that the district adopted inclusive practices and co-teaching models without sufficient preparation and training.

At the elementary level, the district reorganized to reduce the number of mild/moderate self-contained classes and transition most mild/moderate students to general education classes with specialized academic instruction support. During interviews, several staff members expressed concern that the initial staff training for this programmatic change was insufficient, and staff development is still not available on meeting the needs of the students classified as mild/moderate in the least restrictive environment. They were also concerned about whether students with more moderate deficits are appropriately served in this model. The district should conduct a site-level analysis of service to mild/moderate students in the elementary general education setting to determine if individualized education programs (IEPs) are implemented, and students make reasonable progress. The analysis should also address whether the staff receives the appropriate professional development to support these students.

In an effort to consolidate programs and services and reduce student transition from school to school, the district created “hubs” of special education classes on a regionalized basis across the district. The staff reported these hubs have too many students, which has a disproportionate impact on the school sites. The staff also reported that the district lacks correct programs and services at various sites.

The staff perceives the Special Education Department as focused on compliance rather than instructional/program development. Teachers and classified staff view the recent change in district-level administration as positive, and efforts are being made to change the top-down management style.

Secondary staff indicated that at the secondary-level placement and special education the master schedule rather than the student IEP dictates services. Staff reported a districtwide perception that special education is a place rather than a service or support system.

The service descriptions submitted to the California Department of Education (CDE) on the Annual Service Plan (900) indicate that the district offers other specialized services for disabled students, but does not list them. FCMAT was unable to determine the type of other specialized services available. It would be helpful for members of all IEP teams to be aware of all specialized services available in the district.

Recommendations

The district should:

1. Continue to explore program options that maintain students' success in general education settings.
2. Ensure the general and special education teachers are involved in program development.

3. Ensure that staff receive ongoing professional development opportunities throughout the school year to support the unique learning of special-needs students.
4. Ensure that general and special education teachers receive targeted training in educating the mild/moderate students with disabilities in the least restrictive environment.
5. Provide focused articulation between general and special education teachers during professional learning community meetings on co-teaching models and strategies.
6. Complete an analysis of progress for mild/moderate students to ensure that IEP goals are met, and students receive appropriate services and supports.
7. Consider developing a special education strategic plan. Use a strategic planning process to develop a comprehensive vision and plan for special education with input from all those involved including parents, principals, general and special education teachers and administrators.
8. Examine the use of hubs and ensure that they are adequately supported to avoid excessive impact on the school sites.
9. Ensure that administrators and staff at the secondary level understand that programs and services are to be developed according to the needs of students outlined in the IEP rather than dictated by the range of available services on site.
10. Expand the definitions of specialized services in Section 900 of the Annual Service Plan to enhance IEP team understanding of available options

Mental Health Services

On June 30, 2011, Assembly Bill 114, Chapter 43, Statutes of 2011 was signed into law. Under AB 114, several sections of Chapter 26.5 of the California Government Code were amended or rendered inoperative, ending the state mandate on county mental health agencies to provide mental health services to disabled students. The law indicates that local education agencies (LEA) are now solely responsible for ensuring disabled students receive mental health and related services.

The district provides a continuum of services designed to meet the mental health needs of students; however, it does not have a clearly articulated strategic plan to provide mental health supports.

Eleven intervention specialists provide individual and/or group counseling, parent counseling and training, which the district considers to be at the outpatient level of service. The district provides residential treatment services and has assigned a school psychologist to case manage these placements, which includes individual case management, transport, monitor, visitation and transition back to district placements. The district has no formalized day treatment options. Students requiring this level of service are assigned to nonpublic schools and/or certified nonpublic agencies to provide in-home, intensive/community-based treatment.

Recommendations

The district should:

1. Consider developing a written plan for providing mental health services to disabled students that defines the philosophy, purpose and plan for least restrictive environments.
2. Consider implementing day treatment as an additional and intensive structured education, training and support service to address student mental health needs.

Staffing and Caseloads

The district maintains its own guidelines for special education program staffing in document titled “Classroom Support Staffing.” These guidelines establish average student caseloads per special education teacher assignment and the number of instructional assistants or paraeducators assigned to caseloads by grade span and service categories. The district guidelines adhere to California Education Code mandates for resource specialist services, referred to as specialized academic instruction (SAI) in the district. In other categories of classroom service delivery, the Capistrano Unified guidelines vary from industry standards as reflected in the charts below.

The district adheres closely to the Education Code mandate for resource specialist service caseloads. Special education teachers are identified as educational specialists. When an educational specialist who provides SAI caseload exceeds 28 students, the district consistently adds part-time educational specialists to support the caseload. Approximately 20 of 33 elementary sites have a part-time educational specialist supporting the full time position. The part-time positions range from 20% to 60% FTE and perform duties that vary by site based on decisions made by the full-time educational specialist. Interviews with staff indicate that the effectiveness of the part-time positions varies significantly from site to site because the district has no guidelines for part-time roles and responsibilities based on best practice. In an effort to serve students in the least restrictive environment (LRE), the district reorganized service to mild/moderate students at the elementary level. The reorganization included significantly reducing the number of mild/moderate self-contained day classes and assigning the staff to support students in the LRE. The district still operates approximately 14-15 mild/moderate day classes at the elementary level, but it has no special day classes for mild/moderate students at the secondary level. The secondary mild/moderate students receive service in the general education setting and have access to special education classes based on need in specific content areas. The staff members who were interviewed raised concerns about how well the elementary model serves the more moderate students. Elementary staff also raised concern regarding the training needed for general education and special education staff in the implementation of the LRE model.

These trends in mild/moderate service are largely consistent with recommendations contained in the California Statewide Task Force on Special Education publication, “ONE SYSTEM: Reforming Education to Serve ALL Students” March 2015. The elementary specialized academic instruction (resource) services average 23.54 per education specialist, and Education Code 56362 establishes an RSP caseload maximum of 28 students per teacher FTE. If the district increased caseloads to the maximum, it could reduce the number of educational specialists by 8.26 FTE, creating a potential reduction of \$666,292.90 per year in special education funding. As noted above, the fact that approximately 20 of 33 elementary schools require additional part-time education specialist support to offset maximized caseloads creates the appearance of overstaffing in SAI services. The low caseload analysis by FTE reflected above is likely a result of the additional part-time support. Preschool SAI self-contained classes, known as SEALS (Supporting Early Academic and Learning Skills), are divided into two sessions daily. The length of time for both instructional sessions is shortened, ending at 1:05 p.m., to allow the preschool education specialist to have daily classroom preparation time. The total student per teacher ratio is 1-to-19.2, and the total adult to student ratio 1-to-8.74. The industry standard for adult-to-student ratios in preschool self-contained classes is 1-to-7 per session. The district ratio for adult to student is 1-to-8-14. The total average teacher-to-student ratio in elementary SAI self-contained classes is 1-to-12 and the industry standard and district ratio are both 1-to-12-15. The higher preschool ratio is theoretically justified by splitting instruction into two sessions, the fact that

preschool caseloads increase over the course of the school year, and preschool SAI teachers receive daily preparation time. During interviews, staff expressed concerns over the high preschool caseloads. The issue is further complicated by part-time paraeducator staffing as addressed below. The scheduling of the part-time paraeducators does not provide for consistent support staffing throughout the school day and therefore alters the accuracy of the adult-to-student ratio that is reported as an estimate in the chart below.

Specialized Academic Instruction (SAI)/Resource

Grade Span	Total Teacher FTE	Total Students	Para-Educator FTE	Total Teacher to student Ratio	Education Code Guidelines	District Ratio T-FTE
Elementary (including 2 K-8 schools)	51.9	1222	90.99	1:23.55	1:28.0 (Teacher FTE)	1:24-28
Middle	35.3	872	38.83	1:24.70	1:28	1:25-28
High	44.0	1092	41.54	1:24.82	1:28	1:25-28

Specialized Academic Instruction (SAI) Self-Contained

Grade Span	Total Teacher FTE	Total Students	Para-Educator FTE	Total per Teacher Ratio	Industry Standard T-FTE	District Ratio T-FTE
Elementary	14.0	168	23.51	1:14.200	1:12-15	1:12-15

Structured Teaching Educating Prepared Students (STEPS) Self-Contained

Grade Span	Total Teacher FTE	Total Students	Para-Educator FTE	Total per Teacher Ratio	Industry Standard T-FTE	District Ratio T-FTE
Elementary	9.0	74	23.25	1:8.22	1:10-12	1:8-12
Middle	8.4	85	27.69	1:10.12	1:10-12	1:12-15
High	9.6	115	43.26	1:11.98	1:10-12	1:13-15

Therapeutic Behavior Intervention Class (TBIC) Self-Contained

Grade Span	Total Teacher FTE	Total Students	Para-Educator FTE	Total per Teacher Ratio	Industry Standard T-FTE	District Ratio T-FTE
Elementary	3.0	25	4.94	1:8.33	1:8-10	1:6-10
Middle	2.4	13	4.38	1:5.42	1:8-10	1:10-12
High	3.6	31	5.5	1:8.6	1:8-10	1:11-13

Structured Autism Class Self-Contained

Grade Span	Total Teacher FTE	Total Students	Para-Educator FTE	Total per Teacher Ratio	Industry Standard T-FTE	District Ratio T-FTE
Elementary	7.0	56	20.75	1:8.00	1:8-10	1:8 (1:2 adults: students)

***Preschool Specialized Academic Instruction (SAI) Self Contained/
Supporting Early Academic and Learning Skills (SEALS)***

Total Teacher FTE	Total Students	Para-Educator FTE	Total per Teacher Ratio	Total Adult to Student Ratio	Industry Standard adult/student	District Ratio T/ student
7.0	135	8.44 (estimate)	1:19.29 Total	1:8.74 Total (estimate)	1:7/session	1:8-14 / session

Preschool Autism Self Contained

Total Teacher FTE	Total Students	Para-Educators FTE	Total per Teacher Ratio	Total per Adult Ratio	Industry Standard adult/student	District Ratio adult/student
6.0	36	14.25	1:6.00	1:1.78	1:3	1:2

Preschool Deaf Hard of Hearing (DHH) Self Contained

Total Teacher FTE	Total Students	Para-Educators FTE	Total Per Teacher Ratio	Total per Adult Ratio	Education Code Guidelines	District Ratio
1.0	8	1.63	1:8	1:3.04	N/A	N/A

Recommendations

The district should:

1. Review information on the elementary students receiving mild to moderate specialized academic services to determine the effectiveness of IEP implementation and services in the least restrictive environment.
2. Consider providing rigorous professional development for the general education and special education staff responsible for supporting special needs students in the least restrictive environment.
3. Conduct a site-based analysis of the effective and ineffective use of part-time education specialists in all settings.

4. Consider obtaining department and site-based staff input to develop district guidelines on the structure of part-time educational specialist assignments. These guidelines should be consistently implemented at all instructional levels.
5. Hold meetings with preschool instructional staff and department-level preschool support staff to discuss concerns and develop solutions.
6. Align district staffing and caseload ratio guidelines with education code and industry standards where appropriate.

Related Service Provider (Also known as Designated Instruction Provider) Caseloads

Speech Pathologists

The district provided FCMAT with three staffing reports for speech pathologists caseloads, two created manually from the Special Education Department in isolation from each other and one from the Human Resources Department position control document. A review of all staffing reports identified discrepancies in information related to staffing levels for special education services districtwide. FCMAT used the position control report from the Human Resources Department, which had staff lists aligned to budget codes. Maintaining data manually can result in information that is inaccurate, outdated or more vulnerable to human error. In the current process, the lead pathologist manually prepares the caseload charts. Entering and maintaining this data is time-consuming. Inaccurate staffing data may lead to decisions that are subjective rather than driven by objective staffing criteria.

Discrepancies in Speech Therapy Caseloads

Data Point	Job Code	Total FTE	Date Prepared	# students
Position Control	11070	58.8	2/22/16	
Manual	None	44.8	2/16	
Manual	None	59.6	3/16	2865*

**Does not denote which students are preschool or school age*

A best practice is for special education administrators to establish objective staffing criteria that are aligned with human resources and the special education staffing plan. In speech and language, it is critical to monitor the following areas monthly:

1. The total number of FTE for speech pathologists
2. The total number of FTE for speech aides
3. The total number of open unfilled speech pathologists positions filled by nonpublic agencies
4. Caseloads for preschool speech (not to exceed a maximum caseload of 40 (EC 56441.7))
5. Caseloads for K-12 speech (shall not exceed 55 cases, unless the local plan specifies a higher average caseload and the reasons for a greater average caseload [EC 56563.3].)

Recommendations

The district should:

1. Designate the administrator in charge of related services to establish clear guidelines for recording and reviewing caseloads monthly.
2. Ensure that the administrator and human resources meet at least bimonthly to ensure alignment of staffing,

3. Develop an electronic method of gathering caseload data using Synergy or some other system.
4. Ensure that speech caseloads are divided by preschool and K-12 levels when reported.
5. Investigate the report that 6.4 speech pathologists do not have caseloads according to the March report.
6. Provide training and support to the lead speech pathologist to ensure accuracy in the data collection process.

Occupational/Physical Therapy

The district has 15.5 FTE occupational therapists, 2.75 FTE certified occupational therapy assistants (COTAs) and 3.0 FTE physical therapists. This staffing list was prepared manually and matches the position control document exactly in all three positions. This also includes preschool assessment team participation.

The average caseload for occupational therapists was 45 students with both direct and indirect service provided. The average caseload for physical therapists was 29.3 with both direct and indirect service. This also includes preschool assessment team participation.

Occupational Therapy (OT) Caseload Comparisons

Provider	FTE	Caseload	OT to Student Ratio	COTA	Industry Standard
OT	15.5	699	1-to-45.10	2.75 FTE	1-to- 45-55

Physical Therapy (PT) Caseload Comparisons

Provider	FTE	Caseload	PT to Student Ratio	Assistant	Industry Standard
PT	3.0	88	1:29.33	None	None*

**An industry standard has not been established for this related service*

Recommendations

The district should:

1. Continue to keep caseloads aligned with human resources.
2. Continue to balance caseloads with direct and indirect services.

Adapted Physical Education (APE)

The district has 6 FTE in adapted physical education staffing. The average range is 36-41 students per caseload. Services are blended between pullout and direct service in classes such as the STEPS program and Pre-STEPS for the multihandicapped students. The district has no universal design

for physical education in the entire district and lacks a formal physical education program. Staff also have an insufficient understanding of the role and scope of APE services.

Adapted Physical Education Comparisons

Provider	FTE	Caseload	APE to Student Ratio	Industry Standard
APE	6.0	198	1-to-33	1-to-45-55

Recommendation

The district should:

1. Continue to provide support to programs through a blend of direct and indirect services.

Nurses

The district employs 9 FTE school nurses. The average ratio of school nurses in California is based on the statewide average established by CalEdFacts, which is a compilation of statistics and information on a variety of issues concerning education in California. The CalEdFacts guideline ratio of 1-to 2,815 is based on the average nurse staffing to general education enrollment across the state. According to district data, the nursing caseload is 1-to-6004. The district is significantly below the statewide average for school nurse staffing. This may be offset by the use of licensed vocational nurses (LVN) to provide specialized services.

The district employs 4.5 FTE LVNs working under the direction of the school nurse to provide specialized health care for disabled students. The school nurse is responsible for developing the specialized health care procedure for a particular student and also trains and monitors the licensed vocational nurse assigned to individual students.

Nurses Ratio Comparisons

Provider	FTE	Enrollment	Ratio	Statewide Ratio
Nurses	9	54,037	1-to-6755	1-to-6004

Data on nursing staffing provided by CUSD Human Resources; Ratio established by enrollment (2014-15 from Dataquest; Statewide ratio from CalEdFacts.

Recommendation

The district should:

1. Review the ratio of nurses to enrollment and develop staffing plans to support student needs.

Teachers of the Visually Impaired

The district employs 1.6 FTE teachers of the visually impaired (VI), and a retired VI teacher provides some services and assists with assessments. The staff reported that the caseload numbers in Synergy are not accurate.

The Guidelines for Programs Servicing Students with Visual Impairments in California (Revised Edition 2014) recommends a caseload of 8-12 students for itinerant teachers of the visually impaired. These services include a combination of direct instruction, consultation with general education teachers and orientation and mobility training. The district should maintain accurate caseload numbers to staff this position appropriately.

The staff has a number of concerns regarding services for the visually impaired. No “job-alike” meetings are held to discuss changes or new procedures. The district lacks appropriate follow-through on the assessment requirements for students eligible for special education under the category of visual impairment. A doctor’s vision report is a required element of the assessment, but it is used inconsistently. Staff do not have administrative support and need more professional development in visual impairments.

Recommendations

The district should:

1. Verify VI caseload data in Synergy and align with current caseloads of VI specialists.
2. Provide job-alike meetings for teachers of the visually impaired.
3. Increase opportunities for professional development in specialized areas for teachers of the visually impaired.
4. Ensure that assessments for VI include the required doctor’s vision report.

Psychologists

District psychologists have a standard role and responsibilities that generally comply with state and professional standards. Most school psychologists’ time is spent initially assessing students for special education eligibility, attempting to meet state and federal guidelines for timelines on initial and triennial assessment along with attendance at IEP meetings. The district maintains data on the number of referrals for special education, but FCMAT did not receive data on the number of students who were eligible. It is critical that this district track eligibility information to determine the validity of the referral rate initial assessments.

According to district data, caseload averages for Capistrano Unified are one psychologist to 1,358 students, which is lower than the state average. The data provided by the Human Resources Department shows the staffing for psychologists by classification to be 22-to-1; however, the psychologist schedule shows the staffing of psychologists at sites to be 39.8 FTE. This could mean that psychologists are split funded with general education, mental health under AB 114 or some other funding source. The ratio was developed based on the FTE on the psychologist schedule.

Psychologist Ratio Comparisons

Provider	FTE	Enrollment	Ratio	Statewide Ratio
Psychologist	39.8	54,037	1-to-1358	1-to-1466

Data on psychologist staffing provided by CUSD Human Resources; Ration established by enrollment 2014-15 from Dataquest; Statewide ratio established by CalEdFacts

Recommendations

The district should:

1. Review the ratio of psychologists to enrollment and develop staffing plans to support student needs.
2. Consider staffing reduction of 1 FTE to align closer to statewide ratios for a savings of approximately \$110,000.
3. Hold a meeting between Human Resources and Special Education to ensure that position control accurately reflects the psychologist staffing.
4. Track eligibility information to determine the validity of the referral rate initial assessments.

Instructional Assistants

The district has established 10 different paraeducator job categories with distinct job descriptions and placement on the classified salary schedule. The job descriptions are distributed from caregiver at Range 16 to senior intensive behavior intervention (IBI) assistant/tutor at Range 44. A number of staff interviewed identified concerns and confusion resulting from the paraeducators' complex organization and assignments. The district is aware of the complexities created by the wide scope of these job descriptions and would like to consolidate these positions. A reclassification study of classified staff is underway. The category of independence facilitator – special education appears to offer the greatest flexibility and the most appropriate scope of duties for the broad spectrum of special education paraeducator assignments. Approximately 450 FTE paraeducators from all 10 categories are employed across the district. Calculated at a district provided average paraeducator salary rate including benefits of \$47,369.00, the 450 paraeducator FTE represents an average cost of \$21,316,050.00.

The impact of paraeducators is further complicated by the employment of a high number of part-time positions. The vast majority of paraeducators are 3-½-hour-per-day (17.5 hours per week) positions. Only three district special education paraeducators hold full-time six-hour positions. Staff indicated that the part-time nature of the paraeducator positions, particularly at the low end of the salary scale, results in frequent turnover and difficulty in maintaining consistency of service in instructional programs.

The district has approximately 50 FTE special circumstance paraeducators that are identified as 1-to-1 supports, representing an average cost of \$2,368,450.00 per year. To move away from assigning 1-to-1 paraeducators to individual students, the district uses the term “additional program support.” This change is appropriate because it conveys the concept of ensuring that sufficient support exists in the services a student receives for IEP implementation rather than merely assigning an adult to a student. Using this approach, support may be added to the classroom or services a student receives rather than assigning a paraeducator directly to a student. However, the district still lacks a well-defined procedure that is consistently used districtwide for identifying when additional support is needed. Based on staff interviews, this additional support frequently appears to be crisis-driven. The district also does not have a policy and procedure that requires the consistent development of an IEP based transition or “fade” plan when a student is determined to require an additional level of paraeducator support. A well-developed fade plan based on unique individual goals for student independence is critical in preventing the continuation of additional support from year to year as a matter of course.

The 50 FTE 1-1 paraeducators are contained within the total number of paraeducators who exceed the industry standards for support to teachers and students across all special education programs. As shown in the chart below, the district has approximately 106 FTE paraeducators (including 1-to-1) in excess of industry standards across special education programs K-12, representing an annual cost of approximately \$5,021,114.00. The district has three categories of special education service, which reflect 3.94 FTE staffing below industry standards. The 3.94 FTE below industry standards represent an average cost saving of \$186,633.87.

Based on review of district records and interviews with staff, the district lacks an accurate procedure for tracking paraeducators and their current assignments at the site level. A department administrator is responsible for monitoring paraeducator staff, but the information used for this purpose is dated and inaccurate. When a new request is made for an additional paraeducator

position, the department does not have the means to determine if an existing paraeducator position can be reassigned to fill the request.

Interviews with staff and a review of district-provided records identified concerns with paraeducator training and staff development. The district does not have an effective orientation and basic training process for new paraeducators at the point of hire. Paraeducators on the job also receive insufficient professional development. Paraeducators with assignments providing high levels of behavior support receive additional training specific to behavior services. The senior instructional behavior assistant/tutors provide additional support to those positions. Other paraeducators can participate in the behavior training, but there is little training to build skills for paraeducators across the broad spectrum of special education services.

Paraeducator Staffing Comparison

Grade Span	Type of Service	Teacher FTE	Para-Educator FTE (All Categories)	District Ratio of T/Class to Para FTE	Industry Standard Para FTE per T/Class FTE	Para Over (+) Under (-) Industry standard	Para Cost (+) Savings (-) To District
Elem	SAI Resource	51.9	90.9	1:1.75	1:1.0	+39.0 FTE	+\$1,847,391.00
Elem	SAI Self Contained	16.0	26.14	1:1.63	1:1.0	+10.14 FTE	+\$480,321.66
Elem	Aut Self Contained	7.0	20.75	1:2.96	1:2.0	+6.75 FTE	+\$319,740.75
Elem	STEPS Mod/ Severe	9.0	23.25	1:2.58	1:2.0	+5.25 FTE	+\$248,687.25
Elem (K-8)	TBIC Mod/Severe	3.0	4.94	1:1.65	1:2.0	-1.06 FTE	-\$50,211.14
Middle	SAI Resource	35.3	38.83	1:1.10	1:1.0	+3.53 FTE	+\$167,212.57
Middle	STEPS Mod/ Severe	8.4	27.69	1:3.30	1:2.0	+10.89	+\$515,848.41
Middle	TBIC Mod/ Severe	2.4	4.38	1:1.83	1:2.0	-0.42	-\$19,894.98
High	SAI Resource	44.0	41.54	1:0.94	1:1.0	-2.46	-\$116,527.74
High	STEPS Mod/ Severe	9.6	43.26	1:4.51	1:2.0	+24.06	+\$1,139,698.10
High	TBIC Mod/ Severe	3.6	17.38	1:4.83	1:2.0	+10.18	+\$482,216.42

Recommendations

The district should:

1. Involve the special education staff in the district reclassification study for classified staff. This represents a timely opportunity to consolidate and modernize the outdated and overlapping paraeducator job descriptions.
2. Gradually consolidate the part-time paraeducator positions into more cohesive assignments through attrition and as paraeducator staff movement allows.

3. Develop a thorough and efficient assessment process to determine the need for special circumstance paraeducator support. Ensure that the new policy and procedure is consistently implemented throughout the district.
4. Consult with special education legal staff to determine if the assessment procedure for special circumstance paraeducator support should be formalized with all of the rights and protections of legal assessment procedures. This could give the district staff a stronger case for a legal defense as required.
5. Develop a procedure to ensure the IEP team creates an individual fade plan to decrease and eventually eliminate the need for additional assistance. The procedure should ensure this fade plan is rigorously and consistently applied and reviewed as part of the annual IEP process.
6. Develop a monthly internal procedure that is based on direct, accurate, and current information from all school sites to monitor the status of paraeducator assignments. Determine which department-level staff positions, such as program specialists, could assume responsibility for acquiring the site-level paraeducator status information. The department staff should communicate the information to the department administrator monthly, and the administrator should prepare thorough and accurate reports on paraeducator status for review at monthly meetings of the special education administration.
7. Develop a procedure for new paraeducator staffing requests that incorporates a thorough review of the monthly paraeducator status report to determine whether staff can be reassigned before completing a request for new staff. The assistant superintendent of SELPA and special education operations should incorporate this procedure with the district cabinet.
8. Develop joint training and orientation between the Special Education and Human Resources departments, and provide it to all new paraeducators at the point of hire before they assume their duties at the school site.
9. Consider assigning a Special Education Department position to oversee the development and implementation of paraeducators that encompasses skill building across all critical areas of paraeducator duties. This assignment may also include the opportunity for side-by-side training in the work setting.

Organizational Structure

FCMAT compared the administrative and clerical support structures of three other single-district SELPAs of comparable size: Garden Grove, Santa Ana, and San Francisco. Data for size comparisons was taken from 2014-15 Dataquest, California Department of Education. The total number of special education students from birth to age 22 was reported by district of residence.

Single District by Comparable Size

Single District SELPAs	Enrollment 2014 - 15	Special Ed. 2014 - 15
Capistrano	54,036	5193
Garden Grove	46,177	5361
Santa Ana	56,815	6763
San Francisco	58,414	6752

Source: Data Quest 2014-15

Districts provided information on administrative and clerical support staffing. These positions were also available on the district website, but each district identifies positions differently. FCMAT reviewed the available job descriptions for administrative and clerical positions and combined some categories into similar groups for the purposes of this study only. Caution is necessary when using the comparative data in this sample because the number of administrators in any district is affected by whether program specialists are on the administrative salary scale or not.

All of the single districts in the sample have a dedicated SELPA director responsible for the administration of the SELPA and the operation of district special education programs. Both Santa Ana and Garden Grove assistant superintendents/SELPA directors also have responsibilities for student services. Therefore, separate certificated and classified staffing supports for student services are not included in this analysis.

The average number of administrators in the three other comparable size districts is 11.7 FTE while the total number of administrators in the Capistrano Unified is 7.0 FTE. Therefore, the district is below the average number of administrators in other SELPAs.

Single District Administrative Position Comparison

Administrative Position	Capistrano	Garden Grove	Santa Ana	San Francisco	Average of Comparable SELPAs
SELPA Director/Assistant Superintendent/Director	1	1	1	1	1
Executive Director	2			1	0.3
Director, Assistant Director	3	2	1	2	1.7
Principal	1	2			0.7
Coordinator/Program Supervisor	6	4 IBI* 9 K-12	3	8	8
Total	7	18	5	12	11.7

Source: District Organization Charts 2016 (IBI Program Supervisors have primary responsibility for students with Autism; the K-12 Program Supervisors have primary responsibility for all other disability areas)

Nonadministrative Support Positions for Special Education

Nonadministrative Support	Capistrano	Garden Grove	Santa Ana	San Francisco	Average of Comparable SELPAs
Program Specialists	11	0	9	0	3
Teachers on Special Assignment	3 TOSA Elementary 2 TOSA Secondary	0	0	20	6.7
Total	13	0	9	20	9.7

Source: District Organization Charts 2016

If program specialist and teacher on special assignment positions are added into the overall support structure for special education the average is 21.4, which means that the overall support in the district is 1.4 certificated position below the average overall program support in comparable size districts.

Total Certificated Support in Comparable Size Single District SELPAs

Category	Capistrano	Garden Grove	Santa Ana	San Francisco	Average of Comparable SELPAs
Administration	7	18	5	12	
Non Administration	13	0	9	20	
Total	20	18	14	32	21.4

Clerical support positions are titled differently in each of the comparable size districts used in the review analysis. All job descriptions were reviewed and categories were developed that align with job duties to review support positions.

Single District Clerical Support Positions in Special Education

Clerical Support Positions	Capistrano	Garden Grove	Santa Ana	San Francisco
Administrative Secretary	1	1	1	0
Secretary I, II, III	4	8	1	0
Senior Clerk		0	4	12
Clerk I, II, Office Assistant, Intermediate Office Assistant	3	4	1	
Totals	8	13	7	12
Average of Comparable Size SELPAs	7			10.6
Other Note: These areas are very distinct by SELPA and not included in the calculation and no average is provided	2 Paralegals 1 Early Intervention Specialist	3 Specialists 3 Outreach	1 Clerk for psychological services	3 Data analyst, Workability & related services, Support for NPS

Data provided by the districts 2016

The district has 8 FTE clerical support positions and the average number of positions in comparable-sized single-district SELPAs is 10.6.

Informal Dispute Resolution

The Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400) requires school districts to implement all procedural safeguards for all children with exceptional needs. When disputes arise over the identification, assessment, educational placement or the provision of a FAPE procedures are outlined in the procedural safeguards regarding efforts to resolve disagreements at the lowest level (EC 56500.3). The first level of this process is a resolution session with members of the IEP team and district staff.

FCMAT found that during resolution sessions, the legal specialists (paralegals) make decisions that could affect the provision of special education (FAPE) and the instructional process without sufficient input from certificated teachers and site administrators. The staff indicated a desire to be more involved in decision-making to ensure that appropriate program and services are offered in these sessions.

The district carefully tracks the elements of mediated agreements to ensure the site knows the contents of the agreement or resolution session and ensures that they are fully implemented. A teacher on special assignment (TOSA) manages this process. In the informal dispute resolution (IDR) model, the TOSA notifies the school site administration of the results of the resolution session and/or need for further training and school-site support to avoid future disagreements. FCMAT found that the school site administrators understand and support the need for tracking the implementation status of a settlement agreement from the IDR process; however, the results of the mediation and next steps for training and support should be handled by administration rather than a TOSA.

Related Services/Psychologist Supervision

Supervision of related services such as speech, occupational and physical therapy, adapted physical education and psychologist services is inconsistent. This could be because supervision of related services is divided among four different administrators in the Special Education Department. Half a coordinator position is dedicated to supervising occupational/physical therapy at a cost of approximately \$50,000 per year. Services for the visually impaired and deaf/hard of hearing, speech impaired, and students who require adapted physical education are divided between two executive directors, and a director of psychology supervises the psychologists. This model includes limited opportunity for development and monitoring of staff. In other districts of comparable size, one individual supervises related services instead of four, which increases the consistency of the message from special education administration.

Program Specialist: SELPA/Private School

In interviews, this position was referred to as a SELPA program specialist; however, the single-district SELPA has no job description describing this type of position. This term is typically used for regional program specialists working in a multidistrict SELPA. This program specialist provides consultation services for students enrolled in private schools by their parents (34 C.F.R. 300.134). These services are defined by each school district and are provided by certificated teachers or speech and language therapists from the district.

Capistrano Unified's job description for program specialist does not align with the duties of this position. The district should re-evaluate the use of this resource and reassign these duties to the appropriate certificated teachers or specialists on staff.

Literacy Teacher on Special Assignment

The district administrative staff questions the use of this position at the secondary level. Little is known about the previous leadership's creation of this position; however, most agree that it is best used at the elementary level. The district should re-evaluate the need for this position in special education and consider returning it to general education.

Recommendations

The district should:

1. Revise the resolution process to include input on instructional issues and FAPE decisions from the certificated staff of the school site that will implement the agreement.
2. Revise IDR protocol to define the TOSA role as one of support and tracking for the implementation of the resolution agreements, and assign special education administration to notify the site administration of the results of the resolution session and next steps required.
3. Consider eliminating the position of coordinator supervising OT/PT for an annual savings of \$50,000.
4. Combine supervision of all related service providers under one administrative position in special education.
5. Work in coordination with established lead staff to support consistency in direction for related service providers and build solid accountability systems.
6. Evaluate the need for a director of psychology and consider replacing the position with an additional lead psychologist within existing resources for a savings of approximately \$110,000 per year.
7. Consider eliminating the SELPA program specialist position for an annual savings of at least \$100,000, and reassign these duties to a classroom teacher or speech/language specialist.

Comparison with Single-District SELPAs of Comparable Demographics

FCMAT provided some comparative analysis on disability areas from single-district SELPAs of comparable demographics. The district requested data from Clovis Unified, Elk Grove Unified and Poway Unified.

FCMAT selected the disability areas of highest growth in districts for this comparison. The first set compares the special education population percentage of all four districts in five categories: autism, emotional disturbance, other health impairments, speech and language issues and specific learning disability.

Comparison of Comparable Districts in Major Areas of Identification for Special Education

District	Autism	Emotional Disturbance	Other Health Impaired	Speech Impaired	Specific Learning Disability
Capistrano	17.4%	3%	14.8%	27.6%	29%
Clovis	11.8%	2.4%	15%	19.7%	33%
Elk Grove	12.2%	3%	7%	17.3%	43.4%
Poway	17.7%	<1%	18.6%	26.4%	26%

Source: Dataquest with data from California Special Education Management Information System (CASEMIS) 2014-15

Capistrano and Poway Unified are closely aligned in the percentage of children with autism and other health impairments (OHI). Both districts indicated that families with autistic children are moving there because of the available programming. Although they are closely aligned in other health impairments, Poway Unified exceeds the other district by almost four percent in the use of OHI as an identification area. The autism rates at Capistrano and Poway Unified are much higher than other districts. Capistrano Unified is much closer to Clovis Unified in its OHI rate than Poway Unified as referenced above. Specific learning disability is similar to Poway Unified and much lower than the comparable districts.

Both districts are also closely aligned in the identification rate for speech and language, which exceeds other comparable districts.

Recommendations

The district should:

1. Review the eligibility and exit rates for speech and language qualification.
2. Examine the criteria used for students with other health impairments to determine if the increase is because of a higher incidence of health-related issues or if it is used as a default identification area when students are not eligible under the category of specific learning disability.
3. Evaluate the criteria for the identification of autistic students.

Response to Intervention

SST

Although the district does not overidentify special-needs students, the rise in special education identification has increased annually while the total district enrollment is declining. By next year, if no changes to preintervention are made, the district will be at or above the state average for special education identification, and special education costs to serve these students will increase. Serving a student with an IEP is more expensive than serving one through interventions and general education supports. Identifying a student for special education before providing general education interventions is illegal and not in the student's best interest. The district has an SST process at the elementary level and a separate process at the secondary level. Both levels also have handbooks although they were developed in 2007-2008. Both levels have forms that can be found on the "MYCUSD" electronic forms area. During the FCMAT review, some elementary sites were piloting a new process and forms. Some staff believe a formal process does not exist since the district lacks formalized systematic implementation.

District staff reported a district-level SST/504 coordinator was hired in 2015 to help develop the SST process. Since then, committees have been formed to review processes, forms and develop the process to be piloted at various school sites for the 2015-16 school year. The documents reviewed are draft forms; however, professional development has been limited for school sites. Some elementary schools have found the forms on the district website under staff resources, but were unsure if they should use these forms. Staff reported there is a plan to update the board policy and develop a SST handbook or all sites. The pilot forms are in the process of revisions and the elementary Passport Reading Intervention will be included. The district does not have other districtwide interventions to list, and this area will need to be expanded in the future.

Until a strong SST process and procedures are agreed on, and professional development is provided, it will be difficult for the district to take the next steps in developing intervention plans.

RtI

The district has chosen not to adopt the terminology of RTI, but rather to utilize the Multi-Tiered System of Supports (MTSS) framework that is all encompassing and subsumes RtI2. The district completed an MTSS executive summary and has created multiple documents containing the MTSS framework. More attention and work needs to be given to educating teachers on the purpose and rationale of MTSS. The MTSS will be discussed in more detail in the following section. Both RtI and MTSS are necessary to develop a comprehensive delivery system of interventions and supports for all students. The California Department of Education document "Determining Specific Learning Disability Eligibility Using Response to Instruction and Intervention (RtI2)" indicates the following:

The California Department of Education (CDE) is coining the term *Response to Instruction and Intervention (RtI²)* to define a general education approach of high-quality instruction and early intervention, prevention, and behavioral strategies. RtI² offers a way to eliminate the achievement gap through a schoolwide process that provides assistance to every student, both high-achieving and struggling learners. It is a process that utilizes all resources in a school and school district in a collaborative manner to create a single, well-integrated system of instruction and interventions informed by student outcome

data. RtI² is fully aligned with the research on the effectiveness of early intervention and the recommendations of the California P–16 Council. Access, culture and climate, expectations, and strategies are the council's themes.

Some administrators and teachers have participated in brief workshops or sessions outside the district. Some of the resources and interventions that are being implemented at the school sites would fit appropriately into the RtI model; however, others are not researched-based and do not include data-collection and progress monitoring components. The district should ensure it has a system to assist with the data collection components of RtI.

The district should plan to provide intensive RtI² training for all staff. The training phase should be clearly outlined in a strategic plan. During a presentation held at the National Association of School Psychologists Convention in 2006, George Batsche and W. David Tilly identify three phases in the implementation of RtI²; consensus building (commitment from the staff), infrastructure, and implementation. The Education Services Department should lead RtI implementation. This would be crucial in the implementation process since RtI² is a general education function, and acceptance should be sought from the entire staff.

The district should continue to work with its expert in RtI² to assist with the planning, training, and implementation phases of this model. A reference guide to begin RtI development is attached as Appendix A to this report.

MTSS

The district is moving more towards implementing a comprehensive MTSS, which is a comprehensive approach and must include the elements of RtI. A document provided during the study stated many goals were accomplished, but some staff disagreed.

The addition of 29.5 counselors and one lead counselor has greatly increased supports at all school sites, according to staff. The district uses a social-emotional curriculum for some school sites called Steps to Respect, but it is not fully implemented, and a high school curriculum Signs of Suicide (SOS) is inconsistently implemented. All elementary sites consistently and equitably implement evidence-based social emotional curriculum Second Step (on an agreed-upon schedule). The middle schools received professional development for PBIS, but it was a single session, and staff stressed that they were not provided with additional support to assist them with full implementation. Middle school sites received five half-day PBIS sessions, The lead counselor was available to provide follow up support. Some elementary sites have a pilot reading intervention program, but appropriate training has not been provided. Five elementary sites and 25 teachers participated in the pilot reading intervention program. All teachers were provided with a full day of professional development to implement the pilot. Site support visits, coach support, and additional supports were provided as needed.

MTSS is a whole-school, data-driven, prevention-based framework for improving outcomes for all students. (Information on MTSS is attached as Appendix B to this report.) Documents provided to FCMAT indicate the district is making efforts to develop a strong system of supports. Staff indicated district students come from varying socioeconomic backgrounds. At some sites, students are of low socioeconomic status, need additional supports and generate funding that follow them to the sites. At other sites, families of high socioeconomic status support the schools through fundraising for additional supports. Yet other sites are made up of middle-class families and do not receive funds for students needing additional support. Staff believes there is inequity, and district office staff do not support the sites equally.

Recommendations

The district should:

1. Continue to develop the SST process, handbook and forms.
2. Update board policies for SST and general education intervention.
3. Provide the site administration, certificated staff and parents with professional development on the SST process.
4. Develop data forms to help SSTs determine need or successes.
5. Provide ongoing professional development with how to use data collection as evidence of implementation.
6. Collect data on the number of SSTs moving towards assessment and results of assessment to further analyze district target rates for interventions and identifications.
7. Develop a strategic plan for the implementation of RtI2.
8. Ensure that the plan is endorsed by the superintendent and submitted to the board for approval and adoption.
9. Ensure that the Education Services continues to lead the MTSS implementation.
10. Ensure staff is aware that RtI is a general education function, and seek acceptance from the entire staff.
11. Develop a training module for RtI and MTSS and ensure that intensive training occurs.
12. Continue to develop a systematic MTSS.
13. Continue to provide in-service training. The district has adopted the MTSS framework, which includes RtI. This includes, social emotional (Tiers 1-3), Tier 1 data (CIA), Elementary reading intervention Tier 2, elementary screening and progress monitoring district wide, GFI Tier 1, and middle school
14. Continue to work with an expert to help implement RtI.

Identification Rate

The district's K-22 identification rate is 9.4%, which is well below the state average of 10.7%. The state average for students from birth to age 22 is 11.31%, and the district is below that with an average of 10.3%.

Identification rate of students for Dec. 1, 2015 6 -22

Disability	District	County	State	Task Force Report
ID	4.2	5.5	6.0	10.4
HH	.7	1.5	1.4	1.7
Deaf	.2	.5	.5	Included in HH
SLI	24	27.7	22.3	18.4
VI	.4	.5	.5	.6
ED	3	2.6	3.4	4.1
OI	1.7	1.8	1.7	1.8
OHI	15.9	11.9	10.6	10.2
SLD	31.7	29	39.5	45.5
DB	.0	.0	.0	.0
MD	.3	.8	.8	.8
AUT	17.4	18.6	12.6	10.4
TBI	.2	.2	.2	.3

Source: CASEMIS 12-1-2015, California's Task Force report March 2015

According to reporting from the California Special Education Management Information System (CASEMIS), the district's total student identification has increased in recent years. Over the last three years, the district has increased the number of identified special education students by 326. From December 2014 through December 2015, 162 more special-needs students were identified. In particular, the number of identified infants (birth to three years old), preschoolers (four and five year olds) and kindergartners rose by 56 students. Sixty-six more special education students were identified in 10th and 11th grade. The district should determine why the number of identified students consistently decreases from eighth to ninth grade. This is the time when students transition from middle to high school, yet the identification increases once students enter 10th grade.

Developing and implementing specific methodologies and programs for students on the autism spectrum is costly and staff intensive. The district identifies more students on the autism spectrum than the state average and special education task force report findings.

The district also identifies more students with other health impairments than the county, state and task force averages. The district may be able to decrease this identification rate once comprehensive RtI, MTSS and Positive Behavior Intervention Systems (PBIS) are developed and implemented.

Staff reported there is absence of documents to show that there are no formal referral processes. Staff report that assessment plans are often developed as a result of parents requesting assessment.

They are also developed through a discussion with various districtwide staff. This informal process does not lead to informed decision-making.

Recommendations

The district should:

1. Determine why the number of students identified for special education consistently decreases from eighth grade to ninth grade and increases in 10th grade.
2. Coordinate the Special Education and Education Service departments while developing, training and implementing the SST, RtI and MTSS process.
3. Formalize the referral process for assessment.
4. Formalize assessment plan development.

Fiscal Efficiencies

Contribution is a term used to identify the amount of funding that a district must transfer from its unrestricted general fund to pay for special education expenditures that are greater than those received by that district. In the district, the general fund contribution to special education is as follows:

	2012-2013 Actuals	2013-2014 Actuals	2014-2015 Actuals	2015-2016 Adopted Budget	2015-2016 2nd Interim Budget
Program Revenues*	46,484,206	41,712,836	43,381,110	42,224,966	43,148,782
Contributions	34,418,938	41,373,104	47,054,996	47,530,121	47,787,503
Expenses	80,903,144	83,085,940	90,436,106	89,755,087	90,936,285
Contribution percentage	42.5%	49.8%	52.0%	53.0%	52.6%

*Source: District data. Data from CUSD * 2012-13 was the final year that CUSD allocated unrestricted funds from the State of California directly to the Special Education department (\$5,183,359 allocated)*

After adjusting for the 2012-13 unrestricted revenues allocated to special education that were not allocated in subsequent years, the contribution data (normalized) is as follows:

	2012-2013 Actuals	2013-2014 Actuals	2014-2015 Actuals	2015-2016 Adopted	2015-2016 2nd Interim
Program Revenues	41,300,847	41,712,836	43,381,110	42,224,966	43,148,782
Contributions	39,602,297	41,373,104	47,054,996	47,530,121	47,787,503
Expenses	80,903,144	83,085,940	90,436,106	89,755,087	90,936,285
Contribution percentage	49.0%	49.8%	52.0%	53.0%	52.6%

The county office tracks contribution data from county districts using a different method, which includes additional allocations for special education costs beyond direct expenditures. The county office cautions that this data is not intended for comparison between districts because they use different methods to allocate costs. However, the general fund contribution calculated by county office for the district is consistently higher than for other unified districts in Orange County as seen in the following table:

	2012-2013 Actuals	2013-2014 Actuals	2014-2015 Actuals
Capistrano Unified	49%	49.8%	52%
Orange County Unified Districts	44%	45%	46%

Data from Orange County Dept. of Education

County office data indicates the district contribution has increased by 5%, from 49% to 54% (an increase of 10% from the base percentage) from 2012-13 to 2014-15, while other unified districts in Orange County have increased by 2%, from 44% to 46% (an increase of 5% from the base percentage). In other words, the district's rate of contribution increased by twice as much as the other unified districts.

According to the report from the California Statewide Task Force released in March 2015, the statewide average contribution to special education is 43%. At that time, the district contribution was 52%, or 9% above the average percentage. If the district could reduce its contribution to the statewide average, it would decrease the contribution expense by more than \$8 million annually.

Significant increases in district special-education expenditures from 2012-13 to the present include the following:

- \$5.4 million for salary expenses. This was to restore five percent in previous salary cuts, increase salaries by two percent and add special education staff. Special education FTE staff positions increased by 77.42 FTE, or 9%, during this period, from 837.25 to 914.67. The exact dollar amount of pay restorations was not available for analysis; therefore, the relative significance of this source of cost increases cannot be determined.
- \$2 million for employer-paid taxes and benefits. This was largely because of increases in employer contributions to the California State Teachers Retirement System and the California Public Employees Retirement System as well as employer-paid tax and health insurance costs for additional special education employees.
- \$518,634 for instructional supplies and materials. This category appears to have been inadvertently over budgeted by approximately \$420,000 for 2015-16 and will be adjusted before closing the books for 2015-16.
- \$1.1 million for subagreements for services because of the increasing number of students placed in residential treatment facilities and additional contracted psychologists.
- \$296,551 for legal services largely because of mediation settlements. Special education staff who handle legal matters for the district (e.g. the director-informal dispute resolution, informal dispute resolution specialist, two legal specialist positions and the informal dispute resolution TOSA) are not tracked by the district as legal expenses, even though the most significant part of their work involves resolving disputes with parents on behalf of the district through informal means, mediation, and/or the litigation process.
- A decrease of \$464,431 in tuition paid by the district, largely because some students were returned from county office programs to district programs.
- A decrease of \$389,457 for indirect costs paid by special education to the general fund. This was due to the district's indirect cost rate decreasing from 4.31% to 3.77% during this period, but Business Services expects this cost to increase starting in 2016-17.

The number of students identified for special education services has increased from 4,876 students in 2012-13 to 5,202 students in 2015-16, a rise of 6.7%. Total program costs have increased from \$80.9 million to \$90.9 million over the same period, an increase of 12.4%. The resulting special education costs per student have increased from \$16,591 in 2012-13 to \$17,474 in 2015-16, an increase of 5.3%.

Interviews with district employees indicated the Special Education Department does not vigorously contest parent requests in IEP meetings, but rather tends to agree to service requests or make slight modifications. The district appears to lack clear guidelines for assigning necessary services while maintaining legal compliance. Such guidelines could help reduce the rate of cost increases in the Special Education program.

Position control is the process of using data to justify a new position or fill an existing one. Once a position has been justified, Human Resources is responsible for ensuring a position is approved by the governing board, Business Services is responsible for making certain that sufficient budget exists to fund the position, and Payroll is responsible for making sure the correct person is paid according to the approved position level.

The district utilizes position control *except* as it relates to the hiring of special education personnel. Those interviewed indicated that the Special Education Department was repeatedly asked for evidence over several years to justify filling existing positions and adding new personnel, but this data has not been provided. Special education services should also be monitored for appropriate termination. Guidelines for discontinuing services that are no longer needed are often referred to as “fade plans.” Numerous sources reported that fade plans are either not developed or not monitored. A fade-plan procedure is under development. There is minimal institutional memory of certificated or classified special education personnel being laid off because services were no longer needed for particular students. Without appropriate layoff notifications and reductions in service, efficiencies are not realized, and proper accounting for reducing the district’s MOE requirement is not possible.

The Special Education Department provided data about its use of a tracking mechanism through the Synergy student information system to monitor every service needed, per IEP, for each district student. The Special Education department has effectively used this data, but only for two types of individual services. This system should be fully utilized for all special education individual and group services. The data should then be aggregated to indicate services needed, by type of service and by school site, to determine if existing resources districtwide are sufficient to meet documented needs for special education services.

The district does not have a complete system to monitor special education contracts for fiscal compliance. The Special Education and Business Services departments also have no system to monitor special education attendance at nonpublic schools and/or programs run by the county office, or for the resulting need for special education transportation. Monitoring contract terms, services delivered, and attendance is necessary to achieve maximum efficiency of resources.

Recommendation

The district should:

1. Explore the avenues discussed below and elsewhere in this report to reduce special education expenditures and the general fund contribution to special education.
2. Further analyze legal costs to determine if internal staff resources are effectively utilized.
3. Assign the Special Education Department to develop clear guidelines for assigning services during IEP development based on a legally defensible

model that meets the educational needs of students. The assistant superintendent, SELPA/special education operations should take primary responsibility for the development of these guidelines, training district employees to use them, and monitoring compliance.

4. Use existing personnel or staff an additional position so that a fiscal analyst can be assigned the following duties:
 - a. Reviewing contracts, coordinating with special education personnel to verify that all services contracted for are delivered, and authorizing payment for those services.
 - b. Reviewing attendance data at nonpublic schools and/or programs run by the county office. This analysis could result in adjusting billing and/or recommendations regarding the efficacy of memorandums of understanding to provide these services.
5. Fully develop, implement and track a fade-plan system to properly identify the current services needed for special education students. An accurate representation of the needed services will allow for increased efficiency in delivering special education and allow for potential reduction in the district's MOE requirement.
6. Develop the Synergy system data to implement position control for special education. This data would be used as the justification to add or not to add personnel. One component of this recommendation would be to utilize existing personnel as discussed elsewhere in this report or hire one additional person to staff a fiscal analyst position. This position would be assigned to develop and use the Synergy student information system to justify position control decisions. The fiscal analyst could report to Special Education to understand and access data from that department as well as reporting to Business Services to ensure the independence of data analyses.

Transportation

The district operates its own department and program for regular education and special education transportation. A contractor transports only a few special education students. With approximately 50,080 students, the district covers about 201.2 square miles. Under LCFF, the district has an unduplicated count of approximately 22%, and approximately 5,600 students have IEPs. Of those, approximately 553 receive transportation as a related service to access their educational opportunities. Sixty special education routes transport these students.

Transportation Department Funding and Finance

School transportation is arguably the most poorly funded program in California's education budget. Before 1977, school districts reported their operational costs and were fully reimbursed in the subsequent year. After Proposition 13, California gradually reduced the percentage of reimbursement. In the 1982-83 school year, the state capped the funding for each school district based on 80% of the reported costs at that time, granting only occasional cost-of-living adjustments (COLA). Over time as costs increased, the static funding covered smaller percentages of need. In the 2007-08 school year, it covered approximately 45% of the statewide-approved costs, and funding for individual districts varied greatly depending on demographics and need. During the Great Recession, California reduced all categorical program funding by approximately 20%. The decrease to pupil transportation funding has never been restored. The 2013-14 school year was the first year of the LCFF. Most categorical programs were folded into this funding formula; however, pupil transportation funding was not. Funding was frozen at the 2012-13 level with a maintenance-of-effort (MOE) requirement, meaning that districts needed to spend at least as much as they received.

The district receives \$2,522,303 from the state for pupil transportation. Until recently, the California Department of Education (CDE) collected pupil transportation data (Form TRAN) that was published annually and used to compare revenue to expenses, but that is no longer the case with the LCFF.

Below is a table that shows the most recent two years that data was available:

TRAN Data

	2011-12 SD/OI	2012-13 SD/OI
Buses	59	59
Pupils	702	642
With IEP	702	642
Miles	1,664,726	958,917
Revenue	\$1,818,187.00	\$1,818,187.00
Approved Costs	\$7,145,008.90	\$7,183,233.00
District Contribution	\$5,326,821.90	\$5,365,046.00
Cost/Mile	\$5.812	\$7.195

SD/OI = severely disabled/orthopedically impaired

Since the implementation of LCFF, the state no longer separates revenue for regular and special education transportation. The revenue comes in a lump sum, but the amount specifically identified for severely disabled/orthopedically impaired (SD/OI) students was \$1,818,187. In the 2012-13 fiscal year, state revenue covered approximately 25.3% of the district's special education transportation expenses, but covered an average of 35% of these costs statewide. District revenue is lower than the statewide average only because the district has grown significantly since revenue was capped 33 years ago.

For the 2015-16 fiscal year, the district has budgeted \$7,082,963 for special education transportation. As of February 18, 2016, the actual budget was listed at \$7,741,904. This shows an increased nominal cost with one additional route and 89 fewer students over three years.

American Logistics Company (ALC), a nationwide firm, transports some students who attend programs far outside of the district or need special attention. District documents indicate that the firm transports approximately 12 students at an average daily cost of \$96 each. This translates to an annual cost of \$17,280 for 180 school days, which is far above the district's current estimated cost per pupil of \$13,999. The district should make efforts to place all students on district bus routes. The district's estimated cost of \$13,999 per pupil in 2015-16 is substantially higher than the approximate statewide average cost per pupil for special education the last time the state collected TRAN data. At that time (2012-13), this amount was approximately \$6,655.

The Transportation Department also maintains all support vehicles for the Maintenance, Operations, Grounds and Food Service departments. All labor and parts for these vehicles is charged to the pupil transportation budget, but these expenses should be charged to the appropriate departments.

The collective bargaining agreement for school bus drivers includes some conditions that significantly increase the department's operational cost. The district has 45 guaranteed full-time bus routes, and most are not for eight hours. The routes include "cover" or "standby" time when the driver must be available for extra work. Although employees are required to sign up for this work daily, little is available or assigned.

The district should assign to each route the additional daily tasks required such as bus washing and detailing, fueling, and other jobs to minimize the paid time without assigned duties.

In addition, most routes include time for breaks, pretrip inspection, cleaning, fueling and standby minutes. Most routes also have at least a half-hour or more of extra time that is not utilized. Drivers assigned to compressed natural gas (CNG) buses have an extra hour of fueling time per day. That practice will need to be adjusted since the department is constructing an in-house CNG system that will eliminate the need for fueling time.

Break time is scheduled into the route, but is usually placed at the beginning or end, when a break is less likely to be needed. It functions simply as additional paid time without work and is generally included in bus-route segments of less than four hours.

Recommendations

The district should:

1. Closely evaluate any student who is being transported by ALC to determine if he or she can be routed on a district bus.

2. Charge the support fleet's labor and parts to the appropriate department budget.
3. Discuss and negotiate the excessive route time guarantees that are included in the collective bargaining agreement.

Special Education Routing and Scheduling

The district transports 553 special education students on 60 special education bus routes. This amounts to approximately 9.2 students per route, which is relatively low compared to similar districts in the state. In a 2011 FCMAT study of the district's Transportation Department, 773 students were transported on 58 routes for an average of 13.32 per route, which is relatively efficient.

School bell times and the placement of special education programs also affect route efficiency. Little separation exists between start and end times districtwide. Most elementary schools begin between 7:45 a.m. and 8:15 a.m., high schools begin between 7:50 a.m. and 8:45 a.m., and middle schools begin between 8 a.m. and 8:15 a.m. Although buses pick up students at different times at each school, there is not enough time to fill a bus and make bus routes efficient. The district has an established "feeder pattern" that includes elementary schools, middle schools and high schools. Bell times for each feeder pattern should be separated by approximately 45 minutes for maximum efficiency and minimal costs.

Special education student placement can create another logistical problem. Last year, the district moved some special day classes from feeder pattern schools to a couple of hub schools that would have a greater concentration of classes. This might be efficient with centralized locations, but the location of at least one hub created longer travel times and decreased efficiency.

The Transportation Department has had little communication on bell time planning and the placement of special education programs. The department was recently assigned to make recommendations for bell time and route efficiency. At the time of FCMAT's visit, the department had only begun that work, but developed some recommendations that would reduce five bus routes.

Special Education Department staff has a goal of 30- to 45-minute ride times for special education students, but the Transportation Department indicated most distant students have a ride time of 60 to 90 minutes. No state law, board policy or administrative regulation governs the ride times of special education students; however, shorter ride times equate to more buses and drivers on the road and higher cost. The district pays an average of \$129,032 per year for each bus and driver on the road (the total special education transportation budget divided by the number of routes).

ALC transports some special-education students because they are outside of the district's geographic area. Others are placed on ALC routes because of passenger-management issues, and yet others because of a settlement from an independent dispute resolution (IDR). The Transportation Department is not aware of these placements. The district should hold a discussion and make a collaborative determination on whether district routes can transport these students.

The department uses only some elements of a computerized bus-routing program called TransTraks. Much of the work must still be completed manually. One example of this is a clerical position that is defined as the "right-left" person. TransTraks helps place students on a route, and this position develops route sheets with detailed directions using a word-processing program. The

collective bargaining agreement includes paid time for every driver to establish his or her route's driving directions, but with a computerized routing system and individuals assigned with bus routing, there should be no need for drivers or a separate position to perform this task. Using an automated system will also ensure that the department administration exercises some control and oversight over the process.

The department is also in the process of purchasing a new computerized routing system. The district should ensure staff receives adequate training before the introduction of any new software. The district should plan to operate both systems for a time to ensure that the new program is effective before discontinuing the old one.

Recommendations

The district should:

1. Involve the Transportation Department in planning bell times and locating special education program sites.
2. Determine and establish the maximum bus ride time for any student.
3. Discuss each ALC student placement with the Transportation Department to determine if the student can be placed on a district route.
4. Ensure that routers establish full routes with directions. If a new program is purchased, ensure that proper training occurs with parallel implementation.
5. Work to amend sections of the collective bargaining agreement that restrict the district's ability to properly serve students in a cost-effective fashion.

Staffing

The Transportation Department reported staffing as follows:

- 1 FTE director IV, transportation
- 1 FTE senior staff secretary
- 1 FTE manager III transportation operations
- 1 FTE supervisor IV transportation operations
- 1 FTE lead intermediate office assistant (route planner)
- 1 FTE bilingual intermediate office assistant
- 2 FTE account clerk II
- 4 FTE transportation dispatchers
- 1 FTE bus driver route specialist I
- 1 FTE driver instructor
- 106 part-time school bus drivers
- 10 part-time independence facilitators (Special Education Department employees)
- 1 FTE manager III vehicle maintenance (being recruited)
- 1 FTE vehicle maintenance lead
- 7 FTE heavy-duty mechanics
- 2 FTE school bus inspector/service person
- 1 FTE automotive mechanic
- 1 FTE transportation inventory storekeeper

The number of positions in the department has decreased over the past few years. Some of the positions above that were identified on the organizational chart are unfilled. For example, the shop has only five heavy-duty mechanics and one school bus inspector.

Based on FCMAT's experience studying school transportation operations, the department needs a second supervisor IV, transportation operations focusing on special education, and a second driver instructor.

The department could greatly benefit from a vehicle maintenance manager. The shop has been neglected for years, and the lack of leadership there results in reduced productivity and poor morale. That position was being recruited at the time of FCMAT's visit.

Several elements in the collective bargaining agreement lead to increased costs. One provision hinders the department's ability to quickly route students. Special education program staff report that routing a student and beginning service sometimes takes as much as two weeks. Article 18.1.8 of the agreement states the following:

Notwithstanding the bidding process, it is recognized that the District may need to modify assignments or change buses. The District will discuss adjustment with unit member prior to effecting a change in assignment. The District will make every effort to maintain start and end times. The member shall have the option to remain in the modified assignment or to be offered the next available assignment....

Over time, this section has been interpreted to mean that drivers can refuse any changes to their route; however, the section does not actually state this. Instead, it allows a driver to accept the change or take the next assignment. The section is ambiguous on what "the next available assignment" means, and therefore does not give the department the necessary responsibility to assign work and ensure that the district's students receive service in a timely fashion. As noted in the previous section, the collective bargaining agreement includes sections that augment pay without requiring work or pay for time in excess of the work done. Those include 45 routes that are guaranteed to be eight hours per day, break time that does not conform to the intent of rest breaks, excessive fueling time and standby time that is built into routes. In addition, some of the agreement's language allows drivers to take vacation days when school is in session. Most school districts pay drivers for vacation time, but do not allow them to take the time when school is in session. There is usually an unwritten practice that bus drivers can take their vacation during district breaks, when it will not affect student service.

Once a student requires special education transportation, the IEP is flagged in the software system, and a dedicated Special Education Department clerical staff member routes the request to the Transportation Department. This system reportedly functions smoothly, and the Transportation Department receives all of the information it needs to process the request.

However, the district lacks a regular communication mechanism between the Transportation and Special Education departments. The Transportation Department is involved in IEPs only when a delicate situation requires technical expertise. The two departments should hold regular meetings to proactively and cooperatively work on program placement, driver training needs, student LRE goals and other elements.

The district has discussed hiring a supervisor or coordinator to act as a liaison and improve communication between the Special Education and the Transportation departments. This could result in confused and separate priorities and loyalties. Instead, the position assigned to improve communication should be the supervisor recommended by FCMAT in the Transportation Department. This individual should receive the support and participation of the director of transportation.

The Transportation Department indicated that each high school received \$90,000 for additional field trips this school year. However, the department received no funding to augment its staff or capacity to support the significant increase in field trips. The Transportation Department should evaluate its needs, document them and include them in future budget priorities.

Approximately 10 independence facilitators who are employees of the Special Education Department ride on bus routes to assist or monitor students according to their IEPs. These individuals, who are essentially bus aides, are assigned to the bus route and not specifically to a student so the positions' use can be maximized when more than one student is on a route. Seven report to the bus yard for work each day and have no other duties. Approximately three independence facilitators also work in the same capacity in classrooms. These individuals would more logically be Transportation Department employees, included in the transportation budget and managed and evaluated by the department.

Recommendations

The district should:

1. Hire another operations supervisor, another driver instructor and a vehicle maintenance manager.
2. Schedule regular meetings between the Transportation and Special Education departments.
3. Eliminate the right-left position and assign the department staff to complete this work.
4. Ensure that the Transportation Department has adequate resources to address the increase in field trips.
5. Address employee negative behaviors.
6. Assign the direct supervision of the independence facilitators to the Transportation Department.

Driver Training, Safety and Compliance with Laws

The requirements for school bus driver training in California are contained in Education Code Section 40080-40089. School bus drivers must receive a minimum of 20 hours of classroom training in all units of the Instructor's Manual for California's Bus Driver's Training Course. A minimum of 20 hours of behind-the-wheel training is required from the Instructor's Behind-the-Wheel Guide for California's Bus Driver's Training Course. School bus drivers must also complete a minimum of 10 hours of in-service training each year to maintain their special certificate validity. Special classroom training is required in the last year of certificate validity to renew the certificate. A specialized officer at each California Highway Patrol office administers all the testing, and the DMV issues the license and special certificate. Both classroom and behind-the-wheel training require many more hours of instruction so all the units in the referenced manuals can be taught. Most school districts teach a minimum of 35 hours in the classroom and spend at least that many or more hours behind the wheel. All driver-training records must be kept in compliance with laws and regulations. Only a state-certified school bus driver instructor can perform driver training, and a state-certified delegated behind-the-wheel instructor can provide behind-the-wheel training. However, the latter position cannot perform classroom training or document instruction.

The department has only one state-certified school bus driver instructor. An operation of this size should have a second position. One delegated behind-the-wheel instructor is guaranteed eight hours per day and regularly drives a route, and two others are bus drivers who assist with instruction on an as-needed basis. The department is in the process of training two more individuals to prepare for testing to become delegated behind-the-wheel instructors. One of these individuals will likely interview and be selected to attend the training program to become a state-certified school bus driver instructor.

California school bus driver instructors are required to keep specific driver training records. FCMAT reviewed a sample of these documents and found them to be well organized and in compliance with the recommendations and guidelines issued by the CDE. Drivers also appear to comply with the minimum ongoing training requirements.

Some district schools are reportedly assigned passenger vans that can be used for small groups and trips. However, the Transportation Department provides no oversight or control over these vehicles, which are typically driven by a teacher, coach or district staff member. The district should establish a practice that requires each of these employees to be enrolled in the DMV Pull Notice Program. This program allows employers to receive the participating employees' annual driving record and notice of any driving record activity, such as an accident or moving violation. The driver instructors should manage this program and maintain these records for bus drivers and any other commercial drivers in the district. The vans assigned to the schools are not regularly and systematically maintained. Since they regularly carry students, they should be maintained to the same standards as a school bus. A best practice is to develop a defensive driver-training course for employees who drive students in district vehicles that are not school buses.

Education Code Section 39831.3 requires school districts to adopt a transportation safety plan, and the district has a plan that meets these requirements. Education Code Section 39831.5 requires school districts to perform school bus evacuation drills and provide school transportation safety information for certain students, and the district complies with this code.

The department also manages the requirements of the federal drug- and alcohol-testing program for commercial drivers in compliance with Title 49 of the Code of Federal Regulations. This would include all school bus drivers as well as any other commercial drivers for the district. The district has hired a drug test management company that keeps the necessary records and generates the list of drivers who must be tested randomly. Notifications come to department employees who ensure that the testing occurs. The director of transportation receives the notification, and this position is not in the pool of those tested. This is an ideal practice.

Recommendations

The district should:

1. Hire one additional driver instructor position.
2. More effectively control the use of vehicles that are not buses and transport students by requiring district staff that drive them to enroll in the DMV Pull Notice Program, training the drivers in defensive driving, and regularly maintaining the vehicles.

Vehicle Maintenance and Fleet

The district operates 58 regular education buses and 98 special education buses for a total fleet of 156, too large for an operation of this size. Over the years, the district has reduced the number of regular education bus routes without reducing the fleet size. Newer buses were purchased, but older buses were not surplused. As a result, the average age of the district fleet is 18.68 years, and some buses are nearly 30 years old. Thirty-two larger-type buses have qualified for replacement-grant funding for years. Many school districts keep old buses to attain replacement grants, but the district has not aggressively pursued or utilized these grants. Grants are typically not available for smaller, special education van-type buses. A plan should be developed to replace buses and develop a replacement schedule.

The CHP Motor Carrier Division has commercial vehicle inspectors, and the law requires California school buses to be inspected at least annually by the CHP. The CHP also inspects maintenance records, driver records and drug and alcohol testing records annually during a terminal inspection, producing a report that is titled, "Safety Compliance Report/Terminal Record Update," also known as the terminal grade. FCMAT reviewed the district's reports from the past three years dated August 29, 2013, May 1, 2014 and May 28, 2015. The reports consistently indicate a "satisfactory" grade, which is CHP's highest rating. This indicates overall compliance with laws and regulations and that the district operates a safe school transportation program. Each annual report; however, also indicates a high number of vehicle deficiencies. The number does not warrant an unsatisfactory grade, but indicates a program that is not well managed. Staff report that buses frequently break down, which could partially be the result of an old fleet.

California Code of Regulations (CCR) Title 13, Section 1232 (13CCR1232) states the following:

The following provisions apply to the inspection and maintenance of vehicles subject to this chapter.

- (a) Preventive Maintenance. Motor carriers shall ensure that all vehicles subject to their control, and all required accessories on the vehicles, are regularly and systematically inspected, maintained, and lubricated to ensure they are in safe and proper operating condition. The carriers shall have a means of indicating the types of inspection, maintenance, and lubrication operations to be performed on each vehicle and the date or mileage when these operations are due.

Other than the mandated 45 day, 3,000-mile inspections, there is no indication that the district has a systematic, documented preventive maintenance program for school buses. Inspections for components (transmission, differential, drive line, etc.) should be completed at longer intervals, but are not completed at all. Instead, repairs are made when the vehicle breaks down.

As noted in the previous section, nonbus vehicles that transport district students are housed at some schools. The department does not have any control or oversight of their use and maintains them only when a school employee brings a vehicle in for service. Vehicles that transport students should be maintained to the same standards as school buses.

District support vehicles are supposed to be maintained at the Transportation Department; however, a large number of these vehicle repairs are outsourced. The department does not invoice the labor and parts to the departments that operate those vehicles.

The department has a vehicle maintenance software system that can track and value inventory and maintain vehicle work-order history. Although the district has a part-specialist position, inventory is not kept or tracked, and parts are not securely stored. The district's parts storage area is also unorganized.

FCMAT inspected a sample of the department's school bus maintenance history files and found that repair orders are frequently not completed. The reports may also neglect to include labor hours, parts or a description of the service or repair, resulting in poor data or no data at all.

The district does not effectively use its vehicle-maintenance software to track repairs. As a result, it does not have adequate management information to detail cost history and make decisions regarding component or vehicle replacement.

The Vehicle Maintenance Department would benefit from the hiring of an experienced manager who could organize the workflow. The position currently is vacant, and previous managers may not have possessed the skills necessary for effective and efficient department management. Morale has declined in the absence of a department leader.

Recommendations

The district should:

1. Apply for grants to replace large buses. Develop and fund a bus replacement program for special education buses. Evaluate the number of these buses and surplus those that are not needed.
2. Develop a written preventive maintenance program for school buses.
3. Maintain passenger vehicles that transport students to the same standards as school buses.
4. Train shop employees on the necessity of documenting all work in the vehicle maintenance software system. Generate useful management information reports.
5. Inventory and securely store parts.
6. Hire a vehicle maintenance manager.

Appendices

- A: Response to Intervention Information**
- B. Multi-Tiered System of Supports Information**
- C. Study Agreement**

Appendix A – Response to Intervention Information

On November 14, 2008, the California Department of Education issued the following information regarding RtI² as guidance to our schools in California:

Definition

Response to Instruction and Intervention (RtI²) is a systematic, data-driven approach to instruction that benefits every student. California has expanded the notion of RtI² to communicate the full spectrum of instruction, from general core to supplemental or intensive, to meet the academic and behavioral needs of students. RtI² integrates resources from general education, categorical programs, and special education through a comprehensive system of core instruction and interventions to benefit every student.

Core Components

A cohesive RtI² process integrates resources from general education, categorical programs, and special education into a comprehensive system of core instruction and interventions to benefit every student. The following core components are critical to the full implementation of a strong RtI² process:

- 1. High-quality classroom instruction.** Students receive high-quality and culturally relevant, standards-based instruction in their classroom setting by highly qualified teachers.
- 2. Research-based instruction.** The instruction that is provided within the classroom is culturally responsive and has been demonstrated to be effective through scientific research.
- 3. Universal screening.** School staff assesses all students to determine students' needs. On the basis of collected data, school staff members determine which students require close progress monitoring, differentiated instruction, additional targeted assessment, a specific research-based intervention, or acceleration.
- 4. Continuous classroom progress monitoring.** The classroom performance of all students is monitored continually within the classroom. In this way, teachers can identify those learners who need more depth and complexity in daily work and those who are not meeting benchmarks or other expected standards and adjust instruction accordingly.
- 5. Research-based interventions.** When monitoring data indicate a student's lack of progress, an appropriate research-based intervention is implemented. The interventions are designed to increase the intensity of the students' instructional experience.
- 6. Progress monitoring during instruction and interventions.** School staff members use progress monitoring data to determine the effectiveness of the acceleration or intervention and make any modifications, as needed. Carefully

defined data is collected on a frequent basis to provide a cumulative record of the students' progress, acceleration, and/or response to instruction and intervention.

7. Fidelity of program implementation. Student success in the RtI² model requires fidelity of implementation in the delivery of content and instructional strategies specific to the learning and/or behavioral needs of the student.

8. Staff development and collaboration. All school staff members are trained in assessments, data analysis, programs, and research-based instructional practices and strategies. Site grade-level or interdisciplinary teams use a collaborative approach to analyze student data and work together in the development, implementation, and monitoring of the intervention process.

9. Parent involvement. The active participation of parents at all stages of the process is essential to improving the educational outcomes of their students. Parents are kept informed of the progress of their students in their native language or other mode of communication, and their input is valued in making appropriate decisions.

10. Specific learning disability determination. The RtI² approach may be one component of the process for determining a specific learning disability as addressed in the IDEA of 2004 statute and regulations. As part of determining eligibility, the data from the RtI² process may be used to ensure that a student has received research-based instruction and interventions.

RtI² is to be used in schools in the following three ways:

- 1. Prevention.** All students are screened to determine their level of performance in relation to grade-level benchmarks, standards, and potential indicators of academic and behavioral difficulties. Rather than wait for students to fail, schools provide research-based instruction within general education.
- 2. Intervention.** Based on frequent progress monitoring, interventions are provided for general education students not progressing at a rate or level of achievement commensurate with their peers. These students are then selected to receive more intense interventions.
- 3. Component of specific learning disability (SLD) determination.** The RtI² approach can be one component of SLD determination as addressed in the Individuals with Disabilities Education Act (IDEA) 2004 statute and regulations. The data from the RtI² process may be used to demonstrate that a student has received research-based instruction and interventions as part of the eligibility determination process.

Response to Intervention should include a systematic approach at all school sites, but not necessarily the same specific interventions.

Tier I. Benchmark: Screening and Targeted Instruction
Tier II. Strategic: Targeted Short-term Interventions

Tier III. Intensive: Interventions with Increased Intensity

In September of 2009, the California Department of Education issued a document titled Determining Specific Learning disability Eligibility Using Response To Intervention and Instruction RtI² which provides guidance to LEAs using RtI² and describes the collaboration process among all staff members. This document outlined the components of organizational change and defines each staff member's role and responsibilities at the district level and school site level.

Components of Organizational Change

An RtI² approach, with its focus on student outcomes and quality instruction, increases accountability for all learners. Systemic change at the district, site, and classroom levels that impacts instruction, intervention, and identification is necessary due to the focus of RtI² on prevention that begins in the general education classroom. A system implementing RtI² promotes collaboration and shared responsibility for the learning of all students across all personnel and programs located in a given school (general education, teachers of English language learners, Title 1, special educators/related services providers, administrators, and parents). Changing a school involves changes at the district level and the school site level. There are unique aspects of an RtI model at the secondary level that will require careful planning and articulation.

Professional Development

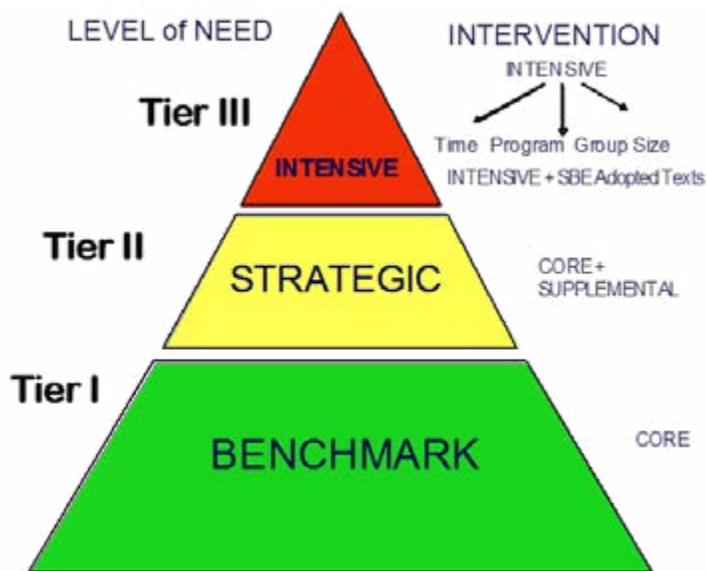
Effective implementation of an RtI² process requires that professional development needs are examined so that administrators, teachers, support personnel, and paraeducators possess the requisite skills to implement effective RtI². Successful implementation of RtI² depends on the ability of all educators, including paraprofessionals and other specialists, to use RtI² practices reliably and with fidelity. The reliability and validity with which RtI² practices are implemented will be determined, to a great extent, by the quality of both the pre-service and in-service professional development models used to translate research into effective practice. In-service professional development needs to occur both within and across administrative structures at the state, district, and site levels.

In a tiered intervention model, teachers should implement a wide variety of instructional strategies and conduct ongoing assessment of student progress as a part of their instructional practice. When an effective RtI² program is implemented, professional development decisions should be linked to ongoing assessment and student need. Subsequent professional development should be geared toward meeting these identified needs. Teachers will be challenged to examine current practices, hone existing skills, and acquire new knowledge and skills to ensure high-quality targeted instruction. An emphasis on early intervention for preventing school failure is part of an RtI² approach.

Professional development that addresses relevant areas essential to effective implementation of RtI² and improved student outcomes is critical to the success of RtI. Teachers and specialists should have opportunities to participate in focused, quality, ongoing professional development relating to RtI² processes, procedures, and practices.

Special education teachers and paraprofessionals who provide instructional support to students in the core curriculum should also be included in this training along with their general education colleagues. All educators should be trained in the district-adopted intervention program in order to effectively meet the needs of students in the tiered intervention model.

Effective RtI² implementation is based on the idea that all educators are responsible for student learning. All educators will need to assemble relevant assessment data through continuous progress monitoring and respond appropriately to the findings. School site teams will design, interpret, and assess data as well as suggest instructional approaches. By providing more intensive interventions, educators will utilize a variety of scientific, research-based methods and materials. Administrators will determine needed roles and competencies, existing skill levels, and professional development requirements in order to provide relevant and ongoing training activities in these critical areas.



Appendix B – Multi-Tiered System of Supports Information

MTSS incorporates many of the same components of RtI2, such as

- Supporting high-quality standards and research-based, culturally and linguistically relevant instruction with the belief that every student can learn including students of poverty, students with disabilities, English learners, and students from all ethnicities evident in the school and district cultures.
- Integrating a data collection and assessment system, including universal screening, diagnostics and progress monitoring, to inform decisions appropriate for each tier of service delivery.
- Relying on a problem-solving systems process and method to identify problems, develop interventions and, evaluate the effectiveness of the intervention in a multi-tiered system of service delivery.
- Seeking and implementing appropriate research-based interventions for improving student learning.
- Using school-wide and classroom research-based positive behavioral supports for achieving important social and learning outcomes.
- Implementing a collaborative approach to analyze student data and working together in the intervention process.

However, MTSS has a broader scope than does RtI2. MTSS also includes:

- Focusing on aligning the entire system of initiatives, supports, and resources.
- Promoting district participation in identifying and supporting systems for alignment of resources, as well as site and grade level.
- Systematically addressing support for all students, including gifted and high achievers.
- Enabling a paradigm shift for providing support and setting higher expectations for all students through intentional design and redesign of integrated services and supports, rather than selection of a few components of RtI and intensive interventions.
- Endorsing Universal Design for Learning instructional strategies so all students have opportunities for learning through differentiated content, processes, and product.
- Integrating instructional and intervention support so that systemic changes are sustainable and based on CCSS-aligned classroom instruction.
- Challenging all school staff to change the way in which they have traditionally worked across all school settings.

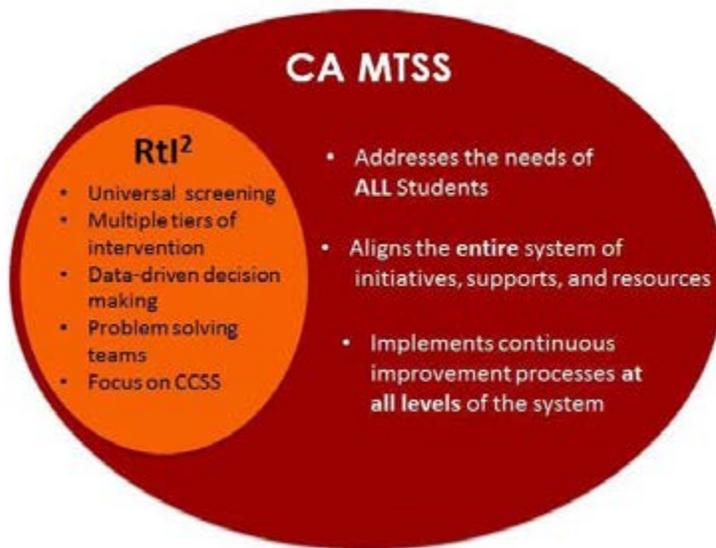
MTSS is not designed for consideration in special education placement decisions, such as specific learning disabilities. MTSS focuses on all students in education contexts.

The following figure utilized by the California Department of Education displays similarities and differences between California's MTSS and RtI2 processes. Both rely on RtI2's data gathering through universal screening, data-driven decision making, problem-solving teams, and are focused on the Common Core Standards. However, the

MTSS process has a broader approach, addressing the needs of all students by aligning the entire system of initiatives, supports, and resources, and by implementing continuous improvement processes at all levels of the system.

Source: California Department of Education

For more information and documents please refer to the California Department of Education website. <http://www.cde.ca.gov/ci/cr/ri/mtsscomprti2.asp>



Appendix C –Study Agreement



FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM STUDY AGREEMENT September 23, 2015

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Capistrano Unified School District, hereinafter referred to as the district, mutually agree as follows:

1. BASIS OF AGREEMENT

The team provides a variety of services to school districts and county offices of education upon request. The district has requested that the team assign professionals to study specific aspects of the district's operations. These professionals may include staff of the team, county offices of education, the California State Department of Education, school districts, or private contractors. All work shall be performed in accordance with the terms and conditions of this agreement.

In keeping with the provisions of Assembly Bill 1200, the county superintendent will be notified of this agreement between the district and FCMAT and will receive a copy of the final report. The final report will also be published on the FCMAT website.

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

1. Analyze whether the district provides a continuum of special education and related services from preschool through 22 years of age, and include an analysis of the least restrictive environments.
2. Analyze special education teacher staffing ratios, class and caseload size using the statutory requirements for mandated services and statewide guidelines.
3. Analyze the efficiency of staffing allocation of special education paraeducators throughout the school district. Review the procedures for identifying the need for paraeducators, as well as the process for monitoring the resources for allocating paraeducators and determining the ongoing need for continued support from year to year (include classroom and 1:1 paraeducators).

4. Analyze all caseloads of staffing for related service providers, including but not limited to: speech therapists, psychologists, occupational/physical therapists, behavior specialists, adaptive physical education teachers, autism supervision, vision, orientation and mobility, augmentative and alternative communication, and assistive technology, and make recommendations for greater efficiencies.
5. Review special education department staffing and organization in the district's central office, including staffing comparisons, to ensure that clerical and administrative support, programs, and overall functionality are aligned with those of districts of comparable size and structure. Compare the district's special education staffing and organization with that of three to six similar sized elementary districts using the Ed-Data website, or six districts selected by the district. Include recommendations to improve staffing and organizational efficiency and effectiveness.
6. Review the district's implementation of Student Success Team (SST), Response to Intervention (RtI), and Multi-Tiered System of Supports (MTSS) and make recommendations as needed.
7. Determine whether the district is overidentifying students for special education services as compared to the statewide average, and make recommendations that will reduce overidentification, if needed.
8. Evaluate the transportation services for special education students to ensure efficiency and identify potential cost savings.
9. Review the special education transportation delivery system, including but not limited to the role of the IEP, routing, scheduling, operations and staffing.
10. Determine the district's general education fund contribution to special education and make recommendations for greater efficiency.

B. Services and Products to be Provided

1. Orientation Meeting - The team will conduct an orientation session at the district to brief district management and supervisory personnel on the team's procedures and the purpose and schedule of the study.
2. On-site Review - The team will conduct an on-site review at the district office and at school sites if necessary.
3. Exit Report - The team will hold an exit meeting at the conclusion of the on-site review to inform the district of significant findings and recommendations to that point.
4. Exit Letter – Approximately 10 days after the exit meeting, the team will issue an exit letter briefly summarizing significant findings and recommendations to date and memorializing the topics discussed in the exit meeting.
5. Draft Reports - Electronic copies of a preliminary draft report will be delivered to the district's administration for review and comment.

6. **Final Report** - Electronic copies of the final report will be delivered to the district's administration and to the county superintendent following completion of the review. Printed copies are available from FCMAT upon request.
7. **Follow-Up Support** – If requested, FCMAT will return to the district at no cost six months after completion of the study to assess the district's progress in implementing the recommendations included in the report. Progress in implementing the recommendations will be documented to the district in a FCMAT management letter.

3. PROJECT PERSONNEL

The study team will be supervised by William P. Gillaspie, Ed. D., Deputy Administrative Officer, Fiscal Crisis and Management Assistance Team, Kern County Superintendent of Schools Office. The study team may also include:

<i>A. Jackie Kirk-Martinez, Ed.D.</i>	<i>FCMAT Consultant</i>
<i>B. Don Dennison</i>	<i>FCMAT Consultant</i>
<i>C. JoAnn Murphy</i>	<i>FCMAT Consultant</i>
<i>D. Timothy Purvis</i>	<i>FCMAT Consultant</i>
<i>E. Michael Rea</i>	<i>FCMAT Consultant</i>

Other equally qualified staff or consultants will be substituted in the event one of the above individuals is unable to participate in the study.

4. PROJECT COSTS

The cost for studies requested pursuant to E.C. 42127.8(d)(1) shall be as follows:

- A. \$500 per day for each staff member while on site, conducting fieldwork at other locations, preparing and presenting reports, or participating in meetings. The cost of independent FCMAT consultants will be billed at their actual daily rate.
- B. All out-of-pocket expenses, including travel, meals and lodging.
- C. The district will be invoiced at actual costs, with 50% of the estimated cost due following the completion of the on-site review and the remaining amount due upon the district's acceptance of the final report.

Based on the elements noted in section 2 A, the total estimated cost of the study will be \$29,500.

- D. Any change to the scope will effect the estimate of total cost.

Payments for FCMAT's services are payable to Kern County Superintendent of Schools - Administrative Agent.

5. **RESPONSIBILITIES OF THE DISTRICT**

- A. The district will provide office and conference room space during on-site reviews.
- B. The district will provide the following if requested:
1. Policies, regulations and prior reports that address the study scope.
 2. Current or proposed organizational charts.
 3. Current and two prior years' audit reports.
 4. Any documents requested on a supplemental list. Documents requested on the supplemental list should be provided to FCMAT only in electronic format; if only hard copies are available, they should be scanned by the district and sent to FCMAT in electronic format.
 5. Documents should be provided in advance of field work; any delay in the receipt of the requested documents may affect the start date of the project. Upon approval of the signed study agreement, access will be provided to FCMAT's online SharePoint document repository, where the district will upload all requested documents.
- C. The district's administration will review a preliminary draft copy of the report resulting from the study. Any comments regarding the accuracy of the data presented in the report or the practicability of the recommendations will be reviewed with the team prior to completion of the final report.

Pursuant to EC 45125.1(c), representatives of FCMAT will have limited contact with pupils. The district shall take appropriate steps to comply with EC 45125.1(c).

6. **PROJECT SCHEDULE**

The following schedule outlines the planned completion dates for different phases of the study:

Orientation:	March 22, 2016 at 9 a.m.
Staff Interviews:	March 22-23, 2016
Exit Meeting:	March 25, 2016 by 11 a.m.
Preliminary Report Submitted:	to be determined
Final Report Submitted:	to be determined
Board Presentation:	to be determined, if requested
Follow-Up Support:	if requested

7. **COMMENCEMENT, TERMINATION AND COMPLETION OF WORK:**

FCMAT will begin work as soon as it has assembled an available and appropriate study team consisting of FCMAT staff and independent consultants, taking into consideration other jobs FCMAT has previously undertaken and assignments from the state. The team will work expeditiously to complete its work and deliver its report, subject to the cooperation of the district and any other parties from whom, in the team's judgment, it must obtain information. Once the team has completed its field work, it will proceed to prepare a preliminary draft report and a final report. Prior to completion of field work, the district may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the district does not provide written notice of termination prior to completion of field work, the team will complete its work and deliver its report and the district will be responsible for the full costs. The district understands and agrees that FCMAT is a state agency and all FCMAT reports are published on the FCMAT website and made available to interested parties in state government. In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a report once field work has been completed, and the district shall not request that it do so.

8. **INDEPENDENT CONTRACTOR:**

FCMAT is an independent contractor and is not an employee or engaged in any manner with the district. The manner in which FCMAT's services are rendered shall be within its sole control and discretion. FCMAT representatives are not authorized to speak for, represent, or obligate the district in any manner without prior express written authorization from an officer of the district.

9. **INSURANCE:**

During the term of this agreement, FCMAT shall maintain liability insurance in an amount not less than \$1 million unless otherwise agreed upon in writing by the district, automobile liability insurance in the amount required under California state law, and workers compensation as required under California state law. FCMAT shall provide certificates of insurance, with additional insured endorsements, indicating applicable insurance coverages prior to the commencement of work.

10. **HOLD HARMLESS:**

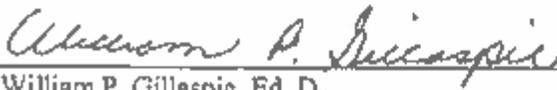
FCMAT shall hold the district, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement. Conversely, the district shall hold FCMAT, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement.

11. CONTACT PERSON

Name: Philippa Geiger, Executive Director Fiscal Services
Telephone: (949) 234-9316
E-mail: pkgeiger@capousd.org



Kirsten M. Vital, Superintendent
Capistrano Unified School District
Date 10/15/15



William P. Gillespie, Ed. D.
Deputy Administrative Officer
Fiscal Crisis and Management Assistance Team
Date September 23, 2015