



CSIS California School Information Services

Cucamonga Elementary School District

Special Education Review

July 22, 2016



Joel D. Montero
Chief Executive Officer





July 22, 2016

Janet Temkin, Superintendent
Cucamonga Elementary School District
8776 Archibald Avenue
Rancho Cucamonga, CA 91730

Dear Superintendent Temkin,

In December 2015 the Cucamonga Elementary 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. Determine whether the district is over identifying students for special education services compared to the statewide average, and make recommendations that will reduce over identification, if needed.
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 special education paraeducator staffing allocation throughout the school district. Review the procedures for identifying the need for paraeducators, as well as the processes 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 for related service providers: speech therapists, psychologists, occupational/physical therapists, behavior specialists, and adaptive physical education teachers. Make recommendations for greater efficiencies.
5. Analyze COE, NPS and NPA placements and make recommendations for improving the placement process and for cost efficiencies.
6. Determine the district's general education fund contribution to special education and make recommendations for greater efficiency.

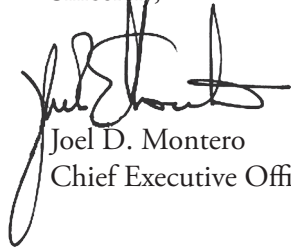
FCMAT

Joel D. Montero, Chief Executive Officer

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This final report contains the study team's findings and recommendations in the above areas of review. FCMAT appreciates the opportunity to serve the Cucamonga Elementary School District, and extends thanks to all the staff for their assistance during fieldwork.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel D. Montero". The signature is stylized with a large, looping initial "J" and a horizontal line extending from the end.

Joel D. Montero
Chief Executive Officer

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About FCMAT

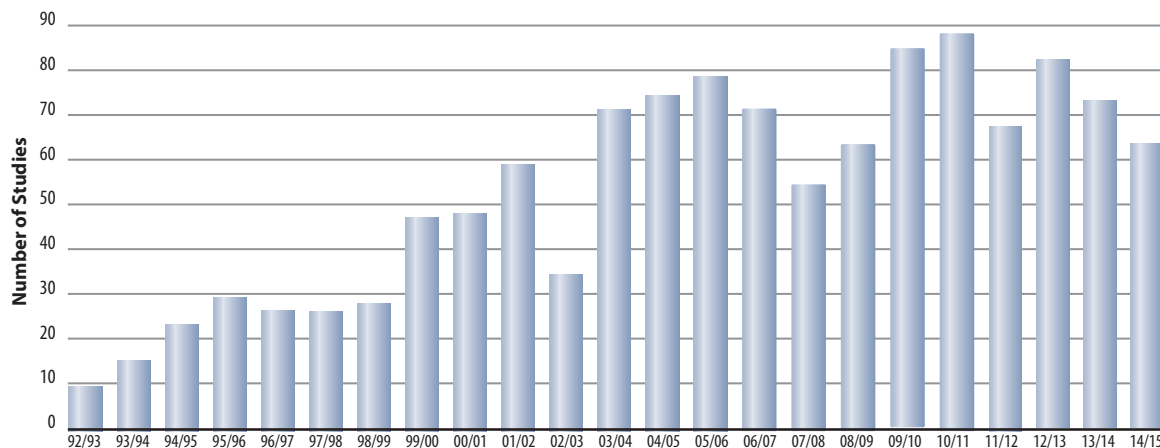
FCMAT's primary mission is to assist California's local K-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related 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). CSIS also hosts and maintains the Ed-Data website (www.ed-data.org) and provides technical expertise to the Ed-Data partnership: the California Department of Education, EdSource and FCMAT.

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 state-wide 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

Cucamonga Elementary School District serves approximately 2,563 students in kindergarten through grade 8, including 315 students identified as having special needs. The district has three elementary schools and one middle school. The district's student population is racially and ethnically diverse: 0.3% Native American, 3.6% Asian, 0.5% Native Hawaiian or Pacific Islander, 2.6% Filipino, 67.4% Hispanic/Latino, 14.6% African American, 9% white, 1% multiracial, and 1% undeclared. The district is one of the ten districts in the West End Special Education Local Plan Area (SELPA). The district contracts with San Bernardino County Superintendent of Schools and Ontario-Montclair School District for some special education services.

Study and Report Guidelines

FCMAT visited the district on May 3-5, 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
- Identification Rate
- Staffing and Caseloads
- Instructional Assistants
- Related Service Provider Caseloads
- County Office, Nonpublic Agency and Nonpublic School Placements
- Fiscal Issues
- 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.
FCMAT Deputy Administrative Officer
Sacramento, CA

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

Don Dennison
FCMAT Consultant
Arroyo Grande, CA

John Lotze
FCMAT Technical Writer
Bakersfield, CA

Each team member reviewed the draft report to confirm accuracy and achieve consensus on the final recommendations.

Executive Summary

FCMAT analyzed the rate at which the district identifies students as eligible for special education services compared to the statewide average identification rate. The district's identification rate for students in kindergarten through age 22 (K-22) is 12.3%, which is higher than the state average of 10.7%. By decreasing its referrals and/or returning students to the district from regional programs, the Ontario-Montclair School District, and San Bernardino County Superintendent of Schools (county office) programs, the district has reduced the number of students referred to these providers from more than 100 in the past to 92 this year.

Maintenance of effort (MOE) documents provided to FCMAT indicate that the district's general fund contribution to special education was \$2,195,126.43, or 56% of the special education budget, in 2013-14, and \$1,990,093.60, or 45.7%, in 2014-15. According to its second interim MOE document, the district's 2015-16 expenditure budget for special education is \$4,136,467.00.

The district's general fund contribution to special education in 2015-16 is projected to be \$2,531,821.00, which is 61.2% of the special education budget. According to the Report of California's Statewide Task Force on Special Education (ONE SYSTEM: Reforming Education to Serve All Students, March 2015), the statewide average general fund contribution to special education is 43% of a special education budget.

The district has increased its Medi-Cal LEA revenues over the past three years.

Districts the size of Cucamonga Elementary usually do not have much flexibility in responding when special education caseloads reach their maximum. The district has two elementary resource specialist program (RSP) classes with 27 and 28 students, and one middle school RSP class with 28 students. The district's director of special education's workload is excessive as it includes not only supervising the Special Education Department but also serving as the school psychologist at two schools.

Findings and Recommendations

Identification Rate

The director of special education has recently reexamined the SST process and the RtI process. The district uses the SST format to meet with school staff to find additional ways to support students in general education classrooms. Some training has been provided to school administrators; however, the practices and documentation used are inconsistent and vary throughout the district. Specifically, the SST process is used irregularly, and staff often view the RtI packets and paperwork prior to additional intervention as simply more paperwork and an additional impediment before a student is assessed for special education eligibility.

Teachers are aware of the various accommodations and modifications to use with students in their classrooms; however, there is not consistent support for struggling learners beyond accommodations and modifications in the classroom. At one elementary school, staff reported a combination of special education blended supports in the general education program, an English Learner (EL) development program, and a Title I teacher. These specialists function together to support all students using a learning center model. Starting in 2016-17, the middle school will change to a seven-period school day, which will allow students to receive an additional class in a core subject such as math or English/language arts. District staff reported that a new program, Read Naturally, has been purchased for an intervention class; however, formal professional development has not been provided. The district has no systematic process for identifying students for interventions or supports, and no formal processes for collecting data and monitoring progress.

The California Department of Education (CDE) has created the term Response to Intervention and Instruction (RtI2) to describe high-quality general education instruction, early intervention, prevention, and behavioral strategies. RtI2 offers a way to eliminate the achievement gap through a schoolwide process that helps all students, including high-achieving students and struggling learners. It is a process that uses 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 data regarding student outcomes. RtI2 is fully aligned with research on the effectiveness of early intervention and the recommendations of the California P-16 Council.

It would benefit the district to provide intensive RtI2 training for all staff. The training needs to be outlined clearly in a strategic plan. During a presentation at the National Association of School Psychologists convention in 2006, George Batsche and W. David Tilly identified three phases in the implementation of RtI2: consensus building (commitment from the staff), infrastructure, and implementation. It is crucial that RtI2 implementation be led by the Education Services Department because it is a general education function and consensus and commitment should be sought from all staff.

The district may want to consider bringing in an expert who has extensive knowledge of RtI2 to help plan for, train staff in, and implement this model.

The district is identifying 12.3% of its K-22 students as eligible for special education services. This is higher than the statewide average of 10.7%. The district's identification rate for students age 0-22 is 13.8%, which is also higher than the statewide average of 11.31% for this group.

Identification Rate of Students for Special Education Services, Dec. 1, 2015

Disability	District	County	State	March 2015, Statewide Task Force Report
Intellectual Disability	6.0%	6.3%	6.0%	10.4%
Hard of Hearing	0.6%	20.7%	1.4%	1.7%
Deaf	0%	7.1%	0.5%	Included in Hard of Hearing
Speech/Language Impairment	29.2%	20.5%	22.3%	18.4%
Visual Impairment	0%	0.5%	0.5%	0.6%
Emotional Disability	2.5%	3.1%	3.4%	4.1%
Orthopedic Impairment	0.6%	1.1%	1.7%	1.8%
Other Health Impairment	12.3%	9.5%	10.6%	10.2%
Specific Learning Disability	32.0%	45.8%	39.5%	45.5%
Deaf Blind	0%	0%	0%	0%
Multiple Disabilities	0.9%	1.7%	0.8%	0.8%
Autism	15.2%	9.7%	12.6%	10.4%
Traumatic Brain Injury	0.3%	0.2%	0.2%	0.3%

Sources: California Longitudinal Pupil Achievement Data System (CALPADS) October 2015; California Special Education Management Information System (CASEMIS) 12-1-2015; Report of California's Statewide Task Force on Special Education (ONE SYSTEM: Reforming Education to Serve All Students, March 2015). All data excludes infants and preschool age children.

According to California Special Education Management Information System (CASEMIS) reporting, the district has decreased its identification for special education by 12 students over the last three years.

Programs for students with emotional disabilities and autism spectrum disorders are two of the most costly types of programs. These students require unique strategies and therapies, and frequently need more services than students with most other handicapping conditions. Compared to statewide averages, the district overidentifies students with autism by 2.6%, students with speech and language impairments by 6.9%, and students with other health impairments by 1.7%.

To have the same identification rate as the state average, the district would need to decrease its identification by 81 students. The district's current annual cost per special education student is \$14,633.34; a decrease of 81 students would yield a potential annual savings of \$1,185,300.54.

FCMAT was not able to determine decisively why the district is overidentifying students with autism, speech and language impairments, and other health impairments. However, the district may want to consider reviewing the identification process for speech and language and begin using structured language development strategies in grades K-3 in general education.

For identification of students with autism, staff reported that they primarily use rating scales completed by parents and, if the student is in school, by the teacher. However, there are more robust research-based assessment tools for students with suspected autism, such as the autism diagnostic observation schedule (ADOS), which requires intensive training and inter-rater reliability to ensure fidelity but which also provides more comprehensive information about the child and verifies the child's eligibility. It would benefit the district to review its identification process for students with suspected autism and consider using these tools.

According to the exit report in the West End SELPA's data report from September 2015, the district returned a total of 19 students to general education; this included 10 speech and language

impaired students, two autistic students, two students with other health impairments, and five students with specific learning disabilities. The district may want to consider reviewing the exit re-evaluations of students who are speech and language impaired to determine criteria for eligibility and for meeting least restrictive environment requirements.

Recommendations

The district should:

1. Provide school administrators, certificated staff and parents with professional development regarding SST and interventions prior to assessments.
2. Provide ongoing professional development that includes training in data collection and evidence of implementation.
3. Collect data regarding the number of SSTs resulting in referrals to assess the accuracy and frequency of referrals to special education.
4. Develop a strategic plan for implementing RtI2.
 - a. Ensure that the strategic plan is endorsed by the superintendent and presented to the board of trustees for approval and adoption.
5. Ensure that the implementation of RtI2 is led by the Education Services Department.
6. Ensure that staff are aware that RtI2 is a general education function, and seek to involve and secure a commitment to it from all staff.
7. Develop a training module and ensure intensive training in interventions.
8. Analyze assessment procedures and how students are identified as speech and language impaired, other health impaired, or autistic. Provide professional development in assessment and identification.
9. Provide additional tools for assessing students who may have autism to determine their eligibility for special education services.
10. Provide professional development regarding autism as needed.
11. Review the process used to assess and identify students with other health impairment, and adjust these processes if appropriate.

Staffing and Caseloads

The district operates programs to serve its students with mild to moderate disabilities. The San Bernardino County Superintendent of Schools (county office) serves the district's more severely disabled students, including those with low-incidence disabilities. The district also has an agreement with the neighboring Ontario-Montclair School District, which provides some services. The district has begun providing some services for which it previously used the county office, and it has opened a special day class (SDC) for students with moderate to severe disabilities at Rancho Cucamonga Middle School (for more information on this topic, see the section titled "County Office, Nonpublic Agency and Nonpublic School Placements" later in this report).

The district provides resource specialist (RSP) services at each of its three elementary schools and at each grade level (6, 7 and 8) at its middle school. The district also provides four SDCs for elementary students with mild to moderate disabilities: one SDC for K-1, one for grades 2-3, and two for grades 4-5. At the middle school the district has three SDCs for students with mild to moderate disabilities, one at each grade level.

The district is not exceeding statutory caseload maximums for RSP (28 students) or industry-standard maximums for SDCs. However, two of its elementary RSPs have caseloads of 27 and 28, and its one middle school RSP caseload is 28. The district's SDCs for students with mild to moderate disabilities are averaging 12-14 students. A district the size of Cucamonga Elementary has limited flexibility in responding when special education caseloads reach their maximum. The special education director has few options to avoid having to request that an RSP teacher sign a caseload waiver.

The state's March 2015 Special Education Task Force Report, *One System: Reforming Education to Serve All Students*, strongly recommends moving special education to a focus on service in the least restrictive environment rather than placement in separate special education programs. Many districts are implementing a Specialized Academic Instruction (SAI) approach for services to students with mild to moderate disabilities. The district has several innovative and dedicated special education service providers who are successfully implementing SAI types of services at their sites. It would benefit the district to support and encourage these efforts, and to analyze the possibility of making a systemic change toward an SAI service model. Such a change would be in line with the best practices in special education, be highly beneficial to students, and give the district increased caseload flexibility. A change to blended services is complicated and challenges many staff members, especially general education teachers. A successful change to an SAI model requires thorough planning, communication, staff involvement at all levels, and professional development.

Resource Specialist Program

Grade Span	Total Teacher FTE	Total Students	Instructional Assistant FTE	Total Teacher Ratio	Education Code Maximum Caseload per Teacher	District Teacher-to-Student Ratio
Elementary	3.00	74	3.00	1:24.66	28	1:28
Middle	3.00	59	3.00	1:19.66	28	1:28

Mild Moderate SDC

Grade Span	Total Teacher FTE	Total Students	Instructional Assistant FTE	Industry-Standard Teacher-to-Student Ratio	District Teacher-to-Student Ratio
Elementary	4.00	47	4.00	1:12-15	1:11.75
Middle	3.00	39	3.00	1:12-15	1:13

Moderate Severe SDC

Grade Span	Total Teacher FTE	Total Students	Instructional Assistant FTE	Industry-Standard Teacher-to-Student Ratio	District Teacher-to-Student Ratio
Middle	1.0	10	3.00	1:10-12	1:10

Recommendations

The district should:

1. Analyze the potential to implement SAI for students with mild to moderate disabilities. If implemented, ensure that implementation includes sufficient preparation, including professional development for general education instructional staff.

Instructional Assistants

The district's full-time equivalent (FTE) instructional assistant staffing for services to students with mild to moderate disabilities is in accord with industry standards, at 1.0 FTE instructional assistant per teacher. Instructional assistant staffing for students with moderate to severe disabilities at the middle school is 3.0 FTE per teacher, which is 1.0 FTE per teacher more than the industry standard.

Because of the small number of instructional assistants, tracking elementary school instructional assistant assignments is easy. However, clearly identifying the number of instructional assistants, their FTEs and their assignments at the middle school for the purpose of this study was difficult. The task required comparison of multiple documents provided by the district. If the number of instructional assistants employed by the district continues to rise, the district will need to establish an effective tracking system and keep it updated regularly.

The few students who require individual assistants are served through contracts with one or more nonpublic agencies (the use of nonpublic agencies is discussed later in this report in the section titled "County Office, Nonpublic Agency and Nonpublic School Placements"). The district does have a procedure for determining the need for a temporary special needs assistant. In districts that use such a procedure it is considered a formal assessment, with the same rights as any other formal special education assessment.

The district employs approximately 15 full-time and two half-time special education instructional assistants at an average annual cost of \$36,378 each, including benefits, for a total of \$568,888 annually. The benefits package for a full time instructional assistant is approximately \$13,165. If the district were able to convert its 15 full-time instructional assistant positions to 30 three-hour-per-day positions through attrition and eliminate 15 benefit packages, there would be a potential annual saving of \$197,475, which is approximately 35% of the current total cost for full-time instructional assistants.

Instructional Assistant (IA) Staffing Comparison

Grade Span	Type of Service	Teacher FTE	FTE (6-hr per day)	Average IA FTE to Teacher FTE ratio	Industry Standard IA FTE to Teacher FTE Ratio	IA FTE over (+) or Under (-) Industry Standard	IA Cost (+) or Savings (-) to District
Elementary	RSP	3.0	3.0	1:1	1:1	0	00
Middle School	RSP	3.0	3.0	1:1	1:1	0	00
Elementary	M/M SDC	4.0	4.0	1:1	1:1	0	00
Middle School	M/M SDC	3.0	3.0	1:1	1:1	0	00
Middle School	M/S	1.0	3.0	3:1	2:1	(+) 1.0	(+) \$36,378

Recommendations

The district should:

1. Analyze the feasibility of converting, through attrition, its full-time instructional assistant positions to part-time positions without benefits.

2. Develop an accurate procedure for tracking and updating instructional assistant assignments and number of FTEs at all schools. To gain a complete picture of instructional assistant services, consider including instructional assistant services provided by nonpublic agencies in this tracking and updating.

Related Service Provider* Caseloads

*Also known as Designated Instruction Provider

School Psychologist Services

The director of special education's workload is excessive as it includes both supervision of the Special Education Department and serving as the school psychologist at two schools. In multiple interviews, staff repeatedly stated that the district would benefit from having a full-time special education director.

The district has approximately 1.85 FTE school psychologist services: this includes a 1.0 FTE district employee, approximately 0.25 FTE of psychologist service from the director of special education, and approximately 0.60 FTE from an outside consultant psychologist. As shown in the two tables below, based on the district's total enrollment and compared to industry standards from both professional sources, Kids Facts and CalEdFacts, the district should have approximately two full-time school psychologists. The average annual cost for a school psychologist employee, including benefits, is \$116,253. The consultant psychologists have cost the district approximately \$98,613 through the first eight months of the 2015-16 school year, which is only \$17,640 less than the cost of a full-time psychologist. Applying the funds that would be spent on consultant psychologist services to a full-time employee psychologist position would relieve the director of special education of the psychologist service responsibility, provide the district with effective psychologist services, and increase its psychologist staffing by approximately 0.15 FTE.

Speech Pathologists

The district has three full-time elementary speech and language pathologists (SLPs). They provide speech and language services to students with mild to moderate disabilities; assess preschool students; and provide RtI support for early elementary students with mild articulation disorder. The SLPs carry an average caseload of 40.33 students per FTE. The Education Code states that the maximum allowable caseload for K-12 is 55 students per SLP FTE. The district's 121 elementary speech students could be served by 2.2 FTE SLP positions if caseloads were taken to the maximum of 55 students. The district has one full-time speech pathologist serving grades 6-8 who is contracted from an outside agency. The middle school speech pathologist carries a caseload of 50 students, for a ratio of 1-to-50.

The district's possible overidentification of students as speech and language impaired, discussed earlier in this report, could increase the potential overstaffing in speech and language services. To effectively use its current speech pathologist staff, the district should analyze the feasibility of returning to district-run services for its preschool students with mild to moderate disabilities who need mainly speech and language services.

Occupational Therapist

The district employs one full-time occupational therapist. This is a related service that was previously provided by the West End SELPA. As shown in the table below, the occupational therapist has a caseload of 23 students while the industry standard caseload for occupational therapy is 45-55 students per FTE.

Educationally Related Mental Health Service Therapist/Counselor

The district employs one full-time licensed marriage and family therapist to provide educationally related mental health service (ERMHS). The individual in this role also has a pupil personnel service credential and was hired to also provide academic counseling at the middle school. Based on interviews with staff, it appears the scope and expectations of service for this position may not have been clearly established when the district brought this service back from the county office.

The initial plan was that the position would be 50% ERMHS services and 50% general counseling services to the middle school. However, the demands on the position at the middle school overshadow all other responsibilities. The industry standard for a full-time traditional school counselor is 1.0 FTE for every 854 students. The middle school has 785 students, so based on this standard would require 0.92 FTE counselor staffing. The ERMHS portion of the therapist/counselor position's duties currently serves 18 students. If the district adds a full-time counselor to the middle school, it should analyze the best use of the therapist/counselor's time in relation to ERMHS therapy, contracted general education school counseling, and support to the positive behavior intervention services program.

School Psychologist Caseload Analysis

Program	No of FTE (Estimate)	Caseload	Recommended Students per FTE (Kids Data*)	Recommended Students per FTE (CalEdFacts**)	District Caseload Average
Psychologists	1.85	2,563	1,321	1,235	1,385

* www.kidsdata.org

** www.cde.ca.gov/re/pn/fb/

Speech and Language Pathologist Caseload Comparison

Provider	District Total FTE-to-Caseload Ratio	District Average Caseload per FTE	Ed Code Maximum Caseload per FTE
Speech and Language Pathologist Ratio, K-5	3:121	40.33	55
Speech and Language Pathologist Ratio, 6-8	1:50	50	55

Occupational Therapist Caseload Comparison

Program	No of FTE	Caseload	Industry Standard Caseload	District Caseload Average
OT	1.00	23	45-55	23

Educationally Related Mental Health Service (ERMHS) / School Counselor

Program	No of FTE	Caseload	Recommended Students per FTE (Kids Data*)	District FTE-to-Caseload Ratio	FTE over (+) or under (-) Standard
ERMHS	0.50	18	N/A	0.50:18	N/A
School Counselor Middle School	0.50	785	854	0.50:785	(-) .42 FTE

* www.kidsdata.org

Recommendations

The district should:

1. Consider adding a 1.0 FTE school psychologist position and relieving the director of special education of the responsibility for school psychologist services. Pay for this by redirecting the funding currently spent on school psychologist consulting services.
2. Analyze and plan for the return to the district of services for preschoolers with mild to moderate disabilities.
3. Analyze the effectiveness of the current split assignment of the district's ERMHS and school site counseling position and determine whether a full-time school counselor position at the middle school is warranted.
4. If a full-time counselor position is added to the middle school, determine how the existing ERMHS therapist position can best be reassigned to meet student needs.

County Office, Nonpublic Agency and Nonpublic School Placements

County Office of Education Placements and Services

The district refers to regional programs those students in preschool through grade 8 whom it is unable to serve. The regional providers include the San Bernardino County Superintendent of Schools (county office), which provides an array of services and programs, as well as Ontario-Montclair School District, which provides services and programs to students who are more medically fragile or who are orthopedically impaired.

The county office provides services to children from birth through three years of age, and parent education. Infants are served through the Early Start program, which meets federal and state mandates for students with eligible disabilities and is part of the memorandum of understanding through the SELPA and Regional Center agreement. The county office provides these services to five students who reside in the Cucamonga Elementary School District.

The county office also provides speech-only services to four of the district's preschool students who need only these services. This is at no cost to the district because it is funded through a grant.

The county office provides the district's students with the programs and related services indicated in the tables below. The data was provided by the county office and taken from two lists. The tables below show different students in different SAI classes on different campuses, none of which are within the district's boundaries.

County Office-Provided Programs and SAI Classes

Preschool

Age/Grade	Number of Students
Preschool 3- to 5-year-olds*	28

*Does not include students with autism.

Autism-Specific Classes

Grade	Number of Students
Preschool	9
K-1	4
K-2	3
K-3	1
K-3	1
K-3	2
2-5	1
3-5	2
Total	23

Classes for Students with Moderate to Severe Disabilities

Grades	Number of Students
K-3	5
1-3	3
3-6	3
3-6	2
4-5	1
4-6	1
Total	15

Classes for Students with Emotional Disturbance

Grades	Number of Students
K-3	2
K-3	1
3-6	2
6-8	2
Total	7

Classes for Students with Emotional Disturbance and Moderate to Severe Disabilities

Grades	Number of Students
4-12	1

The district has decreased its referrals and/or returned students to the district from regional programs, Ontario-Montclair School District programs and county office-operated programs, resulting in just 92 students in these programs during 2015, compared to 101 in 2014 and 104 in 2013. The district should continue to annually evaluate whether each student is receiving services in least restrictive environment. The table below shows the district's decline in referrals over the past three years.

Special Education Students, Number Receiving District-Provided Services, and Number Referred, by Year

	2013	2014	2015
Special Education Students Residing in the District	367	360	355
Special Education Students Receiving District-Provided Services	263	259	263
Special Education Students Referred to Regional or Other Providers	104	101	92

The district is spending more than \$2 million of its \$4 million special education budget on regional services. The county office gives each district a list of all the district's students it serves before December 21 each year, with the understanding that the district will observe and/or evaluate each student to determine if the student is ready to return to a less restrictive environ-

ment and be served by the district. The returned notice is to be provided to the county office by February 21. The county office and the district have clear and open processes for this.

It would benefit the district to review the services and placement of each student and determine whether students are receiving services in the least restrictive environment. The district returned middle school students from regional programs during the 2015-16 school year, and in time the district may want to consider returning K-3 students from regional programs, then students in grades 4-5 the following year.

According to the Annual Performance Report Measure, the district did not meet the standard for least restrictive environment for preschool students. The percentage of the district's special education students who attend a separate class or school was 57.1, whereas the target was for the number to be less than 34.4%. Because the district operates a state preschool, it may want to consider an integrated preschool center that supports students in an inclusive setting, as well as a special day class on the same campus as the state preschool. This would also improve the annual performance indicators, which are tracked by the CDE.

Nonpublic Schools and Agencies

Education Code section 56034 defines a nonpublic school (NPS) as follows:

“Nonpublic, nonsectarian school” means a private, nonsectarian school that enrolls individuals with exceptional needs pursuant to an individualized education program and is certified by the department. It does not include an organization or agency that operates as a public agency or offers public service, including, but not limited to, a state or local agency, an affiliate of a state or local agency, including a private, nonprofit corporation established or operated by a state or local agency, or a public university or college. A nonpublic, nonsectarian school also shall meet standards as prescribed by the Superintendent and board.

The Education Code requirements for a nonpublic agency (NPA) are now the same as those for an NPS. Specifically, Education Code section 56365(a) requires that an NPA be:

. . . under contract with the local educational agency to provide the appropriate special educational facilities, special education, or designated instruction and services required by the individual with exceptional needs if no appropriate public education program is available.

When a district determines that it does not have the proper educational placement or related service for a specific student and cannot hire staff to provide related services to its students, it may contract with an NPS or NPA. The West End SELPA helps districts with this by providing the NPS and NPA contracts and negotiating rates for its member districts.

According to district-provided documents, the district has one student in an NPS, and the student's need for this placement is evaluated annually. In addition, since 2013 the district has spent \$352,849.48 for NPA contracts. This included one contract for an NPA speech pathologist in the absence of a district speech pathologist, at a cost of \$57,800, and seven independent educational evaluations approved and completed at a cost of \$9,375. The remaining NPA contracts in the amount \$285,674.48 were primarily for students with autism who required a 1-to-1 applied behavioral analysis (ABA) aide in a district special education or general education classroom; the costs usually included supervision from the NPA. Districts around the state have developed defensible ABA programs and services through intensive professional development and ongoing program development.

Recommendations

The district should:

1. Review the programs and services provided by the county office and determine the feasibility of providing the direct services to its students.
2. Continue to evaluate all special education students who reside within the district's boundaries but receive outside services, and determine the feasibility of serving these students with district-provided services in a less restrictive environment.
3. Develop a plan to meet preschool students' needs in the least restrictive environment.
4. Continue to monitor its NPA contracts and determine how it may be able to provide these specific services to students within the district.
5. Develop defensible programs and services for students with autism using the ABA approach, and build sufficient capacity to allow district staff to provide services now provided by NPAs.

Fiscal Issues

Districts have little control over special education revenues. California distributes funds to SELPAs based on their member districts' total average daily attendance (ADA), not based on the number of identified special education students.

The financial reporting methods that districts, county offices and SELPAs use can vary. Some districts include transportation in this reporting but others do not, and there are variations in how special education funds are allocated through a SELPA's approved allocation plans. Therefore, it is not always possible to accurately compare a district's general fund contribution to that of other districts. However, a district may need to address a general fund contribution that is excessive or increasing.

Maintenance of effort (MOE) is the federal statutory requirement that a district spend the same amount of state and local money on special education each year, with limited exceptions. When considering how to reduce the total general fund contribution, a district is required to follow the guidelines in the MOE document (20 U.S.C.1413 (a)(2)(A)). The MOE document from the CDE lists the following as exceptions that allow a district to reduce the amount of state and local funds spent on special education:

1. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel, who are replaced by qualified, lower-salaried staff.
2. A decrease in the enrollment of children with disabilities.
3. The termination of the obligation of the agency to provide a program of special education to a particular child with a disability that is an exceptionally costly program because the child:
 - a. Has left the jurisdiction of the agency;
 - b. Has reached the age at which the obligation of the agency to provide a free and appropriate public education to the child has terminated; or
 - c. No longer needs the program of special education.
4. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

See also: <http://www.cde.ca.gov/FG/sf/fr/semoe2004ug.asp>

MOE documents provided to FCMAT indicate that the district's general fund contribution to special education was \$2,195,126.43, or 56% of its special education budget, in 2013-14, and \$1,990,093.60, or 45.7%, in 2014-15. The district's second interim financial report from the MOE document indicates that its 2015-16 budget for special education is \$4,136,467. The district's general fund contribution for 2015-16 is projected to be \$2,531,821, which is 61.2% of its special education budget. According to the report of California's Statewide Task Force on Special Education (ONE SYSTEM: Reforming Education to Serve All Students, March 2015), the statewide average general fund contribution to special education is 43%.

Several factors affect a district's general fund contribution, including revenue received to operate the programs, and expenditures for salaries, benefits, nonpublic school and nonpublic agency services, and transportation. Litigation can also increase a district's general fund contribution.

The Local Control Funding Formula (LCFF) was enacted with the passage of the 2013-14 Budget Act and replaced the previous K-12 finance system. The new formula for school districts and charter schools is composed of uniform base grants by grade spans (K-3, 4-6, 7-8, 9-12) and includes additional funding for students who qualify for free or reduced-price meals, students who are English learners, and students who are in foster care. The previous K-12 finance system transferred revenue limit ADA funding generated by attendance in special day classes from the unrestricted general fund to the special education program. However, special day class ADA is no longer reported separately, and the CDE has determined that this ADA transfer will no longer take place under the LCFF. These changes have increased many districts' general fund contributions to special education.

Starting in 2013-14, special education transportation revenue became an add-on to the LCFF and as a result is no longer restricted special education revenue. This change in accounting has also increased many districts' general fund contributions to special education.

The district's special education contribution has increased by \$336,694.57, or 15.3%, since 2013-14.

FCMAT special education reports usually include a comparison of special education revenues from 2013-2016 and analyze revenues in comparison to expenditures. The district was unable to obtain this information from its own system because reportedly neither the SELPA nor the county office provides this information broken down by district, though they do provide data on the county as a whole. The district should request additional reports from the county office or the SELPA that include district-specific revenues. This would allow additional clarity and openness regarding revenues and expenditures.

School districts throughout the state face a continuing challenge in funding the costs for serving special education students, including increases in the differences between the federal and state funding received and the mandated costs for these vital student services.

The table below compares the district's special education program expenditures for the current and two prior fiscal years. The special education expenditure data is based on the MOE documents provided to FCMAT. Since 2013-14 the district's expenditures to operate special education programs have increased by \$845,285.08, or 25.7%.

Special Education Expenditures from 2013-14 to 2015-16 (Projected)*

Description	2013-14	2014-15	Projected 2015-16	Difference from 2013-14 to projected 2015-16
Certificated Salaries	\$1,630,060.04	\$1,752,690.91	\$1,778,219.00	+\$148,158.96
Classified Salaries	\$373,560.99	\$454,627.68	\$617,878.00	+\$244,317.01
Benefits	\$660,238.35	\$756,569.05	\$750,228.00	+\$89,989.65
Books and Supplies	\$34,374.77	\$23,788.45	\$99,390.00	+65,015.23
Contracts and Operating	\$589,025.14	\$704,016.74	\$884,299.00	+\$295,273.86
Capital Outlay	\$0	\$0	\$0	\$0
State Special Schools	\$0	\$0	\$0	\$0
Subtotal, Direct Costs	\$3,287,259.29	\$3,391,692.83	\$4,130,014.00	+\$842,754.71
Indirect Charges	\$3,922.63	\$4,231.00	\$6,453.00	+\$2,530.37
Total Expenditures	\$3,291,181.92	\$3,395,923.83	\$4,136,467.00	+\$845,285.08

*Excludes the Program Cost Report Allocation.

The table below compares the district's December 1 identified special education pupil count and the expenditures per identified pupil by district of service for the current and two prior fiscal years; district of residence data was not compared. Since 2013-14, the district's identified special education pupil count for district of service has decreased by four pupils, or 1.5%, and the expenditures have increased by \$964.55 per pupil, or 7.1%.

Special Education Identified Pupil Counts and Expenditures Per Pupil, 2013-14 to 2015-16 (Projected)

Description	2013-14	2014-15	Projected 2015-16	Difference from 2013-14 to projected 2015-16
December 1 Identified Pupil Count	263	259	259	-4 (-1.5%)
Expenditures per Pupil	\$13,668.79	\$15,450.79	\$14,633.34	+\$964.55 (+7.1%)

The district has increased its Medi-Cal LEA revenues over the past three years. Staff reported that a consultant helps review services to identify potential additional revenues. In addition, FCMAT reviewed documents that indicated that contracted speech services should be captured and billed to Medi-Cal, as should transportation for wheelchair-bound students who are transported with a specialized bus or van.

Interviewees also indicated that there are formal Medi-Cal LEA consortium meetings, also known as district advisory committee meetings; however, the budget needs to be presented as an ongoing agenda item for the two times per year this committee meets. Staff who perform Medi-Cal LEA billing should also have input regarding their needs for materials and supplies, which could be paid for using Medi-Cal LEA revenues, thus offsetting special education supply costs.

The business department and the special education department meet, though not regularly. However, communication between the two departments is clear and open. The district has not conducted budget development for special education; rather, the budget has been rolled over from year to year.

Recommendations

The district should:

1. Monitor its general fund contribution based on the annual MOE document, and determine if it can reduce expenditures using any of the exemptions allowed.
2. Establish monthly meetings of the special education director and the assistant superintendent of business services that include the following topics:
 - a. Budget development
 - b. Budget monitoring
 - c. MOE requirements

- d. Additional staffing requests or changes in assignments
 - e. Nonpublic school and/or nonpublic agency contracts, invoices, and new placements
 - f. Due process or complaint issues
 - g. Caseloads
 - h. Identified student counts
 - i. Identified needs
3. Assign the Business Services Department to implement zero-based budgeting. Ensure that each department builds and proposes its 2016-17 budget, including staffing. The Special Education, Business, and Human Resources departments should review all special education staffing and assignments during this process. Staff should review how positions are being used and charged to the district budget.
 4. Consider meeting with the county office and the SELPA to discuss the possibility of receiving a report that clearly shows the district's special education revenues so that the district can be aware of all its special education revenues and expenditures.
 5. Compare the cost of regional programs to the cost if the district were to provide these services. Ensure that the comparison takes into account any additional impacts on the district's infrastructure that would result from the district providing these services.

Appendix

Study Agreement



CSIS California School Information Services

**FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
STUDY AGREEMENT
December 8, 2015**

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Cucamonga 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. Determine whether the district is over identifying students for special education services compared to the statewide average, and make recommendations that will reduce over identification, if needed.
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 special education paraeducator staffing allocation throughout the school district. Review the procedures for identifying the need for paraeducators, as well as the processes 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 for related service providers: speech therapists, psychologists, occupational/physical therapists, behavior specialists, and adaptive physical education teachers. Make recommendations for greater efficiencies.
5. Analyze COE, NPS and NPA placements and make recommendations for improving the placement process and for cost efficiencies.
6. 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. Dr. Jackie Kirk-Martinez</i> | <i>FCMAT Consultant</i> |
| <i>B. Don Dennison</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 \$20,500.

- D. Any change to the scope will affect 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:	May 3, 2016 at 9 a.m.
Staff Interviews:	May 3-6, 2016
Exit Meeting:	May 6, 2015 at 10 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: Rick Jensen, Assistant Superintendent of Business Services
Telephone: (909) 987-8942
E-mail: rjensen@cuca.k12.ca.us

 12/8/15
Rick Jensen Date
Assistant Superintendent of Business Services
Cucamonga School District

 December 8, 2015
William P. Gillaspie, Ed. D. Date
Deputy Administrative Officer
Fiscal Crisis and Management Assistance Team