FCMAT
FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
CSIS California School Information Services

Siskiyou County Office of Education

Special Education Review

April 19, 2017

Joel D. Montero
Chief Executive Officer

April 19, 2017

Kermith Walters, Superintendent
Siskiyou County Office of Education
609 South Gold Street
Yreka, California 96097

Dear Superintendent Walters:

In October 2016, the Siskiyou County Office of Education and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to provide a review of the county office's special education programs and services. Specifically, the agreement states that FCMAT will perform the following:

1. Review special education teacher staffing ratios, class and caseload size using the statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.

2. Review the efficiency of para-educator staffing, including 1-to-1 para-educators, and make recommendations for improvement, if any. This will include reviewing the procedures used to identify the need for para-educators, and the process for monitoring para-educator assignments and determining the need for continued support from year to year.

3. Analyze staffing and caseloads of related service providers such as speech therapists, psychologists, occupational and physical therapists, behavior specialists, adaptive physical education teachers, credentialed nurses and others, and make recommendations for improvement, if any.

4. Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost-saving measures, if any. The review will include, but not be limited to, the role of the IEP, routing, scheduling, operations and staffing.

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

FCMAT
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FCMAT appreciates the opportunity to serve the Siskiyou County Office of Education and extends thanks to all the staff for their cooperation and assistance during fieldwork.

Sincerely,

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

The Siskiyou County Office of Education is located in Yreka, California, which is also the county seat. It provides support services for approximately 5,800 K-12 students in 25 school districts across the 6,347 square miles of Siskiyou County, located in northernmost California adjacent to the Oregon border.

In October 2016 the Siskiyou County Office of Education entered into a study agreement for FCMAT to assist the county office by reviewing its special education program and services. The study agreement specifies that FCMAT will perform the following:

1. Review special education teacher staffing ratios, class and caseload size using the statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.

2. Review the efficiency of para-educator staffing, including 1-to-1 para-educators, and make recommendations for improvement, if any. This will include reviewing the procedures used to identify the need for para-educators, and the process for monitoring para-educator assignments and determining the need for continued support from year to year.

3. Analyze staffing and caseloads of related service providers such as speech therapists, psychologists, occupational and physical therapists, behavior specialists, adaptive physical education teachers, credentialed nurses and others, and make recommendations for improvement, if any.

4. Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost-saving measures, if any. The review will include, but not be limited to, the role of the IEP, routing, scheduling, operations and staffing.

Study and Report Guidelines

FCMAT visited the county office on November 15-16, 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 Teacher Caseloads and Teacher Assistance
- Related Service Provider (formerly Designated Instruction Provider) Caseloads
- 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:

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*As a member of this study team, this consultant was not representing his respective employer but was working solely as an independent contractor for FCMAT.

Executive Summary

The Siskiyou County Office of Education (county office) does not have any formal evaluation process for determining the need for paraeducators (whom it refers to as teacher assistants) in special education classrooms and/or for students who require more intensive direct support. When a student or a classroom requires more instructional support than Education Code or industry standards, local education agencies (LEAs) typically use a formal Special Circumstance Instructional Assistance (SCIA) evaluation process. This process enables LEAs to use a consistent and transparent procedure for determining the need for additional resources. It would benefit the county office to use the SCIA evaluation process to determine when a student or a classroom requires more teacher assistant support than Education Code or industry standards. If this process is used, policies and procedures should be developed, and the county office should conduct a review of all teacher assistant placements so that it can use these resources more effectively. It will also need to provide employees with professional development regarding this new process to ensure a common understanding throughout all county office-operated programs and to implement the process effectively.

The county office does not have caseload guidelines for all programs and classes. Administrators and direct service providers consistently reported that the county office does not have a process for determining the staff support required per class, although staff have regularly asked for processes and clarifications. Employees reported that mid-level administrators were not clear about the criteria or reasons for when staff are added or moved to or from a program.

When reviewing staffing ratios and caseload sizes using statutory requirements and industry standards, FCMAT was unable to determine the rationale for staffing allocations for the various programs, and most seemed overstaffed upon first review. FCMAT does not recommend a reduction in staff until the county office formally analyzes the need for staff based on students' needs. The SCIA process should be used to determine the need for teacher assistant staffing in classrooms. There are many variables to consider, including the following:

- The large geographic region served, which requires some staff to travel more than usual.
- Whether additional staff are required due to specialized student needs.
- Students with significant behavioral and safety needs.
- Students who need support for mainstreaming into general education classes.

Staff report that there are few professional development opportunities for certificated teachers or classified teacher assistants, though these employees appear eager for professional development opportunities. Certificated teachers and classified assistants for both general education and special education should receive consistent and ongoing professional development because this will make them better equipped to support all students. Local educational agencies (LEAs) that do not offer regular training and professional development are more likely to add staff to address behaviors rather than have existing staff implement learned strategies to help students be successful.

Staff indicated that the county office lacks a formal process for determining a student's need to be enrolled in extended school year (ESY) as part of a free appropriate public education (FAPE) outlined in the Education Code. The county office should develop and implement a process for determining the need for ESY and provide staff with professional development regarding this process. Staff indicated that there were 11 adults to 15 students, a ratio of 0.7-to-1, during 2016 ESY, which is well above the industry standard. Extended school year for special education has

the same industry standards for staffing as the regular school year for each individual program, so the county office should staff ESY accordingly. The county office has three certificated teachers with 200-day contracts who are required to teach ESY, and they should continue to do so. However, any additional instructional assistants should be included in the ESY staffing assignments only if the SCIA process finds unique circumstances that warrant additional staff.

The county office operates its own pupil transportation for special education students, providing transportation to approximately 85 of the 130 students (approximately 65%), who attend county office-operated classes at various schools throughout the county.

Like most LEAs, the county office receives inadequate transportation funding: during the 2015-16 school year, transportation funding accounted for approximately 28.7% of total costs, with the remaining costs billed back to the districts that use the service. For 2015-16, the overall transportation cost per pupil was approximately $6,492.66, which is reasonable for a large rural county.

School bus maintenance is performed by a local contractor, and the county office uses some other local vendors for other vehicle maintenance. The overall cost is relatively low and not sufficient to justify the county office creating a mechanic position.

The county office's parent transportation handbook essentially guarantees school transportation for all special education students. Parents complete a *Permission to Transport* form that requests transportation, but the form has no place for a county office official to verify that the service is appropriate or to indicate that it is the result of the Individualized Education Program (IEP) process. This is unusual. Typically, the IEP team meets and determines whether school transportation is a necessary related service to ensure FAPE and the Least Restrictive Environment (LRE). If the IEP team determines that transportation is necessary, school officials typically complete a transportation request form. Parents often complete an emergency contact form that might include other information about their child once transportation has been offered and accepted. The county office should revise its transportation assignment process to ensure that county office officials request the service through the IEP process.

The county office does not have a state-certified school bus driver instructor on staff; rather, it contracts with a certified instructor. The county office wants to have its transportation supervisor certified as an instructor; however, the supervisor does not have the five years of accident-free school bus driving experience that the California Department of Education (CDE) requires of candidates for its School Bus Driver Instructor Program.

Over time, the county office has created more routes that use vehicles other than school buses to transport students. A greater level of safety and care is required by law for school buses than for other vehicles. The county office should consider once again using school buses for these routes to ensure the highest level of safety for students.

Findings and Recommendations

Special Education Teacher Caseloads and Teacher Assistants

For the purposes of this report, the staffing of teachers and paraeducators is reported together.

The county office does not use a formal process for determining the need for paraeducators (which the county office calls teacher assistants) in classrooms or for students who require more intensive direct supports. FCMAT used industry standards or Education Code, as applicable, and this information is shown in the tables below. Local education agencies throughout California use teacher assistants in a variety of delivery models, most commonly for whole class support in resource and special day classrooms. Teacher assistants are also used to support mainstreaming or inclusion in the general education classroom, and to meet intensive behavioral, social/emotional or safety needs. FCMAT was unable to obtain a consistent formula or guideline when determining the need for teacher assistants.

When a student or a classroom requires more instructional support than indicated by Education Code or industry standards, LEAs typically use a formal Special Circumstance Instructional Assistance (SCIA) evaluation process. This process gives LEAs a consistent and transparent procedure for determining the need for additional resources. A sample has been included in Appendix A for reference. If the county office adopts an SCIA evaluation process, it should establish policies and procedures and conduct a review of all teacher assistant placements to use these resources more effectively. Professional development is also needed to successfully implement this process.

The tables below show current staffing levels in county office-operated programs, based on documents provided by the county office. The teacher assistant staffing in the charts do not include resource medical or licensed vocational nurse (LVN) support documented in the classroom. Staff consistently reported a lack of formal processes to determine class size and staffing needs within each classroom in the county programs. Employees reported that mid-level administrators were not clear about the criteria or reasons for when staff are added or moved to or from a program.

Preschool

The county office provides two special day class (SDC) preschools for students with moderate to severe disabilities. Education Code 56441.5 states:

> Appropriate instructional adult-to-child ratios for group services shall be dependent on the needs of the child. However, because of the unique needs of individuals with exceptional needs between the ages of three and five years, inclusive, who require special education and related services, the number of children per instructional adult shall be less than ratios set forth in subdivision (c) of Section 8264.8 for young children in a regular preschool program. Group services provided to individuals with exceptional needs between the ages of three and five years, inclusive, identified as severely disabled pursuant to Section 56030.5 shall not exceed an instructional adult-to-child ratio of one to five.

In interviews, staff indicated that many students in these two classes have significant social, emotional, academic and language challenges, as well as beginning learning and initial self-help skills challenges, indicating that the classrooms should be staffed at an adult-to-student ratio of

at least 1-to-5 and as high as 1-to-3. Because of the geographical challenges and the needs of the students served, a ratio of 1-to-3 was used for this report. The two classes are offered five days a week for 3.5 hours per day. According to county office data, the adult-to-student ratio in the two classes differs. FCMAT was unable to determine the rationale for the staffing allocation for these two classes. Employees indicated they did not know how staff were assigned to the classrooms or the number of hours needed in the classes. FCMAT calculated the need based on a 1-to-3 ratio and 3.5 hours per day. The county office staffs the classes with four-hour per day teacher assistants. The teachers are full-day employees with 3.5 hours of instructional time. Based on the Education Code and county office data, the county office-operated preschool program for students with moderate to severe disabilities is overstaffed, and staffing could be reduced by 0.7 full-time equivalent (FTE) teacher assistant positions. However, FCMAT does not recommend a reduction until the county office formally analyzes the need for support staff based on specific student needs.

Program Preschool Moderate/ Severe	Total Teacher FTE	Total Students	Total Ratio	Industry Standards (FTE adult-to-student ratio)	Teacher assis- tants by hours/ FTE (based on 8 hour FTE)	Industry Standards: 1:3 adult to student ratio
SDC	1	13		1:3	14 hours (1.8 FTE)	Based on 15 students requires 5 total staff, but 14 hours of TAs.
SDC	1	7		1:3	12.5 hours (1.6 FTE)	Based on 9 students requires 3 total staff, but 7 hours of TAs.
SDC Total	**2**	**20**	**1:10**	**2:6**	**26.5 hours (3.3 FTE)**	**21 hours (2.6 FTE)**

Source: County office data and Education Code 56441.5

Resource Specialist Program

Education Code 56362(c) states*:*

> Caseloads for resource specialists shall be stated in the local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the board. No resource specialist shall have a caseload which exceeds 28 pupils.

In addition, Education Code 56362 (6) (f) also states:

> At least 80% of the resource specialists within a local plan shall be provided with an instructional aide.

The county office contracts with districts to provide instructional aide support using district staff for students served by the itinerant resource specialist. The county office has 3.0 FTE resource specialists. The county office provides specialized academic instruction to districts that have a total enrollment of less than 120 students. The three resource specialists currently serve 14 areas including the county jail and court and community school. Because of the large geographical area served, the resource specialists travel more than the average, and thus FCMAT does not recommend reducing teaching staff by 0.75 FTE to maximize caseloads.

Program	Total Teacher FTE	Total Students	Total Ratio	Education Code FTE-to-Student Ratio	# of hours teacher assistants
RSP	3	63	1:21	1:28	7

Source: County office data and Education Code 56362(c)

Special Day Classes

There are no Education Code guides or mandates for special day class (SDC) caseloads; therefore, FCMAT used industry standards for this study, which are included in the tables below. The county office does not have a manual or brochure that describes its SDC service delivery models or program, and staff indicated there was not a clear procedure or process for referring students to an SDC.

The county office provides eight SDCs countywide for elementary school students with moderate to severe disabilities, serving approximately 69 students with significant cognitive delays.

Compared to the industry standard staffing ratio of one teacher to 10-12 students, the county is overstaffed by 1.1 certificated FTE (based on one teacher to 10 students). However, because the county office serves a large geographical area, FCMAT does not recommend a decrease in certificated staffing at this time.

The county office provides 21.7 FTE teacher assistants in the elementary classes for moderately to severely disabled students. Compared to the industry standard of two six-hour assistants per classroom, the county office is overstaffed by 9.7 FTE teacher assistants. Because the county office has no process for determining the allocation of additional support staff for classes based on students' specific needs, FCMAT could not analyze the staffing needed. Thus FCMAT is unable to determine whether students' specialized needs justify these 9.7 FTE. The table below shows the wide range of class sizes and number of instructional assistant hours per class in the county office's SDC program. Both administrators and direct service providers consistently reported that the county office does not have a process for determining the staffing needed in each class, though staff have regularly asked for processes and clarifications.

Program: Elementary Moderate/ Severe	Total Teacher FTE	Total Students	Total Ratio	Industry Standards (FTE teacher-to-student ratio)	Teacher assistants by hours and FTE (8 hours per day = 1.0 FTE)	Staffing needed per Industry Standards of two 6-hour assistants per class (8 hours per day = 1.0 FTE)
SDC	1	8		1:10-12	26 hours (3.3 FTE)	12 hours (1.5 FTE)
SDC	1	12		1:10-12	28 hours (3.5 FTE)	12 hours (1.5 FTE)
SDC	1	5		1:10-12	14 hours (1.8 FTE)	12 hours (1.5 FTE)
SDC	1	7		1:10-12	15 hours (1.9 FTE)	12 hours (1.5 FTE)
SDC	1	6		1:10-12	12 hours (1.5 FTE)	12 hours (1.5 FTE)
SDC	1	12		1:10-12	18.75 (2.3FTE)	12 hours (1.5 FTE)

Program: Elementary Moderate/ Severe	Total Teacher FTE	Total Students	Total Ratio	Industry Standards (FTE teach-er-to-student ratio)	Teacher assis-tants by hours and FTE (8 hours per day = 1.0 FTE)	Staffing needed per Industry Standards of two 6-hour assistants per class (8 hours per day = 1.0 FTE)
SDC	1	9		1:10-12	29 hours (3.6 FTE)	12 hours (1.5 FTE)
SDC	1	10		1:10-12	30.5 (3.8 FTE)	12 hours (1.5 FTE)
SDC Total	**8**	**69**	**1:8.6**	**8:80-96**	**173.25 hours (21.7 FTE)**	**96 hours (12.0 FTE)**

Sources: County office data and industry standards

The county office provides two special education classes for students who require mental health and social emotional support. Most students are eligible for this service because they have been identified as emotionally disturbed. Based on industry standards, these two classes are appropri-ately staffed with instructional assistants but are overstaffed with certificated teachers by 0.8 FTE (based on one teacher to 10 students). Because the county office serves a large geographic area, FCMAT does not recommend a certificated staffing reduction.

Program: Moderate/ Severe Emotionally Disturbed	Total Teacher FTE	Total Students	Total Ratio	Industry Standards (FTE teach-er-to-student ratio)	Teacher assis-tant hours and FTE (8 hour per day = 1.0 FTE)	Staffing need-ed per Industry Standards of two 6-hour assistants per class (8 hours per day = 1.0 FTE)
SDC	1	5		1:8-10	10 hours (1.3 FTE)	12 hours (1.5 FTE)
SDC	1	7		1:8-10	13 hours (1.6 FTE)	12 hours (1.5 FTE)
SDC	**2**	**12**	**1:6**	**2:16-20**	**23 hours (2.9 FTE)**	**24 hours (3 FTE)**

Sources: County office data and industry standards

The county office operates two classes for secondary school students with moderate to severe disabilities. These classes have appropriate certificated staffing and caseloads; however, they may be overstaffed by 0.9 FTE teacher assistants. Because this analysis does not include consideration of students who may have significant behavioral and safety needs or students who need support for mainstreaming, the county office should exercise caution and not make staffing changes until it has used the SCIA process to determine staffing needs.

Program: Secondary Moderate/ Severe	Total Teacher FTE	Total Students	Total Ratio	Industry Standards (FTE teach-er-to-stu-dent ratio)	Teacher assis-tant hours and FTE (8 hours per day = 1.0 FTE)	Staffing needed per Industry Standards of two 6-hour as-sistants per class (8 hours per day = 1.0 FTE)
SDC	1	11		1:10-12	15 hours (1.9 FTE)	12 hours (1.5 FTE)
SDC	1	11		1:10-12	16 hours (2.0 FTE)	12 hours (1.5 FTE)
SDC	**2**	**22**	**1:11**	**2:10-22**	**31 hours (3.9 FTE)**	**24 hours (3 FTE)**

Sources: County office data and industry standards

The county office operates one transition class for students with disabilities who are 18-22 years old and who have not completed high school with a diploma and require additional life skills and community skills. This program is located on the local community college campus. Students are given work skills training and jobs on campus until they are sufficiently independent to work off campus with supervision. Students learn daily life skills to enable them to become more independent. The class size is low compared to industry standards, but instructional assistant staffing is appropriate based on industry average.

Program: Transition 18-22	Total Teacher FTE	Total Students	Total Ratio	Industry Standards (FTE teacher to student ratio)	Teacher assistant hours and FTE (8 hours per day = 1.0 FTE)	Staffing needed per Industry Standards of two 6 hour assistants per class (8 hours per day = 1.0 FTE)
SDC	1	7		1:12-17	10.5 hours (1.3 FTE)	12 hours (1.5 FTE)
SDC	**1**	**7**	**1:7**	**1:12-17**	**10.5 hours (1.3 FTE)**	**12 hours (1.5 FTE)**

Source: County office data and industry standards

Professional Development

Staff reported that there are few professional development opportunities for certificated teachers or classified teacher assistants, though both certificated and classified employees appeared eager for professional development opportunities.

Certificated teachers and classified teacher assistants in both general education and special education need to receive consistent and ongoing professional development. This training can be delivered in a variety of ways including online, in-person, hands-on and through modeling. Educators who receive consistent and ongoing training are better equipped to support all students, able to differentiate and scaffold their instruction, and better able to work with hard-to-handle students. When staff are equipped with proper strategies and tools, LEAs see many benefits including an optimization of fiscal resources. For example, LEAs that do not offer regular training and professional development are more likely to add staff to address student behaviors rather than use existing staff who can implement strategies they have learned to help students be successful.

Administrators indicated that recent certificated bargaining agreements have increased teachers' noninstructional work days, which allows for professional development. Bargaining agreements with classified staff do not include additional work days.

Classified staff could be offered paid professional development after the school day, on weekends, or through in-class on-the-job training. Providing a structured plan for all staff to receive training before the start of school allows collaboration among staff with similar jobs and among those who work in the same classroom to maximize their learning and implement new strategies. Initial professional development topics might include behavior, differentiated instruction, accommodations and modifications.

Extended School Year

The Code of Federal Regulations, Title 34, Subtitle B, Chapter III, Part 300, Subpart B, §300.106 states the following with regard to extended school year (ESY):

> Extended school year (ESY) services. (a) General. (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE, consistent with paragraph (a)(2) of this section. (2) Extended school year services must be provided only if a child's IEP Team determines, on an individual basis, in accordance with §§300.320 through 300.324, that the services are necessary for the provision of FAPE to the child. (3) In implementing the requirements of this section, a public agency may not-- (i) Limit extended school year services to particular categories of disability; or (ii) Unilaterally limit the type, amount, or duration of those services. (b) Definition. As used in this section, the term extended school year services means special education and related services that-- (1) Are provided to a child with a disability-- (i) Beyond the normal school year of the public agency; (ii) In accordance with the child's IEP; and (iii) At no cost to the parents of the child; and (2) Meet the standards of the SEA.(Authority: 20 U.S.C. 1412(a)(1))

The county office offers ESY to students in accordance with their IEPs; however, staff indicated that there is not a formal process for determining a student's need for ESY to ensure FAPE. Districts statewide have and use processes and procedures for this, and a sample of these is included in Appendix B. Employees reported that 15 students attended ESY during the summer of 2016, served by 11 instructional staff. This is a 0.7-to-1 staff-to-student ratio, which is well above any industry standard listed in the tables above for the various programs offered. Documents indicated that the county office has three certificated teachers with 200-day per year contracts who are required to teach ESY. These teachers should continue to do so. However, teacher assistants should be assigned to ESY only if the SCIA process identifies unique circumstances that warrant additional staff. If enrollment increases, staffing should be adjusted accordingly in keeping with industry standards.

Recommendations

The county office should:

1. Develop policies, procedures and guidelines for assigning instructional assistants to classes or students.

2. Provide professional development to all staff regarding the SCIA process and its implementation.

3. Reallocate instructional staff throughout the county, and reduce staffing if necessary.

4. Create and use a professional development survey to elicit feedback from teacher assistants and teachers. Use this information to help guide and determine professional development offerings.

5. Provide a variety of professional development to general education and special education teachers and teacher assistants, including online, in-person, modeling and hands-on training.

6. Develop and implement within the business office a rationale and process for approving increases and decreases in staffing.

7. Develop caseload guidelines for all programs and classes.

8. Provide a consistent, clear and understandable process for determining staffing needs.

9. Develop and implement a process for determining students' eligibility for participation in ESY, and provide staff with professional development regarding this process.

10. Staff ESY according to industry standards.

Related Service Provider (formerly Designated Instruction Provider) Caseloads

Adapted Physical Education

The county office does not employ adapted physical education (APE) teachers; rather, students with APE needs receive indirect consultation provided by the occupational therapist. A student may have multiple related services that are needed to help him or her benefit from the educational program; however, the Adapted Physical Education Guidelines provided by the CDE (Revised 2012) state that occupational therapy, physical therapy and adapted physical education may not be substituted for one another.

Recommendations

The county office should:

1. Closely examine the adapted physical education needs of students with disabilities, and ensure that related services are provided by a certificated adapted physical education teacher.

2. Provide training and support to IEP teams to help them document the related services required for each student's educational benefit.

3. Define the collaborative roles of occupational and physical therapists and adapted physical education teachers.

4. Foster close collaboration among and between occupational therapists, physical therapists and adapted physical education teachers to ensure seamless contributions to the educational program and each student's IEP goals.

Deaf and Hard of Hearing and Audiology

County office documents show that the county office employs a 1.0 FTE deaf and hard of hearing (DHH) specialist and 3.0 FTE resource aide positions to serve 16 schools. Two of the aide positions were filled and one was open at the time of FCMAT's fieldwork.

The caseload for the DHH specialist is 21 students, which is in line with the industry standards established in other districts throughout California. However, in Siskiyou County this position serves students in 16 schools spread across a wide geographical area; this requires significant travel, which results in less time for students.

Provider	FTE	# of students	Caseload	Industry Standard Caseload
Deaf and Hard of Hearing Specialist	1.0	21	21	15-25

Sources: County office data and industry standards

The county office does not employ an audiologist for the annual audiology examination for students with hearing impairments. It was not clear during staff interviews how these requirements are being met. Some staff presumed parents were providing for the audiology examinations. These examinations are critical to education planning for students with hearing impairments, particularly when changes in hearing require adjustments in specialized equipment used in the classroom. The county office needs to provide annual audiology examinations for

these students with a licensed audiologist and ensure that the results are discussed and taken into account when developing annual IEPs.

Recommendations

The county office should:

1. Ensure that the open DHH resource aide position is filled to maintain support to DHH students throughout the county.

2. Provide annual audiology examinations, by a licensed audiologist, for students with hearing impairments.

Vision

The county office employs two individuals for a total of 1.0 FTE vision specialist position (one specialist is 0.4 FTE and the other is 0.6 FTE). The average caseload is 21 students at 16 schools throughout the county, thus these staff are itinerant. Services for visually impaired (VI) students include orientation and mobility (OM) training as needed. The industry standard caseload for VI and OM is 10-30 students, thus the county office's staffing is within the standard.

Provider	FTE	# of students	Caseload	Industry Standard Caseload
Vision and OM Specialist	1.0	21	21	10-30

Source: County office data and industry standards

Recommendation

The county office should:

1. Maintain its current staffing for students with visual impairments in accordance with the industry standard.

Mental Health Services and Psychologists

On June 30, 2011, Assembly Bill (AB) 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. These changes ended the state mandate on county mental health agencies to provide mental health services to disabled students. As a result, LEAs are now solely responsible for ensuring that disabled students receive educationally-related mental health and related services.

The Siskiyou County Special Education Local Plan Area (SELPA) receives approximately $326,826 annually from the CDE for mental health services. Although not required, it is a best practice to have a written plan for providing all programs and services for students with disabilities, including mental health services. The SELPA's current plan does not include mental health services.

The county office psychologists provide crisis counseling, short-term counseling and direct counseling as designated by students' IEPs. Disabled students who need more intensive counseling are referred to the county office psychologists for educationally-related mental health services. Services provided include traditional psychologist evaluation support duties in districts, as well

as transition age assessments and support. The psychologists also serve preschools in the northern and southern areas of the county.

Current educationally-related mental health services include 2.0 FTE behavioral trainers (employees of Remi Vista) to support and train 1-to-1 teacher aides (county office employees). Additional classroom support is provided by 2.7 FTE behavioral aides (Remi Vista employees). All behavioral services and trainings are provided by Remi Vista, a nonpublic agency certified by the CDE. County office staff reported that there are no clear guidelines for documenting the services provided or the provider. It is a best practice to have the director of county special education monitor such services and providers.

The county office has no protocol for the use of Remi Vista aides in county office-operated or district programs, and no provision for residential placement. However, staff reported that some students may need residential treatment but have not been assessed for this service.

The county office employs 4.0 FTE psychologists to serve 24 school districts with a total enrollment of 5,804 students in 2015-16 (according to Dataquest), for a psychologist-to-student ratio of 1-to-1,451, which is a lower level of staffing than the industry standard ratio of 1-to-1,321 provided by kidsdata.org. Based on the industry standard, the county office is understaffed by 0.4 FTE psychologists.

Provider	FTE	# of students	Caseload Ratio	Industry Standard Ratio
Psychologist	4.0	5,804	1:1,451	1:1,321

Source: County office data and Dataquest 2015-16

Recommendations

The county office should:

1. Consider increasing psychologist staffing by 0.4 FTE to achieve industry-standard staffing.

2. Create a written mental health plan in cooperation with SELPA member districts. Ensure that the plan includes the full range of services for students with disabilities, including residential treatment and mental health services

3. Create protocols for referring students to assessment for mental health services, and provide SELPA member districts with the training and support needed to fully implement the new protocols.

4. Create guidelines and protocols for documenting the educationally necessary mental health services provided, and ensure that the director of county special education monitors these services and providers.

Nurses

The county office employs 3.63 FTE school nurses; these positions are funded by sources other than the special education budget. The nurses provide all mandated hearing and vision screenings throughout the county. FCMAT used the statewide average staffing ratio for school nurses in California provided by www.kidsdata.org, which is 1-to-2,784. According to the county office's data, its nurse staffing-to-student ratio is 1-to-1,599 which is a higher level of staffing than the industry standard.

The county office employs 3.5 FTE medical resource assistants, who are licensed vocational nurses (LVNs) working under the direction of the school nurse to provide specialized healthcare for disabled students. The school nurse is responsible for developing specialized health care procedures for each student and for training and monitoring the LVNs assigned to individual students.

The current annual salary for medical resource assistants, including benefits, is $33,624. Staff expressed concerns about the title and the low salary for this position, which is held only by LVNs. This position title is unique to the Siskiyou County Office of Education; in most districts reviewed by FCMAT, the position title is LVN and the salary range is higher. It would benefit the county office to review the salary range for this position.

Provider	FTE	# of students	Caseload	Industry Standard Caseload
Nurse	3.63	5,804	1,599	2,784

Source: County office data and kidsdata.org

Recommendations

The county office should:

1. Analyze its nurse staffing and determine if reductions are needed to bring staffing closer to the industry standard.

2. Change the job title for medical resource assistants to LVN.

3. Review and consider increasing the salary range for the LVN position.

Occupational and Physical Therapy

The county office has 2.0 FTE unfilled and open occupational therapist (OT) positions for the 2016-17 school year. It is filling 0.88 FTE OT position using a nonpublic agency called Tiny Eye, which has conditional approval for certification from the CDE. An additional 0.75 FTE OT position is being filled using an independent contractor. No physical therapist (PT) was listed in the county office's staffing list. The county office's per-FTE caseload for OT is 27 students; the industry standard per-FTE caseload for OT and PT is 45-55 students.

Provider	FTE	# of students	Caseload	Industry Standard Caseload
Occupational Therapist	1.63	44	27	45-55

Source: County office data and industry standards

Based on the data in the above table, the county office needs only 1.0 FTE OT position and thus could consider eliminating its 1.0 FTE of its open OT positions for an estimated annual savings of $73,508. This amount is based on the contracted rate for non-county office service because the county office has been unable to hire its own occupational therapists.

Recommendations

The county office should:

1. Continue to monitor the caseloads for occupational therapy and use the industry standard for staffing purposes.

2. Consider reducing the staffing for occupational therapy by 1.0 FTE if the caseload remains consistent.

Speech and Language Pathologists

The county office employs 4.26 FTE speech and language pathologists, who provide speech and language services to 25 districts as well as to preschool age students in the northern and southern regions of the county.

The county office also uses an outside agency called Tiny Eye to provide telepractice (that is, delivering speech and language pathology and audiology services by telecommunication, linking clinicians to clients and to other clinicians for assessment, intervention or consultation) to extend speech and language resources when they are unable to fill open positions with qualified staff. Tiny Eye has conditional approval from the CDE.

The county office has a 0.63 FTE staff speech and language pathologist employee position unfilled and open. This position is being filled for the time being by a nonpublic agency at an annual cost of $115,834. The annual cost of the part-time speech and language assistants totals $119,984.

FCMAT found discrepancies in speech and language caseload data provided by the county office. The administrative staff's calculation of caseloads includes students with IEPs as well as students who are being evaluated but who are not yet eligible for special education services. Administrators reported that 298 students countywide are eligible for speech and language services. The Code of Federal Regulations, Title 34, Subtitle B, Chapter III, Part 300, Subpart B, §300.323 (c) (1-2) states that once eligibility is established and an IEP is written, a student with a disability shall receive all services; students should not be considered eligible until an evaluation and IEP are completed.

Data gathered from the Special Education Information System (SEIS) indicates that a total of 139 students in the county are eligible for speech and language services; this includes 23 preschool students and 116 students in grades K-12. Because the SEIS documents students with IEPs, this data should be the primary reference used when determining special education staffing. The SEIS data differs significantly from the report from the county office administrators. FCMAT used the SEIS data for its staffing analysis.

California Education Code Section 56363.3 states that the average SELPAwide caseload for speech and language pathologists serving students in grades K-12 shall not exceed 55 students. The county office's current average speech and language caseload for K-12 students is 29.8.

Education Code Section 56441.7(a) sets the maximum caseload for speech pathologists working with preschool students at 40 students. The county office's current average caseload of preschool age students is 23. The county office's preschool speech and language pathologist is also responsible for all initial evaluations of preschool students referred for special education.

Based on the SEIS caseload data, the district is overstaffed by 1.7 FTE in speech therapists compared to statutory requirements in Education Code for K-12 students. Reducing staffing to achieve the maximum statutory caseload could result in an annual savings of $141,257. Because the preschool speech and language therapist provides evaluation services as well as speech and language therapy, it would benefit the county office to continue this position at the current caseload.

Travel time is a significant factor in some staffing decisions for speech and language. Staff reported a 2.5-hour commute to provide one session of speech therapy.

Provider	FTE	# of students	Caseload	Statutory Maximum
Speech Pathologist K-12	3.89*	116	1:29.8	Average 55
Speech Pathologist Pre-K	1	23	1:23.0	Maximum 40

Source: County office and Education Code sections 56363.3 and 56441.7(a)

* This includes 0.63 FTE provided by a nonpublic agency.

Recommendations

The county office should:

1. Ensure that staffing is based on eligible students only.

2. Consider reducing travel time by assigning Tiny Eye to provide services in remote areas in lieu of extensive travel by staff.

3. Provide all speech and language specialists with training to help ensure compliance when evaluating students to determine eligibility for special education services.

4. Consider reducing speech pathologist staffing by 1.7 FTE for a potential annual savings of $141,257

Transportation

Funding and Finance

School transportation is one of the most poorly funded programs in California's education budget. It was fully funded up to 1977. At that time, LEAs would report their operational costs and were fully reimbursed in the subsequent year. After the passage of Proposition 13, California gradually reduced the percentage of reimbursement. In the 1982-83 school year the state capped transportation funding for each LEA at 80% of the reported costs at that time. Over the years, there have been occasional cost of living adjustments (COLAs), but as costs increased, the almost completely unchanged funding covered an ever smaller percentage of the need. In the 2007-08 school year, transportation funding covered approximately 45% of the statewide approved costs; there is considerable variance from this average among individual LEAs because of differences in demographics and needs. During the Great Recession, California reduced all categorical program funding by approximately 20%. That cut to pupil transportation funding has never been restored. The 2013-14 school year was the first year of the Local Control Funding Formula (LCFF). Most categorical programs were folded into this funding formula; however, pupil transportation funding remained separate. Under LCFF, transportation funding was frozen at the 2012-13 level and has had no COLAs or other increases. There is a requirement for LEAs to have a maintenance of effort (MOE), meaning that an LEA must spend at least as much as it received the prior year, which so far has been frozen at the 2012-13 funding level.

Under Revenue Limit funding, the CDE collected pupil transportation data (Form TRAN), which was published annually and used to compare revenue to expenses. Under LCFF, however, the CDE no longer collects this data. The county office received $158,466, or approximately 28.7% of its transportation funding, from the state in 2015-16. The remainder of the program costs were billed back to the participating school districts using a formula delineated in the Siskiyou County Special Education Local Plan Area (SELPA) documents.

That formula specifies that 50% of the bill-back is based on the one-way mileage of each student, and 50% on the number of students served as calculated at December 1 and April 1 of each school year. In addition, over the past three school years, the county office has assessed a vehicle replacement amount, based on the depreciation of the current fleet. For the 2015-16 school year that amount was $54,494.90 and is included in the total bill-back amount.

For the past five school years, the total amounts billed back to the school districts are as follows:

- 2011-12: $327,678.12
- 2012-13: $315,157.02
- 2013-14: $341,112.66
- 2014-15: $322,545.00
- 2015-16: $338,915.58

For the 2015-16 school year, the total transportation budget, including the bus replacement amount, was $551,876.49. The total per-pupil cost for transportation was approximately $6,492.66. The average statewide per-pupil cost for special education transportation for the 2011-12 fiscal year, the last year this data was collected by the CDE, was approximately $6,500. Considering that costs have undoubtedly risen since then and FCMAT typically sees higher transportation costs in rural counties, the approximate current per-pupil cost for students in Siskiyou County is reasonable.

Each county office driver is either a teacher assistant/driver (driving a vehicle other than a school bus) or a teacher assistant/bus driver (driving a school bus). The teacher assistant/driver employees receive a step 1 hourly salary of $11.78, and the teacher assistant/bus driver employees receive a step 1 hourly salary of $12.02. Each classification is paid the same amount for all hours worked, regardless of whether they are driving or working as a teacher assistant in the classroom. The teacher assistant time is charged to the special education budget, and the driver time is charged to the transportation budget. The county office has nine teacher assistant/drivers and five teacher assistant/bus drivers; all of these are full-time, ten-month positions.

The transportation department manages the repair and maintenance of all county office vehicles. All parts and repair labor are charged to the appropriate programs. All of the school bus maintenance is performed by Evans Transportation, a local school bus contract provider in Yreka. Repair and maintenance of other vehicles are performed by Jim Wilson Ford and other local vehicle repair shops. The county office issues open purchase orders for repairs and parts for transportation department vehicles; parts and repairs for all other vehicles require a separate purchase order.

The county office does not own or operate its own fueling system; fuel is purchased at convenient local card lock locations. Drivers and other county office employees who regularly drive county office vehicles are assigned fueling cards that can be used at these locations. Card lock fueling stations are typically unattended and sell fuel at a lower price for commercial operations. School districts and county offices of education are government entities and thus legally exempt from federal excise taxes for gasoline and diesel, and from state excise tax for diesel used for pupil transportation (except for the $0.01 per gallon excise tax that is reported quarterly). The county office seeks federal and state excise tax reimbursement when using vendors that charge the tax. Fuel receipts appear to be checked and monitored to ensure that fuel is purchased only for county office vehicles. There are no reports of inappropriate fuel card use by county office employees.

Tires are purchased locally from Les Schwab and Weldon Tire. Tires used for local government purpose are also legally exempt from federal excise tax. Les Schwab is not charging this tax, but Weldon Tire is. The county office is also eligible for state bid pricing for tires. Invoices FCMAT reviewed did not indicate whether the county office is benefitting from state bid pricing. Sometimes local vendors are able to provide a lower price than the state bid price.

The amounts invoiced for school bus and other vehicle maintenance in the 2015-16 school year do not appear excessive and are not sufficiently high for the county office to hire an in-house mechanic, particularly as the county office does not own or operate a vehicle repair garage. It is reasonable for the county office to continue having vehicle maintenance performed at outside vendors. The transportation supervisor and other county office maintenance staff do perform some light maintenance such as light bulb replacements and tire changes; this appears reasonable and cost effective.

No parents currently drive students and receive mileage payment in lieu of transportation service. The county office does not have an in-lieu parent contract in case such a situation arises. Appendix C contains a sample contract. It is a best practice for such a contract to clearly articulate responsibilities and the amount that will be reimbursed; this also helps limit the county office's liability in case of an accident.

Recommendations

The county office should:

1. Continue to seek reimbursement for federal and state excise taxes when purchasing fuel at card lock locations.

2. Ensure that it is receiving the state bid price for tires, or the lowest possible price on tires.

3. Continue to have vehicle maintenance performed by outside vendors and to perform some light maintenance in house.

4. Create and use a contract with parents whose students are eligible for transportation and who choose to drive their children to programs in lieu of receiving transportation. Ensure that the contract clearly articulates respective responsibilities and thus minimizes the county office's risk.

Routing and Scheduling

The county office's current procedure for determining whether a special education student will receive transportation is for parents to communicate their desire for transportation services to the transportation supervisor by submitting a Permission to Transport form. The transportation supervisor then schedules the service. This is an unusual procedure.

In accordance with the Federal Individual with Disabilities Education Act, (IDEA), school transportation is to be provided to special education students who require it as a related service to access their educational opportunities. However, this is normally determined by the IEP team during the IEP meeting. Typically, once this occurs, the IEP lead or program specialist will fill out a transportation request form that is transmitted to the transportation department.

The county office's transportation supervisor has begun attending IEP meetings for incoming students to ensure that their transportation needs are properly met and that this is communicated to parents. However, the county office does not have an IEP process in place to ensure that the transportation service meets the requirement for LRE or FAPE. In fact, county office documents state that every student is guaranteed transportation. There is no place on the county office's form for a county office official to indicate that they have authorized or approved the service.

In addition, the county office does not provide an accompanying but separate emergency contact form for parents to complete with details about their student's needs that may not be evident on the transportation request. This is unusual: most school district and county offices of education require such a form.

The county office currently transports approximately 85 special education students on 14 routes. School buses are used for three of these routes; for the remaining 11 routes, the county office uses sedans, small vans or minivans. In the past, school buses were used on more routes, but as buses have gone out of service or drivers have not been available, the county office has increasingly relied on other vehicles.

According to California Vehicle Code Section 545, students transported to school or school activities in California must be in a school bus or in a vehicle that is designed for and carries fewer than nine passengers and the driver. Only one wheelchair passenger may be on any such vehicle. The county office meets these requirements; it has an average of 6.07 students per route,

which is a reasonable passenger load for the geographic size of the county and the distances traveled. Some students are transported more than 50 miles to their school. Programs are located at multiple schools throughout the county including in Etna, Mt. Shasta City, Weed, Yreka, Fort Jones and Happy Camp.

For the 2016-17 school year, the transportation department eliminated one route, reducing total routes from 15 routes to 14. The transportation supervisor arranges and schedules routes with input from drivers. The department does not have a computerized routing system, but none is warranted for such a small program.

The transportation supervisor and drivers communicate using cell phones issued by the county office; these phones do not have texting capability. In addition, staff use personal telephones and text when necessary. Some areas of the county have no cell phone service. The current arrangement appears to be the best option available for the transportation department. When the transportation supervisor is driving a route, the special education department secretary helps communicate with drivers, parents and schools.

When there is a shortage of drivers and some routes are not covered, the transportation supervisor and drivers arrange for vehicles on other routes to pick up students. This extends route time, and students are often late to school in the morning and late home in the afternoon as a result. These changes are typically communicated to parents as needed. The county office has no substitute drivers available in case existing drivers are absent.

Even on a typical fully staffed day, a number of students are often delivered to school after school starts in the morning and picked up before the dismissal bell in the afternoon, regularly reducing the amount of time students are in the classroom. This is typically done to accommodate the transportation department's logistical needs. Although this is convenient for the transportation department and most likely helps keep transportation costs low, the practice could be reducing some students' access to a FAPE as required by the IDEA.

Although maintaining full-time, ten-month positions for the drivers by also using them to assist in classrooms most likely increases driver recruitment and retention, these types of split positions typically are not the most reliable method of providing consistent, calculable aide time in classrooms. The county office determines that these positions are drivers first, so these employees are pulled from classroom duties any time they are needed to drive. Teachers consistently reported that they cannot rely on the driver positions as regular aides in the classroom.

Many of the drivers park the county office vans and school buses at their homes overnight or at another local school district site. This typically helps keep operating costs low.

The county office has two nurses who are assigned to students on bus routes based on their specific needs. No aides are assigned to school bus routes.

Some special education students 18-22 years old in the transition program ride public transit buses, and others with mild to moderate disabilities who attend classes at their local school district are transported by that school district's school buses.

Most of the routes are short, usually an hour or less per morning or afternoon run. Most of the schools that the county office transports students to and from have bell times that are very close to one another, which does not allow for creative or efficient routing. Having different bell times at some local programs would enable one bus route to transport students to and from several sites on time. Although the county office cannot control the bell times of the campuses where its students attend, it may be beneficial to discuss this with the school districts.

Recommendations

The county office should:

1. Revise its transportation assignment process to ensure that the need for transportation as a related service is determined by the IEP team at an IEP meeting and that county office officials approve the service rather than parents requesting it.

2. Provide and ensure that parents complete an emergency contact and supplemental information form for their student.

3. Evaluate its practice of delivering students to school after the start of the school day and picking them up before the end of the school day, and find the best way to remedy this situation. Start a conversation with school districts about adjusting bell times to maximize transportation efficiency.

Driver Training and Safety

The requirements for school bus driver training in California are contained in Education Code sections 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*. In addition, 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. In addition, special classroom training is required in the last year of certificate validity to renew. All testing is performed through a specialized officer at the California Highway Patrol (CHP) Office. The license and special certificate are issued by the Department of Motor Vehicles (DMV). It requires many more hours of both classroom and behind-the-wheel training to teach all of the units in the referenced manuals. 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. Driver training can only be performed by a State-Certified School Bus Driver Instructor. Behind-the-wheel training may be given by a State-Certified Delegated Behind-the-Wheel Instructor. The State-Certified Delegated Behind-the-Wheel Instructor cannot perform classroom training and cannot document instruction. School bus drivers receive a commercial, Class B license and a California Special Driver Certificate valid for driving a school bus. In addition, school bus drivers must be enrolled in the DMV's Pull Notice program, which delivers a copy of a driver's record to the employer. School bus drivers must also be enrolled in a drug and alcohol testing program in compliance with federal law, and a fingerprinting program (background check) that is separate from fingerprinting for school employees, so that the DMV and CHP are notified of any arrests or convictions that could affect licensing.

Drivers who transport students in vehicles other than school buses are not required to have any driver training and need only maintain their regular Class C license. Like other school employees, they are required to be fingerprinted. However, the county office also ensures that all of these drivers are enrolled in the DMV's Pull Notice program, as well as a drug and alcohol testing program similar to the one required for school bus drivers. The county office also provides some training for these drivers.

The county office does not have a State-Certified School Bus Driver Instructor on its staff; rather, it contracts with an independent instructor who works for Evans Transportation. This individual conducts the appropriate training and delivers the documentation to the county office for its records. The instructor charges $45 per hour for classroom or behind-the-wheel instruction, which is in line with amounts paid by most other LEAs for this service. The driver training records FCMAT examined were in order and indicate that drivers are receiving the minimum required training. It would be ideal for the county office to have a State-Certified School Bus Driver Instructor on staff because it would allow the department to train its own drivers and be prepared in case an outside instructor is not available.

The minimum requirement to apply for the CDE School Bus Driver Instructor Training Program is five years of accident-free experience as a certified school bus driver, or the equivalent specified by the CDE's criteria and determination. The county office wants to have its transportation supervisor certified as a school bus driver instructor. However, the transportation supervisor has no experience as a certified school bus driver. Another school bus driver in the department may have the required number of years of accident-free school bus driving experience. A current state-certified instructor must prepare and certify an applicant before they can attend the CDE School Bus Driver Instructor Training Program.

School bus drivers perform a pre-trip bus inspection as specified in Title 13 of the California Code of Regulations. The county office's school bus drivers perform and document this inspection, as do its drivers of other vehicles, thus ensuring that all county office drivers who transport students meet this same requirement.

Education Code Section 39831.3 requires LEAs that transport students to adopt a transportation safety plan and outlines items it must address. The county office has a plan that meets the requirements of this code.

Education Code Section 39831.5 requires LEAs that transport students to perform school bus evacuation drills and provide school transportation safety information for certain students. The county office is in compliance with these requirements.

The federal government has adopted Federal Motor Vehicle Safety Standards. More of those standards apply to school buses than to any other type of vehicle. In addition, Title 13 of the California Code of Regulations has school bus safety requirements for buses and operations.

California's statutes and regulations have special requirements regarding school bus driver training, licensing and operations; these are overseen by the CHP, the CDE and the DMV. These regulations exist to provide a higher level of safety and protection when transporting students. The county office has made a conscious decision to transition to using more vehicles other than school buses to transport students. This is legal and permitted; however, it provides a level of safety that is statistically lower, results in county office students being transported in two very different types of vehicles with different levels of care, and could potentially expose the county office to greater liability.

Recommendations

The county office should:

1. Work toward ensuring that a member of its staff is trained and can serve as a State-Certified School Bus Driver Instructor.

2. Consider transitioning back to using school buses for all students to ensure the highest level of safety.

Vehicle Maintenance and Fleet

Every school bus in California must be inspected annually by a Motor Carrier Inspector of the CHP to ensure compliance with all laws and regulations. Inspectors pay particular attention to steering, brakes and suspension. The CHP also performs an annual inspection of the terminal; this includes inspection of 20% of the school buses (randomly selected), vehicle maintenance records, driver records and federal drug and alcohol testing records. The CHP provides a report called the *Safety Compliance Report/Terminal Record Update*, more commonly known as the terminal grade. The most recent terminal grade report on the county office was dated December 28, 2015 and indicated a rating of satisfactory, which is the highest rating given by the CHP. The report also indicates the rating for the four previous years, all of which were satisfactory in all categories. The terminal grade is essentially the safety report card for school bus transportation for the county office, and it indicates a recent history of safe operation. The CHP has no responsibility to inspect or certify vehicles other than school buses, even if they are used to transport students. Thus there is no official or objective method for determining the safety of county office vehicles other than school buses.

School buses in California are required to be inspected by the LEA every 45 days or 3,000 miles, whichever comes first, in accordance with Title 13 of the California Code of Regulations, Section 1232 (13CCR1232). As noted above, the county office contracts with Evans Transportation for these inspections. Evans charges $85 per hour for labor, which is competitive with what other LEAs pay for truck or bus fleet maintenance. FCMAT reviewed a sample of mandatory school bus maintenance records and found that school buses are receiving their mandated 45 day/3,000 mile inspections.

The county office has six school buses on its fleet list. Two are listed as out of service, but it is unclear what condition has rendered them so. One of these buses was reported to have a "blown" engine but specifics were not provided.

The California Air Resources Board has adopted rules regarding diesel particulate emissions from trucks and buses. The rules require that diesel-powered school buses be replaced or retrofitted with a diesel particulate filter. The county office is in compliance with these rules. The transportation supervisor believes that one of the buses outfitted with a diesel particulate filter must be replaced by January 1, 2018; however, this is not the case. Buses that could not be outfitted with such a filter must be replaced by this date; those with such a filter can continue to be operated as long as the filter is working properly.

The county office's fleet list includes 14 vehicles other than school buses that are used for student transportation, including vans, minivans and a sedan. The county office ensures that each of these vehicles receives an annual safety inspection at a local auto dealership.

As noted above, the county office's transportation supervisor and maintenance staff perform some simple vehicle maintenance and tire work. This includes fitting all school buses and other vehicles with studded tires in the late fall through early spring.

Recommendation

The county office should:

1. Continue its current practices and arrangements for vehicle maintenance and inspections.

Appendices

Appendix A

Sample Special Circumstance Instructional Assistance Manual

SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE
(SCI ASSISTANCE)
MANUAL

San Luis Obispo County Special Education Local Plan Area
(SELPA)

January 2013

TABLE OF CONTENTS

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- Rolene Chubb, Autism/Intervention Coordinator, Atascadero Unified School District
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INTRODUCTION

Special Circumstances Instructional Assistance (SCI Assistance) is provided for a student in special education when additional support is necessary for the student to meet his or her goals and objectives. Typically, student support is provided in the context of the classroom and school environment, using existing supports. Occasionally, a student requires individual support for a designated period of time to address a unique need. When the *IEP* team is considering SCI Assistance, natural supports and existing staff must be considered first before moving forward with a SCI Assistance evaluation. A request for SCI Assistance is made only after other site interventions have been implemented with integrity and reviewed for efficacy. A student's educational program must be carefully evaluated to determine when and where the additional support is required.

Note that the acronym SCIA does not refer to a *person*. The "A" means "Assistance" not "Assistant(s)." The SCI Assistance evaluation process is not solely for the purpose of determining the need for an aide, hence this document refers to "SCI Assistance."

A primary goal for all students with special needs is to encourage, promote, and maximize independence. If not carefully monitored, additional assistance can easily and unintentionally foster dependence. As a result, the *IEP* team must periodically review and document the continued need and effectiveness of this additional support using an **Independence Plan**.

Information from this guide should be used to determine a student's individual need for SCI Assistance. This does not mean that all items contained in this handbook will be appropriate for all students. **Items in this handbook should be selected based on their relevancy in providing a comprehensive, detailed plan for support. The plan should be written with the primary goal to maximize and promote student independence.**

Consideration for Special Circumstances Instructional Assistance
FLOW CHART

Following discussion/request and prior to formal referral for SCI Assistance evaluation the *IEP* team will:

- Review *IEP* and *BSP* to ensure goals and strategies in place address all areas of need
- Review and exhaust all existing and available supports
- Gather and review records
- Make a determination of necessity of SCI Assistance evaluation and/or provide recommendations in lieu of evaluation
- If SCI Assistance evaluation is recommended then proceed to Step One

Preliminary
IEP Team

SCI Assistance Referral and Evaluation Process

Initiate Referral
- Complete/review referral forms, rubrics, *IEP* progress reports, packet
  - Communicate with district office and site administrator
  - Revise existing program as needed or move to Step 2

Step One
SCI Assistance Facilitator*

Notification/Permission
- Complete and send *Notification and Plan for Assessment*
- Obtain and clarify parent permission to determine need for overall assistance

Step Two
SCI Assistance Facilitator

Interviews, Observations, Evaluation
- Complete *Parent Interview*, *Teacher Interview*, and *Student Interview*
- Complete observations and evaluations
- Develop *SCI Assistance Report*

Step Three
SCI Assistance Facilitator

Share Results with *IEP* Team
- Hold *IEP* meeting and review results
- Make a determination of need for additional or alternative assistance/support
- Amend *IEP/BSP/BIP* as needed
- Create *Independence Plan*

Step Four
SCI Assistance Facilitator & *IEP* Team

Follow-Up Action
- Request additional staff, if needed
- Share *IEP*, *Independence Plan*, and other documents with district offices
- Train staff to implement *IEP/Independence Plan* and collect data
- Communicate/Collaborate with site administrator

Step Five
SCI Assistance Facilitator & *IEP* Team/Staff

Review and Move to Independence
- Continue to conduct observations
- Continue to collect data
- Review *Independence Plan*, analyze and revise with *IEP* team, as needed

Step Six
SCI Assistance Facilitator & *IEP* Team/Staff

SCI Assistance Facilitator: District designated IEP team member who oversees the SCI Assistance evaluation process.

Special Circumstances Instructional Assistance
PROCESS CHECKLIST

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Case Manager:

I. Instructional Intervention (Completed by *IEP* case manager/psychologist/program specialist prior to referral)

☐ Prior to considering a SCI Assistance referral, *IEP* team has exhausted all existing and natural supports (may complete *Observational Evaluation Step 3-Form* 4 and/or *Current Functioning and Supports Rubric (Step 1- Form 2)*, if appropriate, to assist in providing additional information)

☐ All relevant behavior and academic data collected and gathered prior to referral (frequency, duration, severity)

☐ *Behavior Support/Intervention Plan* implementation data reviewed, if appropriate:

    ☐ *BSP/BIP* – Data and strategies used to increase replacement behaviors; implementation for at least three months or as determined by *IEP* team, with revisions as needed

☐ Records gathered:

    ☐ Academic Progress/Interventions and Behavioral Data _____ (initial)

    ☐ Student Schedule (including grades and attendance) _____ (initial)

    ☐ Psycho-Educational and DIS Reports (s) _____ (initial)

    ☐ Discipline Referral Information _____ (initial)

    ☐ Health Records _____ (initial)

    ☐ Attendance Records _____ (initial)

Formal SCI Assistance evaluation recommended by *IEP* team:

    ☐ Yes (move to Section II)   ☐ No (see recommendations)

    Recommendations (attach additional as needed):

II. Referral and Evaluation Process Completed by SCI Assistance facilitator (e.g. psychologist, program specialist behavior specialist, etc.) SCI Assistance facilitator name: _____

Step 1 – Initiate Referral

☐ Complete *Referral for SCI Assistance (Step 1 - Form 1)*
    _____ date/initial

☐ Multiple providers complete *Current Functioning and Supports Rubric (Step 1 – Form 2)*
    _____ date/initial

☐ If student has *BSP/BIP*, complete *Review of BSP/BIP (Step 1 – Form 3)*
    _____ date/initial

☐ Complete *IEP Progress Report* (print/attach all current progress reports)
    _____ date/initial

☐ Packet completed and received by SCI Assistance facilitator
    _____ date/initial

☐ Copy of packet sent to site administrator/sp ed director (per district guidelines)
    _____ date/initial

Revise existing program. Call *IEP* team meeting to amend *IEP/BSP/BIP*. OR proceed to Step 2.
    _____ date/initial

Step 2 – Notification/Permission (Completed by *IEP* case manager and/or SCI Assistance facilitator)

☐ Complete and send *Notification and Plan for Assessment*

<div style="text-align:right">—————
date/initial</div>

☐ Obtain and clarify parent permission to determine need for assistance

<div style="text-align:right">—————
date/initial</div>

Step 3 – Interviews, Observation, Evaluation (Completed by *IEP* case manager and/or SCI Assistance facilitator)

☐ Complete *Parent Interview*(s) *(Step 3 – Form 1)*

<div style="text-align:right">—————
date/initial</div>

☐ Complete *Teacher Interview*(s) *(Step 3 – Form 2)*

<div style="text-align:right">—————
date/initial</div>

☐ Complete *Student Interview*, as appropriate *(Step 3 – Form 3)*

<div style="text-align:right">—————
date/initial</div>

☐ Complete *Observational Evaluation for SCI Assistance (Step 3 – Form 4)*

<div style="text-align:right">—————
date/initial</div>

☐ Complete evaluations per *Notification and Plan for Assessment,* if indicated

<div style="text-align:right">—————
date/initial</div>

☐ Develop *SCI Assistance Evaluation Report (Step 3 – Form 5)*

<div style="text-align:right">—————
date/initial</div>

Step 4 – Share Results with *IEP* Team (Completed by *IEP* case manager and/or SCI assistance facilitator)

☐ Hold *IEP* meeting, review results of evaluation with *IEP* team

<div style="text-align:right">—————
date/initial</div>

☐ If additional SCI Assistance **IS NOT** recommended:

<div style="text-align:right">—————
date/initial</div>

    ☐ Review/refine natural supports/accommodations/modifications in student's existing *IEP*
    ☐ Add *IEP* goals and objectives, if appropriate
    ☐ Revise/create BSP/BIP, if necessary

☐ If additional SCI Assistance **IS** recommended

<div style="text-align:right">—————
date/initial</div>

    ☐ Identify *IEP* goals and objectives to be supported by SCI Assistance
    ☐ Complete/amend *Special Factors IEP* page, if appropriate
    ☐ Complete/Amend *Services IEP* page: Supplementary Aids, Services and Other Supports and/or Services
        Include start/end dates, frequency, duration and location of SCI Assistance
    ☐ Develop *Independence Plan (Step 4- Form 1)* and type of documentation to be collected

☐ If parent(s) not in agreement, consult with sp ed director regarding need for *Prior Written Notice* _____

<div style="text-align:right">date/initial</div>

Step 5 – Follow-Up Action (if required)

☐ Request additional SCI Assistance to provide support, if needed

<div style="text-align:right">—————
date/initial</div>

☐ Send *IEP*, **Independence Plan**, *BSP*, behavioral data, copy of this completed *Checklist* to district offices, and follow district procedures to adjust staffing

<div style="text-align:right">—————
date/initial</div>

☐ *IEP* case manager and SCI Assistance facilitator coordinate to train staff for implementation

<div style="text-align:right">—————
date/initial</div>

☐ Collaborate with site administrator to utilize new/existing staff for *Independence Plan*

<div style="text-align:right">—————
date/initial</div>

Step 6 – Review and Move to Independence (must be followed for **all** *Independence Plans*)

☐ Conduct observation, necessary interviews and progress toward independence using
    Observational Review to determine continued need for SCI Assistance (Step 6 – Form 1)

<div style="text-align:right">—————
date/initial</div>

☐ Review *Independence Plan (Step 4-Form 1)* – analyze and revise, as needed

<div style="text-align:right">—————
date/initial</div>

☐ Review *BSP/BIP*, **Independence Plan (Step 4-Form 1)** and documentation with parent and *IEP* team, as indicated

<div style="text-align:right">—————
date/initial</div>

PROCEDURES FOR SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE EVALUATION

Special Circumstances Instructional Assistance (SCI Assistance) is provided for students receiving special education services when additional support is required for the student to make progress towards his or her *IEP* goals, and objectives if appropriate. Whenever possible, additional assistance is assigned to a school environment, class or case manager. Occasionally, however, a student requires individual support for a designated period of time to address a unique need. By law, services to students with disabilities must be delivered in "the least restrictive environment." When the *IEP* team is considering SCI Assistance, all aspects of the student's *IEP* must be addressed. In accordance with federal law, an evaluation is usually appropriate to determine the level of assistance a student requires 34 C.F.R. Sec. 300.532 states:

> "(b) A variety of assessment tools and strategies are used to gather relevant functional and developmental information about the child, including information provided by the parent, and information related to enabling the child to be involved in and progress in the general curriculum...that may assist in determining... (2) <u>The content of the child's *IEP*</u>..."

<u>A request for SCI Assistance is made after other site interventions have proven unsuccessful.</u>

Preliminary steps in the process indicate that a student's *IEP* must be carefully evaluated to determine when and where the additional support is required. Natural supports and existing staff should be used to promote the least restrictive environment. A primary goal for all students with disabilities is to encourage and foster independence. If not carefully monitored, additional assistance can easily and unintentionally increase dependence. As a result, the *IEP* team must periodically review the continued need and effectiveness of this additional support.

If the site administrator and special education team at the site believe a SCI Assistance evaluation is not needed then the team may elect to provide a list of additional interventions and recommendations to be put in place. The team may elect to use the *Observational Evaluation (Step 3-Form 4)* and/or the *Current Functioning and Supports Rubric (Step 1- Form 2)* as tools for examining supports and needs, if indicated. Student progress is monitored as agreed upon by the *IEP* team. If a formal SCI Assistance evaluation is recommended by an *IEP* team, the following steps begin.

Step 1-Initiate Referral

Referrals can be initiated by either the *IEP* team or the parent. When an *IEP* team refers, a member of the team (herein referred to as the SCI Assistance facilitator) completes the *Referral for SCI Assistance (Step 1 – Form 1)*, often with the additional form *Current Functioning and Supports Rubric (Step 1- Form 2)*, to assist in quantifying the nature of the student's needs. The SCI Assistance facilitator may elect to provide alternate or additional supporting documentation as deemed necessary. Supporting documentation may also include *Review of Behavior Support Plan (BSP) or Behavior Intervention Plan (BIP) (Step 1- Form 3)*. An *IEP Progress Report* should also be included in the referral for SCI Assistance packet.

When the parent initiates the referral, a member of the *IEP* team should confer with the parent to clarify his or her concerns, discuss options, and assist the parent in completing the "Reason for Referral" and "Other Unique Needs" sections of the *Referral for Special Circumstances Instructional Assistance (Step 1-Form 1)*. The parent should sign as the "Person Requesting the Referral." The 15 day timeline for developing a *Notification and Plan for Assessment* begins on the date the district receives the parent signature.

After gathering information in Step 1, the *IEP* meeting is held. The *IEP* team considers the information gathered in Step 1, and makes a decision to: leave the program intact, provide additional strategies, amend the *IEP* to include additional supplementary aides, services and supports, and/or amend to change or add goals, and/or change the *BSP/BIP* or services.

It is important at this stage for the team to clarify that the assessment examines the need for a variety of forms of additional assistance. The SCI Assistance process is not for the sole purpose of determining the need for a 1:1 aide. However, additional aide support is one of the possible outcomes of a SCI Assistance evaluation.

At this point the *IEP* team may also proceed to Step 2 of the SCI Assistance evaluation process.

Step 2-Notification/Permission

The *IEP* case manager or SCI Assistance facilitator together with the *IEP* team develops *a Notification and Plan for Assessment*. They obtain informed permission from the parent, clarifying the purpose of the assessment(s). The timeline for completion of the evaluation (60 calendar days) begins the date the district receives the signed *Notification and Plan for Assessment*.

Step 3-Interviews, Observations, Evaluation

The *IEP* case manager and/or SCI Assistance facilitator proceed as outlined in the assessment plan to obtain assessment information relevant to the student's functioning per *IEP* goals and *BSP/BIP*. The **Parent Interview (Step 3 - Form 1), Teacher Interview (Step 3 - Form 2)**, and **Student Interview (Step 3 - Form 3)** are used at this time. These interviews are best completed at the beginning of the evaluation. Teams are encouraged to complete multiple teacher interviews, when possible or appropriate, in order to obtain the most generalizable information about the student. The student interview can be conducted with students of all abilities, as determined by the assessor. Often, when asked, students have insights about their own needs, and can point the team in a valuable direction about the need for or types of supports to support learning.

The **Observational Evaluation for SCI Assistance (Step 3 – Form 4)** is used at this step as a foundation for thorough observation of the school setting(s). As with the **Teacher Interview (Step 3 - Form 2)**, use of this form in multiple school settings is advisable.

Finally, after all assessments are completed, the SCI Assistance facilitator summarizes information using the **SCI Assistance Evaluation Report (Step 3 – Form 5)**. When an *IEP* team is considering SCI Assistance for a student, all aspects of the student's *IEP* must be considered with the intent of promoting student independence. The **SCI Assistance Evaluation Report (Step 3 – Form 5)** should address the areas of concern identified in the referral, assessment, interviews, and observations. The SCI Assistance facilitator will ensure that the **SCI Assistance Evaluation Report (Step 3 – Form 5)** is developed prior to the *IEP* meeting.

Step 4-Share Results with *IEP* Team

The *IEP* team will review the results of the evaluation and resulting recommendations at an *IEP* meeting. If the *IEP* team does not identify a need for SCI Assistance, the team may instead review and refine natural supports,

accommodations, and/or modifications in the student's existing *IEP*. They may add *IEP* goals and objectives, if appropriate. They may also revise or create a *BSP/BIP*, if needed.

If additional SCI Assistance is recommended, the *IEP* team should add goals to specify the needs addressed. Regardless of the circumstances that may indicate the need for support, it is imperative for every *IEP* to address the skills that will be taught in order for SCI Assistance to be faded. SCI Assistance may be written on the *IEP Offer of FAPE Services* page under Supplementary Aids, Services, Program Accommodations/Modifications and/or Supports. In some cases, where intensive support is indicated, an *IEP* team may choose to add specific services in the service grid of the *IEP*.

If the *IEP* team develops a *BSP*, the *Special Factors* page of the *IEP* must be amended.

More specific details on implementation should be included in the ***Independence Plan (Step 4 – Form 1)***. The *Independence Plan* is a required form for any *IEP* team recommending SCI Assistance as a result of the SCI Assistance evaluation process. The details for implementing and fading support are included in this plan. The team should carefully consider the adaptations/accommodations that will promote and sustain independence as the SCI Assistance is gradually diminished. Any time an ***Independence Plan*** is modified, an *IEP* meeting should be convened. The ***Independence Plan*** serves as a guide for SCI Assistance.

If parents are not in agreement with the need for SCI Assistance, consult with the special education director regarding the need for *Prior Written Notice* or further action.

Step 5-Follow-up Action (if required)

Staffing adjustments, if needed, will be addressed by district administration. In all cases copies of the *IEP*, ***SCI Assistance Report***, ***Independence Plan***, *BSP*, behavioral data, and copy of the completed ***Special Circumstances Instructional Assistance Process Checklist*** (with initials) are gathered as a packet and submitted to the district administration. If adjustments in staffing occur, the *IEP* case manager, SCI Assistance facilitator and relevant special education staff assist in training the assistance personnel to implement the *IEP* and ***Independence Plan***. The *IEP* case manager and SCI Assistance facilitator collaborate with the site administrator to utilize new or existing staff.

Step 6-Review and Move to Independence (must be followed for all *Independence Plans*)

The goal for any student with a disability is to encourage and promote independence. Periodic observations and review of data are required, both to assess the effectiveness of this additional support, and to monitor the duration of services. It is recommended that the reviews of the ***Independence Plan*** align with dates for Progressing Reporting. The ***Observational Review of Independence Plan to Determine SCI Assistance (Step 6 – Form 1)*** is used to determine continued need for SCI Assistance, and the ***Independence Plan*** is reviewed and revised as needed. *IEP* team involvement and documentation is conducted as indicated. Any change to the *IEP* requires an Amendment to the current *IEP*.

SCI Assistance Manual

FORMS

REFERRAL FOR SPECIAL CIRCUMSTANCES
INSTRUCTIONAL ASSISTANCE

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Case Manager:

Reason for referral:
Previous interventions and results (including frequency, duration, and location):
Other unique needs:
How is existing staff in the classroom or site utilized (e.g. proximity, prompting, staff schedule, shared responsibilities, basic needs etc.)?

Attach the following information (if applicable):	
☐	SCI Assistance Rubric (Step 1 – Form 2)
☐	Review of BSP or BIP (Step 1 – Form 3)
☐	Review of *IEP* goals with progress toward goals noted
☐	Behavioral data (data collection on frequency, duration, and severity of behavior)
☐	Student's BSP or BIP, if appropriate
☐	Academic progress/assessments (current informal and/or curriculum-based assessments)
☐	Student's schedule and class schedule if they differ
☐	Psycho-Educational report(s)
☐	Discipline referral information
☐	Health records
☐	Attendance records

This referral is made at the request of the: (check all that apply)			
☐	Teacher:	☐	*IEP* Case Manager:
☐	Parent/Guardian:	☐	Other:

_____   _____
Person Completing Referral   Date

CURRENT FUNCTIONING AND SUPPORTS RUBRIC

Student Name:

Teacher:

DOB:

Current Program:

Disability:

Person Completing Rubric (Name/Title):

Date Reviewed:

Please rate the student's current level of functioning by selecting the number that best describes the student in each rubric category that is appropriate. Optional totals below.

	Health/Personal Care/Rating	Behavior/Rating	Instruction/Rating	Inclusion/Mainstreaming/Rating
No Concerns (0)	General good health. No specialized health care procedure or medications taken. No time required for health care. Independently maintains all "age appropriate" personal care needs. ☐	Follows adult directions without frequent prompts or close supervision. Handles change and redirection. Usually gets along with peers and adults. Seeks out friends. ☐	Participates fully in whole class instruction. Stays on task during typical instruction activity. Follows direction with few to no additional prompts. ☐	Participates in some core curriculum within general education class and requires few modifications. Can find classroom. Usually socializes well with peers. ☐
Mild (1)	Mild or occasional health concerns. Allergies or other chronic health conditions. No specialized health care procedure. Medication administration takes less than 10 minutes time. Needs reminders to complete "age appropriate" personal care activities. ☐	Follows adult direction but occasionally requires additional encouragement and prompts. Occasional difficulty with peers or adults. Does not always seek out friends but plays if invited. ☐	Participates in groups at instructional level but may require additional prompts, cues, or reinforcement. Requires reminders to stay on task, follow directions and to remain engaged in learning. ☐	Participates with modifications and accommodations. Needs occasional reminders of room expectations and schedule. Requires some additional support to finish work and be responsible. Needs some social cueing to interact with peers appropriately. ☐
Moderate (2)	Chronic health issues (ear infections, ADD, diabetes, bee sting allergy). Generic specialized health care procedure and takes medication. Health care intervention for 10-15 min. daily (diet, blood sugar, medication). Requires reminders and occasional additional prompts or limited hands-on assistance for washing hands, going to the bathroom, wiping mouth, shoes, buttons, zippers, etc. Occasional toileting accidents. ☐	Has problems following directions and behaving appropriately. Can be managed adequately with a classroom behavior management plan, but unable to experience much success without behavior support plan implementation. ☐	Cannot always participate in whole class instruction. Requires smaller groups and frequent verbal prompts, cues or reinforcement. On-task about 50% of the time with support. Requires more verbal prompts to follow directions. ☐	Participates with visual supervision and occasional verbal prompts. Requires visual shadowing to get to class. Needs modifications and accommodations to benefit from class activities. Regular socialization may require adult facilitation. ☐
Significant (3)	Very specialized health care procedure and medication. Limited mobility or physical limitations requiring assistance (stander, walker, gait trainer or wheelchair). Special food prep or feeding. Health related interventions 15-45 min. daily. Frequent physical prompts and direction assistance to participate in personal care. Food prep required regularly. Requires toilet schedule, training, direct help, diapering, etc. ☐	Serious behavior problems almost daily. Defiant and/or prone to physical aggression. Requires a Behavior Intervention Plan (BIP) and behavior goals and objectives on the *IEP*. Requires close visual supervision to implement BIP. Medication for ADD/ADHD or other behaviors. ☐	Difficulty participating in a large group. Requires low student staff ratio, close adult proximity and prompts including physical assistance to stay on task. Primarily complies only with 1:1 directions & monitoring. Cognitive abilities & skills likely require modifications not typical for class as a whole. Needs individualized methodologies (ABA, DTT, etc.). Requires signing over 80% of the time. ☐	Participation may require additional staff for direct instructional and behavioral support. Requires direct supervision going to & from class. Always requires modifications & accommodations for class work. Requires adult to facilitate social interaction with peers. ☐
Severe (4)	Specialized health care procedure requiring care by specially trained employee (G tube, tracheotomy, catheterization). Takes medication requires positioning or bracing multiple times daily. Health related intervention 45 min. daily. Direct assistance with most personal care. Requires two-person lift. Direct 1:1 assistance 45 or more minutes daily. ☐	Serious behavior problems with potential for injury to self and others, runs-away, aggressive on a daily basis. Functional Analysis of Behavior or Hughes Bill has been completed and the student has a well-developed BIP, which is implemented to allow the student to safely attend school. Staff has been trained in the management of assaultive behaviors. ☐	Cannot participate in a group without constant 1:1 support. Requires constant verbal and physical prompting to stay on-task and follow directions. Regularly requires specific 1:1 instructional strategies to benefit from the *IEP*. Cognitive abilities and skills require significant accommodations and modifications not typical for the class group. ☐	Always requires 1:1 staff in close proximity for direct instruction, safety, mobility or behavior monitoring. Requires 1:1 assistance to go to and from class 80% of the time. Requires adult to facilitate social interaction with peers and remain in close proximity at all times. ☐

Recommended that this rubric be completed by or with multiple teachers. You may average scores or examine responses for patterns or differences.

Summary: Health Care ____ + Behavior ____ + Instruction ____ + Inclusion ____ = Total Score ____
Score Score Score Score

Step 1 – Form 2

CURRENT FUNCTIONING AND SUPPORTS RUBRIC

Please Check any supports currently in place.

Environment
- [ ] Clarify rules
- [ ] Active rule teaching
- [ ] Change seating
- [ ] Change groups
- [ ] Reduce distractions
- [ ] Special study area
- [ ] Peer supports
- [ ] Visual/posted schedule followed
- [ ] Rearrange physical environment
- [ ] Other:

Assignments
- [ ] Shorten
- [ ] Individual contracts
- [ ] Extended time
- [ ] Use of tape recorder
- [ ] Daily assignment sheet
- [ ] Assignment notebook/calendar
- [ ] Start buddy
- [ ] Other:

Requests for Assistance
- [ ] Conference with parents
- [ ] Confer with other school staff (i.e., counselor, administrator, reading specialist, etc.)
- [ ] Behavior support plan
- [ ] Classroom team meetings
- [ ] Other:

Curriculum/Materials
- [ ] Change instructional materials
- [ ] High-interest reading materials
- [ ] Use of computer
- [ ] Calculator
- [ ] Books on tape, taped notes
- [ ] Learning games
- [ ] Assistive devices
- [ ] Reinforcers
- [ ] Reinforcement schedule (variety) in place
- [ ] Lesson plans clearly written
- [ ] *IEP* objectives address deficit areas
- [ ] Other:

Teaching Techniques
- [ ] Consistent rules and consequences (consistency across staff)
- [ ] Teach note-taking & study skills
- [ ] Strategies instruction
- [ ] Repeat instructions, assignments
- [ ] Verbal praises
- [ ] Frequent feedback
- [ ] Eye contact
- [ ] Use of visual aids, hands-on
- [ ] Small-group instruction
- [ ] Cross-age tutor
- [ ] Other:

Communication
- [ ] Student has ways to communicate need appropriately
- [ ] Staff recognizes communication attempts (encourages)
- [ ] Home/school communication (logs, email, etc.)
- [ ] Other:

SCI ASSISTANCE REVIEW OF BEHAVIOR SUPPORT PLAN (*BSP*)
OR BEHAVIOR INTERVENTION PLAN (*BIP*)

Form must be completed when SCI Assistance is requested due to **behavioral issues.**
(Attach a copy of the student's *BSP or BIP* to this form.)

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Case Manager:

What are the target behaviors in the BSP or BIP?

☐ Yes	☐ No	All interventions are developmentally appropriate for student.
☐ Yes	☐ No	The request for SCI Assistance is related to identified target behaviors in the BSP/BIP.
☐ Yes	☐ No	BSP or BIP is written with sufficient clarity and detail for staff to understand and implement.
☐ Yes	☐ No	All implementers have a copy of the plan.
☐ Yes	☐ No	All implementers understand and/or have training in strategies outlined in the plan.
☐ Yes	☐ No	The BSP or BIP is being fully implemented.
☐ Yes	☐ No	Support for the plan provided by the Case Manager is adequate.
☐ Yes	☐ No	Student is making progress on the target behaviors. Indicate supporting evidence (e.g., grades, rate of homework completion, duration of on-task behavior, frequency, and quality of social interactions).

Comments:

Action(s):

☐ BSP or BIP is appropriate, and no modifications are needed.
☐ Revise BSP or BIP.
☐ Develop BSP or BIP.
☐ Train support staff. Describe:
☐ Other.

Comments:

SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE
PARENT INTERVIEW

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Case Manager:

1. When is your child successful during his/her school day? What is working?

2. What areas are difficult for your child? During which activities do these difficulties occur?

3. What special education services and/or other assistance does your child currently receive?

4. What other school programs, support from other staff, or students does your child benefit from?

5. What skills would you like your child to develop to become more independent?

6. Is there anything else you'd like us to consider?

Parent Initials: _____ Date: _____

Or completed by phone interview on _____ by _____
date   name/title
☐ **Completed with the assistance of a translator. Comments:**

SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE
TEACHER INTERVIEW

Student:	ID #:	Date:
SCI Assistance Facilitator:	Interviewer:	Interviewee/Title:

1. When is the student successful during his/her school day? What is working? (include data)

2. What areas are difficult for the student? During which activities do these difficulties occur? (include data)

3. What assistance does the student currently receive?

4. What other school programs, support from other staff, or students does the student benefit from?

5. What skills would you like the student to develop to become more independent?

6. Is there anything else you would like us to consider?

SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE
STUDENT INTERVIEW

Student:	ID #:		Date:
SCI Assistance Facilitator:		Interviewer:	

Questions may be adapted to match the student's needs and/or methods of communication.

1. What do you like about school? When are you successful?

2. When do you have problems during your school day?

3. How do school staff members help you during the day?

4. Who else helps you during school?

5. What programs do you participate in that help you in school?

6. What are some things you would like to learn to become more independent?

7. Is there anything else you would like us to know about you?

OBSERVATIONAL EVALUATION FOR SCI ASSISTANCE

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Case Manager:

Note: Form shall be used repeatedly to conduct observations in varied settings

Please review visual and physical structure of the setting, including curriculum instruction, data collection and planning.

A. Classroom/Setting (please specify): (e.g. playground, computer lab, science classroom, etc.):

1. Are individual student/classroom schedules and procedures, visually posted? ☐ Yes ☐ No

   Describe schedule/procedures:

2. Are transitions between activities

   a. achieved successfully? ☐ Yes ☐ No

   b. accessed/executed independently? ☐ Yes ☐ No

   Describe:

3. Is setting organized with work areas defined and materials readily available for instruction? ☐ Yes ☐ No

   Describe:

4. Do students follow established classroom procedures and routines? ☐ Yes ☐ No

5. Are student expectations clearly understood, defined or posted? ☐ Yes ☐ No

6. Levels of prompting observed:

   ☐ Independent (no prompt)   ☐ Proximity   ☐ Gestural   ☐ Visual

   ☐ Model (model beh. physically)   ☐ Verbal Model (i.e. say it the way they should say it)

   ☐ Indirect Verbal (e.g. comment to encourage, comment on other student's desired behavior, etc.)

   ☐ Verbal (e.g. re-stating the direction)   ☐ Tactile   ☐ Hand Over Hand

   Comments:

7. Student's use of the schedule:

   ☐ Student checks posted schedule ☐ Schedule not used at all

   ☐ Student carries schedule   ☐ Student uses transition cards   ☐ Student goes to schedule board

   ☐ Teacher/other staff person carries and shows the schedule

   ☐ Other:

   Comments:

B. Curriculum and Instructional planning:

1. Check the curricular domains included in student's program:

   ☐ Academics   ☐ Functional academics   ☐ Pro-vocational/vocational

   ☐ Behavior   ☐ Health   ☐ Self care

   ☐ Communication   ☐ Motor skills/mobility   ☐ Social Skills

2. What curricular accommodations and/or modifications are being used?

3. List equipment or devices used that may relate to the need for assistance (e.g. low incidence equipment, assistive technology devices):

4. Are materials and activities age appropriate? ☐ Yes ☐ No

5. Are materials and activities instructionally appropriate? ☐ Yes ☐ No

6. Describe lessons observed:

C. Current data systems and collection of data:

1. Has data been collected on student performance? ☐ Yes ☐ No

2. How often is data collected?

   ☐ Daily   ☐ Bi-weekly   ☐ Weekly   ☐ Monthly

3. How is data summarized?

   ☐ Graphed   ☐ Written narrative   ☐ Other; Describe:

4. What evidence is there of accommodations and/or modifications being used?

5. How is data used to inform instruction?

   Comments:

D. Behavior and safety:

1. Describe the behavior management system in the classroom, including positive reinforcers and consequences. Is it appropriate for the student or does it need to be modified?

2. Are specific positive behavior supports utilized for the student? ☐ Yes ☐ No

3. Is appropriate safety equipment in place?(e.g. helmet or harness, wheelchair, etc.) ☐ Yes ☐ No

4. Are appropriate safety and medical procedures being used? ☐ Yes ☐ No

5. Does it appear appropriate training has been provided? ☐ Yes ☐ No

Comments:

E. Describe the student's behavior in independent activities:

1. Describe the student's interaction with peers.

2. Describe the student's interaction with non-classroom staff in a less-structured environment.

3. What activities does the student choose during breaks?

4. What problems are evident?

Comments:

F. **Describe the school day and assistance now provided.** Include natural supports such as peers, school staff, volunteers, etc.

G. **How is existing assistance utilized?**

☐ Behavior management ☐ Medical assistance

☐ Curriculum adaptation and preparation ☐ Supervision

☐ Instruction - Individual ☐ Instruction – Group ☐ Other:

H. **Can current conditions be modified to meet the student's goals and objectives and/or personal care needs?**

I. **What other types of assistance are needed? Why?**

J. **Are there other issues that need to be addressed?**

Comments:

Observation conducted by:

SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE
EVALUATION REPORT

Student:	ID#:	Date:
Age:	Grade:	Eligibility:
DOB:	Gen Ed Teacher:	Placement:
School:	Sp Ed Teacher:	Contact Phone:
IEP Case Manager:	Psychologist:	SCI Assistance Facilitator:
Evaluation Report Prepared By:		

I.   **Reason for Referral and SCI Assistance Rubric**

II.   **Background Information and Educational Setting** *(summarize special education and related services history; educational history, including academic progress/assessments and progress on IEP goals; results of previous evaluations, if applicable; previous interventions and outcomes; educationally relevant health, developmental, and medical findings; review of BSP or BIP; and disciplinary referral information)*

III.   **Evaluation Procedures** *(include information regarding administration of tests in primary language of student by qualified personnel; validity of the evaluation; validity of tests for the purpose for which they were used)*

IV.   **Summary of Interviews and Observations** *(summarize results of the parent/teacher/student interviews and include information regarding relevant behavior noted during observation of the student)*

V.   **Summary of Standardized and/or Curriculum-Based Assessments (if applicable)**

VI.   **Recommendations** *(include information regarding the need for specialized services, materials, and equipment; indicate if the student's needs can be met in the regular education classroom with the current level of support)*

Respectfully Submitted,

DOCUMENTING SPECIAL CIRCUMSTANCES

INSTRUCTIONAL ASSISTANCE IN THE *IEP*

California Education Code (EC 56033.5) defines Supplementary Aids and Services as "aids, services and other supports that are provided in the regular education class and other education-related settings and in extracurricular and nonacademic settings, to enable individuals with exceptional needs to be educated with nondisabled children to the maximum extent appropriate in accordance with Section 1412(a)(5) of Title 20 of the United States Code and Sections 300.114 to 300.116, inclusive of Title 34 of the Code of Federal Regulations." SCI Assistance should be addressed in the *IEP* on the *Offer of FAPE-Services* page under either "Supplementary Aids, Services and Other Supports for School Personnel, or for Student, or on Behalf of the Student" **or** in the Direct Services section of that page or both. *IEP* teams are instructed to include start and end dates, frequency, duration, district of service, provider, and location. Any additional language clarifying SCI Assistance should be written on the *Independence Plan (Step 4-Form 1)*.

In addition, sample language on the *IEP Meeting Notes* might state: "In conjunction with natural supports an existing staff support in the classroom, additional special circumstances instructional assistance will be provided for (student's name) as described on the *Independence Plan* (see attached *Independence Plan (Step 4-Form 1)*. "

Language in the *IEP Team Meeting Notes* might be more specific, including, for example the specific classes or subjects in which the support is provided, the skills connected to the specific *IEP* goals, and/or the skills in the *Behavior Support Plan*.

Writing an *Independence Plan* and Attaching it to the *IEP Team Meeting Notes*

An *Independence Plan (Step 4-Form 1)* is written specifically to address the needs of the student, current supports, schedule for assistance, and details for implementing and fading the support. The *Independence Plan* should be clearly written with specific timelines so that the information is understood by the entire team. It is important that everyone, especially the parent(s), understand the *Independence Plan* and timelines. Additional observations should be completed, and this information should be reviewed at the next *IEP* meeting (within 3-6 months) to determine the effectiveness of SCI Assistance.

Reports and *Independence Plans* are a part of the student's *IEP*. Checklists and observation forms are not necessarily part of the student's record, but may be if shared.

SCI ASSISTANCE
INDEPENDENCE PLAN

This Independence Plan is attached to *IEP* **date**: _____

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Manager:

Behavior Support Plan/Behavior Intervention Plan: Yes ☐ No☐

Current supports available in the school environment (*natural supports, student-teacher ratio, itinerant staff...*):

Specific schedule of assistance provided (*specify times, class subjects, and activities*):

What are the replacement behavior and/or academic goals for the student?
Describe the activities or environments where the replacement behaviors should occur.

GOAL	<u>Current</u> baseline of desired behavior/skills (per this plan date)	Level and types of supports currently required for student to perform desired behavior/skills
IEP Goal #		
IEP Goal #		
IEP Goal #		

Procedures: What will be taught so the student learns the replacement behavior/skills? (*task analysis of skill development*)	Arrangements: (where/when/materials, e.g. structured setting, math class, cue cards, etc.)	Person(s) responsible:
IEP Goal #		
IEP Goal #		
IEP Goal #		

Measurement/Progress Monitoring Method: (*who, how often, and how will the data be collected*) If using documentation sheet(s), please attach.	How will the data be evaluated to determine if intervention is working? (*who/how often?*)
	Criteria for fading and a description of the level of SCI Assistance:

What are the adaptations/accommodations that will be used to promote and sustain independence:

OBSERVATIONAL REVIEW OF INDEPENDENCE PLAN TO DETERMINE SPECIAL CIRCUMSTANCES INSTRUCTIONAL ASSISTANCE

Student:	ID #:	Date:
Age: Grade: DOB:	Eligibility:	Gen Ed Teacher:
School:	Sp Ed Teacher:	*IEP* Case Manager:

Observational Setting:

Observer's Name/Position or Title:

Name(s)/Position of SCI Assistance provider(s):

Current status per teacher/support staff/student:

Description of current SCI Assistance provided (*time, settings, specific tasks such as health, personal care, behavior, instruction, inclusion/mainstream support*):

Observation of student behavior, preferably a range of interactions as noted on *Independence Plan* (*including non teacher-directed, teacher-directed, structured, less structure, as appropriate*):

Description of results or efforts to increase student independence and/or progress on goal(s):

Description of SCI Assistance provider(s) training:

Recommendations for increasing generalization (e.g. change time, or tasks; move to less structured settings; additional opportunity for student independence; staff training, etc.):

Comments/Additional Recommendations:

SCI Assistance Manual

APPENDIX A

Data Collection

Matrix of Classroom Environmental and Personnel Supports
for SCIA Assistance

Student: _____

Teacher: _____

Date: _____

Time of Instruction	Subject	# of Adults in Class	Groupings: Ind / Grp	# of Students in Class	Level of Prompt Dependence
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4
					1 2 3 4

(Include Time at Recess and Lunch)

Prompt Dependency:

Feeding:　1　2　3　4　　　Notes: _____

_____

Toileting:　1　2　3　4　　　Notes: _____

_____

Prompt Dependence Hierarchy

- 1 = Student is independent. Prompting is not required.
- 2 = Student requires some visual prompting through use of visual schedules.
- 3 = Student requires some verbal prompting.
- 4 = Student requires individual assistance through modeling or hand over hand.

LUCIA MAR UNIFIED SCHOOL DISTRICT
Pupil Personnel Services
INDIVIDUAL OBSERVATION

STUDENT: _____ OBSERVER: _____ DATE: _____

AGE: _____ GRADE: _____ SCHOOL: _____ TEACHER: _____

TIME START: _____ TIME STOP: _____ TOTAL TIME: _____ SUBJECT/ACTIVITY: _____

INTERVAL: 15 SECONDS / 30 SECONDS / 60 SECONDS   REASON FOR OBSERVATION: _____

Student Behavior Codes:
T=On Task
N=Off Task: Verbal or Object Noise
M=Motor Off Task
P=Passive Off Task

Teacher Reaction Codes:
AA=Attention to All
A+=Positive Attention to Pupil
A-=Negative Attention to Pupil
Ao=No Attention to Pupil
An=Neutral Attention to Pupil

Grouping Codes:
L=Large Group
S=Small Group
O=One-to-One
I=Independent Activity
F=Free-Time

	STUDENT BEHAVIOR				COMPARISON					CLASS SCAN CHECK	ANECDOTAL NOTES ON BEHAVIOR					TEACHER REACTION
	T	N	M	P	T	N	M	P			AA	A+	A-	Ao	An	
1																
2																
3																
4																
5																
6																
7																
8																
9																
10																
11																
12																
13																
14																
15																
16																
17																
18																
19																
20																
TOTALS																

SUMMARY OF STUDENT BEHAVIOR

____% On Task
____% Off Task: Verbal
____% Off Task: Motor
____% Off Task: Passive

SUMMARY OF TEACHER REACTIO

____% Positive Attention to Stude
____% Negative Attention to Stude

Classroom Management Checklist

Teacher _____   Grade/Subject _____

School _____

In Place Status			Essential Practices
Full **2**	**Partial** **1**	**Not** **0**	
			Classroom Management
			1. 5 to 1 positive to negative interactions (# observed below). # Positive _____ # Negative _____
			2. Classroom rules & expectations are posted, taught directly, practiced, & positively reinforced.
			3. Efficient transition procedures taught, practiced, & positively reinforced. a. Entering Classroom Y N b. Lining up Y N c. Changing activities Y N d. Exiting Classroom Y N
			4. Typical classroom routines taught directly, practiced & positively reinforced. a. Start of day Y N b. Group Work Y N c. Independent Seat Work Y N e. Obtaining materials Y N f. Seeking help Y N g. End of day Y N
			5. Attention getting cue/rule taught directly, practiced, & positively reinforced.
			6. Continuous active supervision across settings & activities, including moving throughout setting & scanning.
			7. Desks/ room arranged so that all students are easily accessible by the teacher.
			8. Necessary materials and supplies are accessible to students in an orderly fashion.
			9. Minor problem behaviors managed positively, consistently & quickly.
			10. Chronic problem behaviors anticipated & precorrected.
			11. Students are provided with activities to engage in if they complete work before other students in the class.
			Instructional Management
			12. Majority of time allocated & scheduled for instruction.
			13. Allocated instructional time involves active academic engagement with quick paced instruction.
			14. Asks clear questions and provides clear directions of assignments.
			15. Active academic engagement results in high rates of student success (90% +).
			16. Actively involves all/ majority of students in lesson, this includes providing activities/instruction to students of varying skill levels
			17. Instructional activities linked directly to measurable short & long term academic outcomes.

Total Sum _____ **/ 34** = _____ **% In Place**

Adapted by C. Borgmeier from Sugai & Colvin

Classroom Management Recommendations
Action Plan

Staff _____

Date _____

Based on your observations and the results of the Classroom Management Checklist, prioritize three recommendations to improve classroom management. Complete the action plan below to provide a description of sufficient detail to successfully implement the suggestions changes/actions in the classroom.

Recommended Change/Action	Detailed Description of how to carry out recommended action	Exactly when to do recommended action	Who's Responsible?
#1			
#2			
#3			
#4			

School Checklist

Items to be rated on daily report:

____ Follows classroom rules

____ Keeps hands to self

____ Keeps eyes on teacher at appropriate times

____ Follows individual directions

____ Follows group and conditional directions

____ Follows routine without direction or model (*e.g.*, puts backpack away)

____ Stays around other children; does not isolate

____ Responds to conversation of other children

____ Initiates play

____ Initiates verbal interaction

____ Not going too fast with activity

____ Remains patient when has to wait

____ Remains in designated place at work time; stays in line (queue)

____ Clarity of language

____ Notices what other children do and takes cue from them

____ Recites in unison

____ Shares toys

____ Asserts self when another child tries to take something away

____ Refrains from stereotyped behavior (stim)

____ Plays appropriately with toys

____ Stays on task for work

____ Stays with assigned (or chosen) play activity

SKILL DEVELOPMENT CHECKLIST

BEHAVIOR SHAPING

1.	Provides positive reinforcement at times to strengthen and maintain appropriate task behavior.
2.	Does not use threats or bribes.
3.	Uses proactive teaching to promote appropriate alternative behavior.
4.	Corrects disruptive behavior as needed.

SITUATION

1.	Teaching materials were ready and organized.
2.	Setup of physical environment and level of distractions were appropriate for student.

TASK

1.	Tasks were broken down into component parts.
2.	Understands the purpose of the program.

INSTRUCTIONS (SD)

1.	Instructions were appropriate to child's functioning *(e.g., level of complexity, explicitness)*.
2.	Natural tone of voice was used.
3.	Words used corresponded to desired response.
4.	Variation/consistency in instruction corresponded to child's level of functioning.
5.	Appropriate time was given for response *(e.g., approximately 3-5 seconds)*.

FEEDBACK / CONSEQUENCE

1.	Feedback was as immediate as needed by student.
2.	Consequences were effective.
3.	Student's responses were correctly evaluated.
4.	The frequency of reinforcement was optimal.
5.	Differential consequences were utilized *(for quality, attention, decreased prompt, etc.)*
6.	Informational feedback was used.
7.	If tangible reinforcers were used, they were accompanied by social reinforcers in order to effectively develop social reinforcement value.
8.	Contingencies were consistently implemented.
9.	Used varied reinforcers.
10.	Age appropriateness of reinforcers.

INTERTRIAL INTERVAL

1.	Each trial was separate.
2.	The intertrial interval was optimal *(good pacing; student allowed sufficient time to be reinforced)*.

PROMPT

1.	Timing of prompts was optimal *(normally this means accompanying or immediately following the instruction)*.
2.	Just enough assistance was given to ensure success, but never more than needed.
3.	If the first prompt did not work, more intrusive prompts were provided.
4.	Prompts were used to avoid prolonged failure by providing necessary assistance.

5. Prompted trials were followed by non-prompted or reduced-prompted trials.

6. The appropriate type of prompt was used *(e.g., demonstration, verbal model, physical guidance, with-stimulus, etc.)*

7. When the student made an error due to inattention or off-task behavior, prompts were only used when the behavior could not be corrected with consequences.

8. There were systematic attempts to fade prompts.

9. Was sensitive to inadvertent prompts *(e.g., positional, glances, patterns, mouthing answers, etc.)*

ESTABLISHING ATTENTION

1. Reinforced good attention when it occurred.

2. Timed onset of trials optimally to shape better attending.

3. Followed plan to promote independent direction of attention.

MAXIMIZING PROGRESS: *(MADE LEARNING FUN AND NATURAL)*

1. Timing and duration of breaks was appropriate.

2. Arrange task order so that difficult tasks occurred between easier tasks.

3. Created behavioral momentum.

4. Attempted to facilitate generalization as quickly as possible.

5. Adjusted instruction based upon student's behaviors and performance.

6. Approach was enthusiastic.

7. Adhere to plans provided by specialist staff *(including reinforcement system and specific target)*.

8. Rewarded student for good attending and performance by ending tasks sooner.

9. Interspersed tasks as appropriate.

PROFESSIONAL GROWTH

1. Is responsive to feedback.

2. Seeks growth.

RESPONSIBILITY & PROFESSIONAL BEHAVIOR

1. Works well with members of the educational team.

2. Relationships with parents are within appropriate boundaries.

3. Uses time wisely.

DATA

1. Reliably takes data.

2. Follows prescribed schedule of data collection.

ADDITIONAL COMMENTS (AS NEEDED)

_____

_____

_____

_____

_____

Skill Devel Checklist 2 / MD 3-12-09

School Behaviors Rating Scale

Name: _____ DOB: _____ Grade: ____ Age: ____

Person completing form: _____ Date: _____

Social Communication Skills	1	2	3	4	5
Student is able to ask for what he/she needs and wants from others.					
Student is able to respond to the greetings of others.					
Student is able to maintain appropriate body orientation during interactions					
Student is able to express feelings appropriately to peers.					
Student is able to share and interact cooperatively with peers.					
Student is able to start conversations with peers.					
Student is able to ask questions of peers.					
Student is able to listen to peers.					

Compliance/General Problem-Solving Skills	1	2	3	4	5
Student is able to follow directions and general expectations of adults.					
Student is able to ignore peers when he/she should.					
Student is not passive with others.					
Student is not aggressive with others.					
Student thinks about what he/she is doing.					
Student is able to tell others about his/her concerns/troubles.					
Student is able to take responsibility for achievements and mistakes.					
Student understands the consequences of behavior.					
Student behavior is goal oriented					
Student is aware when he/she is having a problem.					
Student learns from past mistakes and does not repeat them.					
Student uses good strategies to solve problems.					
Student knows when he/she is having a social problem					
Student is knowledgeable of how he/she effects others					
Student uses appropriate strategies to solve interpersonal difficulties.					
Student uses non aggressive solutions to solve disagreements with others.					

Stress Management and Emotional Regulation Skills	1	2	3	4	5
Student is aware when he/she is getting angry or frustrated.					
Student can verbalize 2-5 things that help to calm him/her when angry.					
Student responds to anger with appropriate coping skills.					
Student keeps anger under-control (does not blow-up or have anger outbursts).					
Student is can handle minor frustrations without adult assistance..					

Attending/Learning to Learn Skills	1	2	3	4	5
Student is able to attend to the teacher or speaker during instruction					
Student is able organize school materials.					
Student effectively budgets his/her time.					
Student is able to begin a task without individual assistance					
Student is able to independently sustain attention on a task					
Student usually completes homework assignments					
Student is able to independently participate in group activities					

1 = Always   *2 = Usually*   *3 = Sometimes*   *4 = Rarely*   *5 = Never*

SOCIAL SKILL RATING FORM

Student: _____ Date: _____

Person Completing Form: _____

Directions: Based on your observations in various situations, rate this student's use on the following skills according to the following scale:

1= the student almost never uses the skill
2= the student seldom uses the skill
3= the student sometimes uses the skill

4= the student often uses the skill
5= the student almost always uses the skill

COMMUNICATION SKILLS

Conversational Skills

_____ 1. Maintaining appropriate physical distance from others
_____ 2. Tone of voice
_____ 3. Greetings
_____ 4. Staying on topic
_____ 5. Maintaining a conversation
_____ 6. Starting a conversation
_____ 7. Joining a conversation
_____ 8. Asking a question for clarification
_____ 9. Introducing topics of interests to others
_____ 10. Complimenting others

COOPERATIVE PLAY (OR GROUP) SKILLS

_____ 1. Joining others in play (or a group)
_____ 2. Compromising
_____ 3. Sharing
_____ 4. Taking turns
_____ 5. Dealing with losing
_____ 6. Dealing with winning

FRIENDSHIP MANAGEMENT

_____ 1. Respecting personal boundaries
_____ 2. Getting attention in positive ways
_____ 3. Knowing when to tell on someone
_____ 4. Appropriate touch

EMOTIONAL MANAGEMENT SKILLS

Self-Regulation

_____ 1. Recognizing feelings
_____ 2. Keeping calm
_____ 3. Problem solving
_____ 4. Talking to others when upset
_____ 5. Dealing with making a mistake
_____ 6. Trying something new

Conflict Management

_____ 1. Asserting yourself
_____ 2. Accepting no for an answer
_____ 3. Having a respectful attitude

Empathy

_____ 1. Showing understanding for others feelings
_____ 2. Cheering up a friend

Event Frequency Data Sheet
Multiple Behaviors

Student: _____   Dates:_____

Behavior 1: _____

Behavior 2: _____

Behavior 3: _____

(Use tally marks to note number of occurrences)

Time Period	Behavior 1	Behavior 2	Behavior 3
8:00-8:30			
8:30-9:00			
9:00-9:30			
9:30-10:00			
10:00-10:30			
10:30-11:00			
11:00-11:30			
11:30-12:00			
12:00-12:30			
12:30-1:00			
1:00-1:30			
1:30-2:00			
2:00-2:30			
2:30-3:00			
Total Incidents			
Total Time Minute/hour/day (circle one)			
Rate Per Minute/hour/day (circle one)			

Scatter Plot Data

Student: _____

Target Behavior: _____

Start Date: _____

End Date: _____

Key: □ = ⊠ = ■ =

Activity	Time													
	8:00-8:30													
	8:30-9:00													
	9:00-9:30													
	9:30-10:00													
	10:00-10:30													
	10:30-11:00													
	11:00-11:30													
	11:30-12:00													
	12:00-12:30													
	12:30-1:00													
	1:00-1:30													
	1:30-2:00													
	2:00-2:30													
	2:30-3:00													

Behavioral Analysis
Data Sheet

Name: _____

Behavior: _____

Date/Time	Antecedent	Behavior	Environmental Consequence	Staff Consequence	Possible Function

Date/Time	Antecedent	Behavior	Environmental Consequence	Staff Consequence	Possible Function

ABC Analysis

Date _____/_____/_____ Name of Person Observed: _____ Observer: _____

Behavior(s): _____

Date	Time	Antecedent	Behavior	Consequence	Possible Function

PREVOCATIONAL SKILLS CHECKLIST

Student Name:_____ Grade:____ Age:____ Completed By:_____ Date:_____

(For younger students, complete items #1-15 and any others that are appropriate.)

Skill	Excellent	Good	Satisfactory	Needs to Improve	Deficient
1. Has a good attendance record.					
2. What is this student's self-esteem/confidence level?					
3. Makes appropriate eye contact with adults and peers.					
4. Treats teacher/adults with respect.					
5. Follows teacher's directions immediately with a good attitude.					
6. Comprehends age-appropriate directions and is able to follow them.					
7. Pays attention and is able to focus on class discussions/instructions.					
8. Is able to tune out distractions and remain on task until completed.					
9. Exhibits motivation, initiative, and ambition to achieve.					
10. Participates appropriately in class discussions by listening, asking/answering questions.					
11. Is able to maintain satisfactory behavior without adult supervision.					
12. Is able to stay on task without direct supervision.					
13. Interacts appropriately with peers.					
14. Is aware of and acts in a safe manner (exercises safety precautions).					
15. Treats other people's belongings with respect.					
16. Is prepared for classes with pencil, paper, books, assignments, etc.					
17. Arrives at the right place at the right time.					
18. Accepts responsibility for his/her actions and performances.					
19. Exhibits acceptable organizational skills.					
20. Turns in completed classwork and homework on time.					
21. Assignments are neatly and carefully done to the best of his/her ability.					
22. Accepts praise from others appropriately.					
23. Accepts constructive criticism appropriately.					
24. Exhibits satisfactory behavior outside the classroom.					
25. Refrains from teasing, joking, and inappropriate behavior with peers.					
26. Expresses opinions and resolves disagreements in an appropriate manner.					
27. Controls temper.					

SCI Assistance Manual

APPENDIX B

Supports

Classroom Strategies & Modifications for Responding to Problem Behavior

Below is a checklist of strategies to try with students exhibiting problem behavior before responding with punishment or a referral for support. Remember that whatever strategies you try you need to be consistent in implementing them over a period of time (a minimum of 3-5 days is suggested).

If you do refer a student for support, check the strategies below that you have used consistently with that student and bring this form to the meeting for that student.
Student _____   Date _____
Staff_____

Modify Environment	Modify Presentation	Teaching Techniques
❑ teach/clarify rules ❑ change seating ❑ change groups ❑ reduce distractions ❑ special study area	❑ shorten ❑ use work breaks ❑ individual contracts ❑ extended time ❑ use of tape recorder ❑ daily assignment sheet ❑ assignment notebook/calendar ❑ study buddy	❑ precorrect/ preteach ❑ consistent rules & consequences ❑ teach note-taking & study skills ❑ provide extra practice ❑ strategies instruction ❑ repeat instructions, assignments ❑ Increase instructional time ❑ change pace of instruction ❑ verbal praise ❑ Incentive/point system ❑ frequent feedback ❑ eye contact ❑ use of visual aids ❑ tutor or aide one-on-one with student ❑ small-group instruction ❑ cross-age tutor
Curriculum/Materials	**Request for Assistance**	
❑ change instructional materials/ assignments to match skill level ❑ high-interest reading materials ❑ use of computer ❑ calculator ❑ books on tape, taped notes ❑ learning games ❑ alternate response	❑ conference with parents ❑ refer to office/counselor ❑ confer with other school staff ❑ confer previous teacher ❑ confer with school behavior specialist ❑ progress reports sent home ❑ referral to _____ _____	
Other Strategies		

Sequence Of Steps For Giving Requests

Steps in giving classroom commands or requests

1. Make the request or command in a polite specific manner, not in the form of a question .
2. Give the student enough time to comply with request or command.
3. Important, praise student for complying with request.
   FOR NONCOMPLIANCE:
4. Repeat the request or command emphasizing the word "need" (Only two commands should be given).
5. Allow approximately 5 seconds for student to comply.
6. Follow through with the class consequence. (The classroom consequence should already be in place.)
6. After the student has experienced the consequence immediately reissue the request or command.
7. Praise if student complies with request, or repeat the sequence.

(Adapted from material presented in a workshop "Magic in a Classroom" by Dr.William R. Jensen)

HIERARCHICAL DIFFERENTIATED SUPPORTS/ACCOMMODATIONS/MODIFICATIONS
by Diana Browning Wright

Least Restrictive Environment vs. Least Restrictive Supports/Accommodations/Modifications

Least restrictive environment is a common term in special education to communicate that all students should be educated as much as possible in the same physical environment as their peers. Least restrictive supports/accommodations and modifications should also be in place and are inherent in the philosophy of least restrictive-ness. A hierarchy of differentiated interventions, supports, adaptations proceeds from no special supports or adaptations for a specific subject matter or class, through maintaining the student in a physical environment with his/her peers, but providing an entirely functional curriculum for the student with severe disabilities. Neither behavior supports/behavior interventions, nor curricular adaptations encompassing accommodations and modifications should EVER be instituted in lieu of appropriate systematic skilled instruction that allows the student to maximize learning rate by gaining new skills.

Special Education Balancing Acts

Special education must balance between: 1) keeping the student with his peers with or without supports, and 2) providing specialized instruction, often requiring systematic re-teaching of previously inadequately learned basic skills. All educators struggle with the balance, with a very real danger inherent in a pendulum swinging too widely to either pole. For example, an over emphasis on accommodations might result in failure to systematically instruct in the basic skills that would lessen the very need for accommodations! An over emphasis on remediation and systematic basic skills instruction may result in less exposure to material others are learning if the remediation is occurring during the regular school day. This may therefore result in reducing the students' exposure to the required curriculum that culminates in the high school exit exam. It also contributes to the students' sense that their removal was due to a global inability on their part. This reduces effort, and belief in ability to succeed, which reduces outcomes. Learning to read comes first; reading to learn comes second. The older the student, the more difficulty teachers experience in providing a balanced, effective educational approach.

Hierarchical Decision Making on Supports and Curricular Adaptations

The following guide proceeds from nothing special for this student, in this class, through alternative curriculum for severe disabilities provided in an environment in which peers are working on core curriculum, with the ultimate goal of graduating from high school with a diploma. Least restrictive-ness logically proceeds from minor redirection and minor behavior support, through actual changes in the way teaching occurs and changes to what is taught. Behavior support is the beginning scaffold, with transition to accommodation/modification planning to occur when these changes alone do not remove impediments to learning. Accommodations that do not substantially alter a standard are considered well before substantially altered materials or instructional goals are considered.

DIFFERENTIATING INSTRUCTION/ ACCOMMODATING DIVERSE LEARNERS

STEPS TOWARD SUCCESSFUL STRATEGY-BASED INSTRUCTION

1. Carefully analyze the task(s) to be completed.

2. Identify the strategies that will promote success.

3. Teach the strategy through explicit, direct instruction.

   a. The teacher models and "talks through" the strategy.
   b. The student observes all of the processes several times.

4. The teacher **explicitly** states:

   a. the goal of the strategy to be employed
   b. the task for which the strategy is appropriate
   c. the range of the applicability
   d. the learning gains anticipated from its consistent use

5. Verbal rehearsal of the steps of the strategy to 100% criterion. Visual reminders (chart, checklist, schedule) are provided.

6. If the strategy fails to work, opportunities to review the process and to repair the breakdown are provided. Feedback is positive and corrective.

7. **PRACTICE!   PRACTICE!   PRACTICE!**

1. **Needs nothing special** in this class

   Ask: Can the student participate successfully in this activity just like the other students?

2. **Change in something in the instruction/environment affecting everyone** accommodates this student

   Ask: Can changes that benefit all students in this class likely result in effectively accommodating this student's learning difference? Will this increase the student's:
   * participation ?
   * task completion?
   * quality of work?
   * motivation enhancement?

   Ask: Can classroom organization and instructional practice benefit all students? Does enhancing fun, freedom, empowerment, belonging opportunities for all students accommodate this student's learning difference?
   * access to reinforcing activities following this lesson?
   * praise increase for everyone?
   * scaffolding for everyone?
   * strategy-based instruction for everyone?
   * PALS? Peer Assisted Learning Strategies?

3. **Change in individualized access to reinforcers** that provide: fun, freedom, empowerment, belonging (i.e., behavior support) accommodates this student's learning difference

   Ask: What does this student really seek in this environment, or protest in this environment? Would a change in the student's ability to get basic needs met in this environment address his/her learning difference?
   * increasing relevance of learning for this student,
   * providing freedom (of movement, of pacing of task completion),
   * enhancing his/her ability to achieve status in the group for individual achievement (e.g., a "Pit Crew" program)

4. **Can the student participate with additional environmental accommodations** (level of support from peers, teacher, and other adults? level of engagement/participation)

   Ask: What will enhance engagement and motivation; what will support sustaining student's attention to task completion?
   * enhance participation?
   * enhance support? (peers, adults, partners)
   * enhance home/school communication and parental role in reinforcing progress?

5. Can the student participate with *INPUT* or *OUTPUT* adaptations?

   Ask: What will assist the student in better understanding the instruction and assist the student in demonstrating what was learned?
   - Input adaptations? (scaffolds: advanced organizers; strategy-based instruction, preteaching) and/or
   - Output adaptations?

6. **Can the student learn better and demonstrate that knowledge with changes in *TIME* allotted for work and/or testing?**

   Ask: Can the student demonstrate the standard after additional time to complete work? After redoing assignments or completing alternate assignments to demonstrate mastery (i.e., more time to master the material)?

7. **Can the student master the material without completing all the work assigned? Reduce QUANTITY.**

   Ask: Accommodation: Can the student demonstrate the standard even though less quantity of work is produced? Modification: Can the student master some essential standards with extra assistance and reduction in number of standards taught? Beware: reduction in standards taught will likely affect ability to pass CAHSEE.

8. **Can the student master the material with reduction in DIFFICULTY of material presented?**

   Ask: Accommodation: Can the student demonstrate the essential standards, but require reduction in task difficulty? Modification: Can the student participate in activities to achieve alternate individualized goals when the tasks are greatly reduced in difficulty?

9. **Can the student participate in activities to master ALTERNATE GOALS, not completing work to master the standards?**

   Ask: Modification: Can the student participate in the least restrictive environment, working on highly individualized instruction? Assumption: High school diploma will not be attained if instruction to master standards is not delivered. Accommodation: Can the student work on alternate goals, while simultaneously demonstrating mastery of standards. (e.g., social pragmatics instruction during a time when other students are working on written language assignments far beyond this students ability-- for a student with Autism on grade level in reading with output difficulties)

10. **Can the student master different curricular components, ALTERNATE FUNCTIONAL SKILLS CURRICULUM for a student with severe disabilities.**

    Ask: Can this student be included in the educational environment in which other students are working towards grade level standards mastery if his/her educational programming focuses on curricular domains to enhance quality of life, independence, leisure skills, etc.?

Nine Types of Curriculum Adaptations

Quantity * ●

Adapt the number of items that the learner is expected to learn or number of activities student will complete prior to assessment for mastery.

For example:
Reduce the number of social studies terms a learner must learn at any one time. Add more practice activities or worksheets.

Time *

Adapt the time allotted and allowed for learning, task completion, or testing.

For example:
Individualize a timeline for completing a task; pace learning differently (increase or decrease) for some learners.

Level of Support *

Increase the amount of personal assistance to keep the student on task or to reinforce or prompt use of specific skills. Enhance adult-student relationship; use physical space and environmental structure.

For example:
Assign peer buddies, teaching assistants, peer tutors, or cross-age tutors. Specify how to interact with the student or how to structure the environment.

Input *

Adapt the way instruction is delivered to the learner.

For example:
Use different visual aids, enlarge text, plan more concrete examples, provide hands-on activities, place students in cooperative groups, pre-teach key concepts or terms before the lesson.

Difficulty * ●

Adapt the skill level, problem type, or the rules on how the learner may approach the work.

For example:
Allow the use of a calculator to figure math problems; simplify task directions; change rules to accommodate learner needs.

Output *

Adapt how the student can respond to instruction.

For example:
Instead of answering questions in writing, allow a verbal response, use a communication book for some students, allow students to show knowledge with hands on materials.

Participation *
Sometimes called "engagement"

Adapt the extent to which a learner is actively involved in the task.

For example:
During instruction, using "every pupil response techniques" or "choral responding." In geography, have a student hold the globe, while others point out locations. Ask the student to lead a group. Have the student turn the pages while sitting on your lap (kindergarten).

Alternate Goals ●

Adapt the goals or outcome expectations while using the same materials. When routinely utilized, this is only for students with moderate to severe disabilities.

For example:
In a social studies lesson, expect a student to be able to locate the colors of the states on a map, while other students learn to locate each state and name the capital.

Functional Curriculum ●

Provide different instruction and materials to meet a learner's individual goals. When routinely utilized, this is only for students with moderate to severe disabilities.

For example:
During a language lesson a student is learning toileting skills with an aide.

* *This adaptation is an accommodation if the student can demonstrate mastery of the standard on an assessment. The key concept is: Will the student ultimately master the same material but demonstrate that mastery in alternate ways or with alternate supports? If standards are not fundamentally or substantially altered, then this adaptation is an accommodation to a learning or performance difference.*

● *This adaptation is a modification if the student will not demonstrate mastery of the standard on an assessment. If routinely utilized, these adaptations are modifications and require individualized goals and assessment.*

INDIVIDUAL CURRICULUM ADAPTATION PLAN

Student:

Subject:

IEP date:

QUANTITY	TIME	LEVEL OF SUPPORT

INPUT	DIFFICULTY	OUTPUT

PARTICIPATION	ALTERNATE GOALS	SUBSTITUTE CURRICULUM

GRADING

SCI Assistance Manual

APPENDIX C

Resources

Prompt Hierarchy
(Least to Most Intrusive)

Independent (I): without a prompt

Proximity (PR): persons or materials positioned in order to produce a successful response

Example: asking a student to throw something in the trash can when you are standing right next to it, putting the item you want them to grab closest to them then asking them to grab it

Gestural (G): non-verbal physical communication

Example: pointing, non-verbal body language (eye brow, glance, shrug, facial expression, head tilt, postural, articulatory posture-mouth movement without sounds, sign language, thumbs up or down

Visual (VL): using additional visual stimuli to increase the likelihood of a correct response

Example: icons, digital pictures, bold print, color size

Model (M): physically modeling the desired behavior

Example: asking the student to stand up while you simultaneously stand up

Verbal Model (VM): language being provided with the expectation that the student will imitate a sound(s), a phonemic cue (pa), part of the word, whole word, sentence

Example: when the student is asked _"How are you today?"_ by his teacher, you immediately say _"I'm fine"_ for him so that he can repeat what you said

Indirect Verbal (IV): verbal stimuli intended to allow the student to gain information from his or her environment leading to the demonstration of the expected behavior

Example: vicarious reinforcement, reminders that they need to do something without telling them specifically what they need to do, commenting on what other students are doing

Verbal (V): mands in addition to the Sd, _a verbal prompt is not the repeat of the Sd_, verbal prompts are extremely difficult to fade, so don't use them!

Example: verbally breaking down the instruction, the student was told to _"Go outside for recess"_ and did not so you break down the task by saying _"Stand up"_ right after the Sd **OR** the student was told to _"Clean up"_ and did not so you hand the student a piece of trash and say _"Put in"_ with the Sd

Tactile (T): a brief touch

Example: touching their shoulder, elbow, wrist, etc.

Hand over Hand (HOH): assisting a student through a motor movement with _no resistance from the student_, resistance = restraint = behavior emergency report = IEP

Example: Physically raising their hand for them, putting your hand over theirs and helping them write

Kraemer, Morton, and Wright (1998) *Prompting.* Diagnostic Center, Southern California. Department of Education.
Other Prompts

Prompt	Definition	Example
Within Stimulus Prompt	There is an exaggerated difference between 2 choices.	Mrs. Brown says, "Show me the big bear," using a 3' tall teddy and a small bear manipulative.
Proximal or Positional Prompt	Items are placed to emphasize one and minimize the other.	Mrs. Brown puts a yellow square right in front of the student and the blue square far away and asks for the yellow square.
Prior Knowledge Prompt	The instructor uses information that the child already knows to prompt new responses.	The student knows what a bear is. Mrs. Brown puts out a blue bear and a yellow square and then asks for the blue bear to prompt the color blue.
Reducing the Field Prompt	Instructor visually eliminates some of the information or items to reduce what the student must sort through to find the correct answer.	Mrs. Brown covers half of the page with a piece of paper before asking the student to find the hat.
Priming Prompt	Giving information ahead of time that will be needed later in the task.	Mrs. Brown tells the student, "A quarter is silver and a penny is copper." Later Mrs. Brown asks the student to point to the quarter.
Matching Prompt	Giving an item to be matched rather than a receptive instruction to be followed.	Student has a red circle and a blue square. Mrs. Brown hands a blue square to the student and says, "Match to blue."
Observational Prompt	Using a peer as a model for the student.	Mrs. Brown asks the students to get out their books. When John does not get his book out, Mrs. Brown points to George and asks John to do what George did.
Matching for Receptive Labels Prompt	Put 2 items in front of the student. Hold up the item you are teaching the label for as you give the instruction.	The student has keys and sunglasses in front of him. Mr. Brown holds up some keys and asks him to point to the keys.
Inadvertent Prompt	The instructor unknowingly or accidentally gives some sign of what the correct answer is.	Mrs. Brown smiles when the student's hand moves towards the correct object and does nothing when it moves towards the incorrect object.

A Prompt must occur with or immediately after the instruction.

Assistance, guidance, and facilitation are not prompts. They produce a product or behavior, but are not faded. The emphasis is on the product, for example staying on schedule or finishing the worksheet. If most of what you are doing is this, plan how to teach necessary skills for independence in these areas.

Elements of Discrete Trials Training - **LEVEL OF PROMPT USED**

Prompt Type:	Physical	Model (show movement)	Gestural (Point)	Visual (show printed stimulus)	Verbal (tell)	Positional	Size	Color
Sample Task Description:	See/do Motor Imitation for clap hands	Hear/do action (receptive motor) for "clap hands"	Hear/do action (receptive motor) for "touch ___"	Hear/do action (receptive motor) for "touch ___"	See/say tact (expressive label) when told "Name it."	Hear/do action (receptive motor) for "touch ___"	Hear/do action (receptive motor) for "touch ___"	Hear/do action (receptive motor) for "touch (letter name)"
LEVEL 4 Full (Most)	hand-over-hand full guidance to clap	therapist claps her hands	point to correct item	Show picture of named object	Therapist says "apple"	Target stimulus is 4" closer than Distractor(s)	Target is 3X the size of the Distractor(s)	Target is in full color
3	hand-over-hand to clap once & child continues on own			Cover 1/4 of picture		Target stimulus is 3" closer than Distractor(s)	Target is 2X the size of the Distractor(s)	Target color is faded to 75%
2 Partial (Medium)	hand-over-hand until hands 2" apart	therapist almost claps hands together	Point toward area of correct item	cover 1/2 of picture	Therapist says "ap"	Target stimulus is 3" closer than Distractor(s)	Target is 1.5X the size of the Distractor(s)	Target color is faded to 50%
1	tap elbows to move hands together			cover 3/4 of picture		Target stimulus is 1" closer than Distractor(s)	Target is 1.25X the size of the Distractor(s)	Target color is faded to 25%
0 Low (Least)	fade to gestural prompt if necessary	therapist lifts hands and arms in the air	point toward stimulus area	cover or remove picture	Therapist says short "a" sound	Target stimulus is no closer than Distractor(s)	Target is the same size as the Distractor(s).	Target is same color as Distractor(s)

Elements of Discrete Trials Training - **TYPE OF PROMPT USED** -

Term (Abbreviation)	Definition	Example*
Physical	Using physical (or "hand-over-hand) guidance to help learner produce correct response	SD is "clap hands": the prompt consists of holding the learner's hands and clapping them together.
Model (show)	Demonstrate correct response for the learner	SD is "clap hands": prompt is therapist claps her own hands.
Gestural (point)	Point to or gesture toward the correct item	SD is "clap hands": prompt is pointing to learner's hands
Visual	Provide a visual cue or picture of correct response	SD is "clap hands": prompt is showing a picture of hands clapping
Auditory	Telling the learner the correct response or providing an auditory hint about the correct response	SD is "clap hands": prompt is saying, "Make that noise with your hands."
Positional	Placing a stimulus in a position closer to, or more obvious to, the learner than the other stimuli	SD is "touch red": prompt is placing the red card closer to the child than the other card(s)
Size	Making the target stimulus larger than, or a different shape from, the target stimuli	SD is "touch red": prompt is presenting a red card twice as large as the other card(s)
Color	Altering the color of the target stimulus so that it is more salient (obvious) to the learner than the other stimuli	SD is "touch red": prompt is presenting a red letter A, with other letters printed gray or black

Note: Examples above only show TYPE of prompt, NOT LEVELS of prompts within that type.

<u>Where does the prompt go?</u>

■ Follow the Discrete Trial Teaching method:

SP

SD----------------------->R----------------->SR   ITI   Repeat

Instruction   Response   Feedback/
                                  Consequence

■ **Sd**- Discriminative Stimulus (*instruction/direction*)

■ **Sp**- Prompt Stimulus (*prompt with the instruction*)

■ **R**- Response (*what student does*)

■ **Sr**- Reinforcing Stimulus (*"You did it!" or "No, let's try again"*)

■ **ITI**- Inter-trial interval (*if student failed, decide a higher prompt level and repeat the sequence over again*)

We want to prompt with the instruction so that we are intentionally teaching the student to **listen** to the instruction and what the instruction actually **means**. Prompting with the instruction makes it easy to fade your prompts because the student is learning what the instruction means and to follow it.

If you prompted your student with the instruction and they did not succeed in following the instruction then you need pause (ITI) after you gave them some feedback and decide a more intrusive prompt (refer to your prompt hierarchy). Then you must **repeat the instruction again with the more intrusive prompt** so that they can get positive practice with reinforcing feedback, and learn what it is that you are trying to teach them!

<u>PLEASE AVOID:</u>

1. Repeating instructions over and over again without any feedback
2. Never giving any feedback
3. Prompting after the student has responded instead of with the instruction
4. Not fading your prompts
5. Using prompts just to get the student to finish the task on time, focus on learning rather than completion of tasks and have some patience!

Helping or Hovering? Effects of Instructional Assistant Proximity on Students with Disabilities

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ABSTRACT: *This study presents data on the effects of the proximity of instructional assistants on students with multiple disabilities who are placed in general education classrooms. Based on extensive observations and interviews, analyses of the data highlighted eight major findings of educational significance, all related to proximity of instructional assistants. Categories of findings and discussion include (a) interference with ownership and responsibility by general educators, (b) separation from classmates, (c) dependence on adults, (d) impact on peer interactions, (e) limitations on receiving competent instruction, (f) loss of personal control (g) loss of gender identity, and (h) interference with instruction of other students. The article concludes with implications for practice related to policy development, training, classroom practices, and research.*

As students with disabilities increasingly are placed in general education schools and classes, the use of instructional assistants has greatly expanded. Recent national figures estimate that over 500,000 instructional assistants are employed in public schools, and increases are anticipated in the coming years (Schelble, 1996). Although their changing roles and responsibilities have gained recent attention (Pickett, 1986; Pickett, Faison, & Formanek, 1993), the proliferation of instructional assistants in public schools often has outpaced conceptualization of team roles and responsibilities, as well as training and supervision needs of instructional assistants. Nowhere is this more evident than in schools where students with severe or multiple disabilities are included in general education classrooms.

In our work in public schools, we have noticed instructional assistants playing increasingly prominent roles in the education of students with disabilities. With pressure from parents, who want to ensure that their children are adequately supported, and general educators, who want to make sure they and their students are adequately supported, the use of special education instructional assistants has become a primary mechanism to implement more inclusive schooling practices. Although we have been encouraged by situations where students with disabilities have been provided with previously unavailable educational opportunities, we are concerned that some current approaches to providing instructional assistant support might be counterproductive. Current research on the use of instructional assistants to support students with disabilities in general education classes is limited to a small number of studies that sought to clarify existing roles and responsibilities (Doyle, 1995), to explore the expanded use of natural supports (Erwin, 1996), and to use activity schedules and decreased prompts to foster greater student autonomy (Hall, McClannahan, & Krantz, 1995).

The purpose of this study was to further extend this recent research by highlighting some of the key issues we observed in general education classrooms where students with disabilities were supported by instructional assistants. The nature of these findings holds important implications for evaluating how we use, train, and supervise instructional assistants so that their work can be supportive of valued educational outcomes for students with disabilities and their peers without disabilities in general education classrooms.

METHOD

Research Sites and Study Participants

Throughout the 1994-95 and 1995-96 school years, data were collected in 16 classrooms in 11 public schools in Connecticut, Massachusetts, Utah, and Vermont where students with multiple disabilities were educated in general education classrooms. The grade levels included preschool (with students without disabilities), kindergarten, and Grades 1, 2, 3, 5, and 11 (Grade 11 was primarily education within integrated community and vocational settings). Primary study participants included students with disabilities and the adults who supported their education in these general education classes.

The seven female and four male students with disabilities all were identified as deaf-blind, though each had some residual hearing and or vision. The students ranged in age from 4 through 20 years. All of these students were reported to have significant cognitive delays and additional disabilities such as orthopedic impairments ($n = 10$, 91%), health impairments ($n = 7$, 64%), and behavioral impairments ($n = 4$, 36%).

A total of 134 educational team members participated in this study, including 123 females (92%) and 11 males (8%). This number does not include the many special area teachers (e.g., physical education, music, art, library), other school personnel or volunteers, and classmates encountered in the course of our observations. Thirty-four of the team members were related services providers (i.e., speech/language pathologists ($n = 14$), physical therapists ($n = 13$), nurses ($n = 8$), occupational therapists ($n = 7$), itinerant teachers of the blind and visually impaired ($n = 4$), itinerant teachers of the deaf and hearing impaired ($n = 4$), deaf-blind specialist ($n = 2$), orientation and mobility specialist ($n = 1$), employment specialist ($n = 1$), and family support consultant ($n = 1$). The remaining respondents included 20 special educators, 17 instructional assistants, 16 general education teachers, 15 parents (i.e., mothers ($n = 11$), fathers ($n = 4$), and 9 school administrators. In all but one classroom, one or more instructional assistants were assigned to support the student with disabilities. Four of the instructional assistants had completed a bachelor's degree, 12 had graduated from high school, and one had not completed high school.

Data Collection

This qualitative research study relied primarily on extensive classroom observations ($n = 110$) of the students with disabilities and their teams, averaging 2 to 3 hr each. Observations consisted of typical school day activities such as large and small groups with peers who did not have disabilities, individual and community-based activities, lunch, recess, class transitions, and individual therapy sessions. Field notes were collected using laptop computers by the five-person research team.

Semistructured interviews were conducted with team members in an effort to more fully understand the classroom observations. From May through September 1995, the research team conducted 40 semistructured interviews with a subset of team members from each team, including related services providers ($n = 14$), special educators ($n = 9$), parents ($n = 8$), classroom teachers ($n = 4$), instructional assistants ($n = 3$), and administrators ($n = 2$). Interviews typically lasted between 45 and 75 min; they were audiotaped and later transcribed. Each interviewer asked questions pertaining to (a) how support service decisions were made by the team historically, (b) the interactions among classroom staff providing and receiving support (e.g., classroom teacher, instructional assistant, special educator, related services providers), (c) the roles and responsibilities of the instructional assistants, (d) strengths and weaknesses of the teams' approach to providing classroom support, and (e) potential improvements in the provision of support services.

Data Analysis

The observational and interview data were analyzed by the first author inductively using categorical coding (Bogdan & Biklen, 1992). These analyses were reviewed by the other research team members in an attempt to clarify the data presentation and ensure accuracy. The first author ensured his familiarity with the data by (a) participating in data collection (i.e., 31 observations, 17 interviews), (b) reviewing all transcripts of observations and interviews conducted by other research team members, (c) maintaining ongoing contact with research team members, and (d) being involved with research sites over an extended period of time.

First, transcripts of observations and interviews were read and marked by hand using over 150 separate codes consisting of words or phrases descriptive of text content (e.g., scrutiny, fringe, defer); particularly descriptive passages were highlighted and separate notes were maintained on emerging themes. Each observation and interview transcript was imported from a word processing program into HyperQual2 (Padilla, 1992), a textsorting program designed to assist in qualitative data analysis. Each observation and interview was reread and codes were rearranged and collapsed into 25 categories using HyperQual2 to generate 25 code-specific reports. Inductive analysis (Patton, 1990) was applied to the code-specific reports to assist in the identification of themes. One theme with extensive data pertained to the proximity between the student with disabilities; and the instructional assistants. Further analysis of this data highlighted eight distinct subthemes, which are presented in the results.

Triangulation was employed, using a series of techniques that can, "contribute to verification and validation of qualitative analysis" (Patton, 1990, p. 464). Credibility of the finding in this study was supported using methods triangulation to explore the consistency of findings generated by different methods. In this case, extensive observations and interviews allowed for comparison across time at the same sites. Additionally, this allowed for comparison of what was actually observed with what people reported in their interviews. Triangulation of sources was also used to explore the consistency of different data sources using the same method. For example, because teams were studied, it provided a unique opportunity to explore the nature of participant responses to the same issues queried during interviews.

RESULTS

One of the most prominent findings that emerged from the data was that instructional assistants were in close proximity to the students with disabilities on an ongoing basis. This was evidenced by (a) the instructional assistant maintaining physical contact with the student (e.g., shoulder, back, arms, hands) or the student's wheelchair; (b) the instructional assistant sitting in a chair immediately next to the child; (c) the student sitting in the instructional assistant's lap when classmates were seated on the floor; and (d) the instructional assistant accompanying the student with disabilities to virtually every place the student went within the classroom, school building, and grounds.

Although study participants indicated that some level of close proximity between students with disabilities and instructional assistants was desirable and sometimes essential (e.g., tactile signing, instructional interactions, health management), they also recognized that unnecessary and excessive adult proximity was not always necessary and could be detrimental to students. As one mother who had observed her son's classroom stated:

At calendar time in the morning she (instructional assistant) doesn't have to be right by his side. She could kind of walk away. She doesn't have to be part of his wheelchair. That's what it feels like. I just think that he could break away a little bit (from the instructional assistant) if he were included more into all the activities with the regular classroom teacher.

A speech/language pathologist from the same team independently stated, "I think there is some unnecessary mothering or hovering going on."

Analysis of the data revealed eight subthemes pertaining to proximity between instructional assistants and students with disabilities that are presented in the following sections (see Figure 1).

Interference with Ownership and Responsibility by General Educators

Most of the classroom teachers in this sample did not describe their role as including responsibility for educating the student with disabilities who was placed in their class. Team members reported that the proximity and availability of the instructional assistants created a readily accessible opportunity for professional staff to avoid assuming responsibility and ownership for the education of students with disabilities placed in general education classrooms.

Different expectations regarding the role of the classroom teacher was a point of conflict within many of the teams. As one related services provider stated, "She (the classroom teacher) doesn't take on direct instruction (of the students with disabilities). In fact, . . . she stated at meetings that she doesn't see that as her role. And I disagree with that. I mean she is a teacher."

Although special educators and related services providers were involved in each case, almost universally it was the instructional assistants who were given the responsibility and ownership for educating the students with disabilities. Teachers were observed having limited interactions with the student with disabilities, proportionally less than those with other class members. Involvement by the teachers that did occur most often was limited to greetings, farewells, and occasional praise. Instructional interactions occurred less frequently (e.g., being called on to answer a question in class). A special educator summed up the need for clarification sought by many educational team members when she said, "What should the classroom teacher's role be? Even in our most successful situations we don't have a lot of classroom teachers who are saying, "I have teaching responsibility for this kid." Most teams we observed had not confronted this issue. "We haven't as a team come out and said, 'All right, what is the role of the classroom teacher in teaching this child?'"

Data consistently indicated that it was the instructional assistants, not the professional staff, who were making and implementing virtually all of the day-to-day curricular and instructional decisions. One speech pathologist said, "[W]e (the team) have talked about this many times. We have our most seriously challenging students with instructional assistants." A special educator explained, "The reality is that the instructional assistants are the teachers. Though I'm not comfortable with them having to make as many instructional decisions." An experienced instructional assistant explained, "I never get that kind of information (about instruction related issues and planning). I just wing it!"

The instructional assistants demonstrated unfettered autonomy in their actions throughout the day as evidenced by entering, leaving, and changing teacher-directed whole class activities whenever they chose with no evidence of consulting the teacher. As one instructional assistant said, "We do not do a lot of what the class does. I do what I think he can do." She justified her role as decision maker by saying, "I am the one that works with him all day long." Instructional assistants reported becoming increasingly comfortable with their role as the: primary instructor for the student with disabilities, as one stated, "[We are] the only people who really feel comfortable with Holly."

FIGURE 1

Problems Related to Instructional Assistant Proximity

Interference with Ownership and Responsibility by General Educators
- "I'm not sure how Holly is going to be involved in this activity, but that's her aide's job." (Physical education teacher)
- "The teachers tend to kind of let the individual (assistants) kind of run the program." (Mother of a student with disabilities)

Separation from Classmates
- An instructional assistant waited until all the other students had lined up at the teacher's direction and had filed out of the classroom before prompting the student with disabilities to leave the room, trailing the group by about 10 yards.
- In the middle of an activity, after James had one turn, the instructional assistant quietly removed him from the group while the class continued their activity.

Dependence on Adults
- During a large group literacy activity, the instructional assistant had positioned herself near the back of the group, a few feet away from Annie (the student with disabilities). Annie looked away from the teacher and toward her instructional assistant every few seconds as the instructional assistant offered her signed instructions (e.g., look at the teacher, sit down). After a couple of minutes, Annie walked back to the instructional assistant and sat on her lap.

Impact on Peer Interactions
- "A shadow is not necessarily good. It's more of a stigma. I really hadn't considered the fact that Mrs. Kinney (the instructional assistant) is always very close to Jaime, although there are times when she is out on a break or whatever and he is in very capable hands with his peers. I think it would be better to have her integrated more in the classroom and maybe not feel that she needs to hover so much. (Classroom teacher)

- "It (close proximity of instructional assistants) may be kind of intimidating to them (peers). It may sort of be a barrier to them interacting with him." (Speech/language pathologist)

Limitations on Receiving Competent Instruction
- In attempting to use discrimination learning to teach the differences between named objects, pictures, symbols, or colors, lessons yielded little because the instructional assistants demonstrated limited knowledge or application of basic instructional design issues such as position bias, use of negative exemplars/distracters, and establishing mastery criteria prior to introducing new items.

Loss of Personal Control
- Did Holly really want to eat lunch apart from her classmates in a separate room? Did Helen really want to play the math game with an adult rather than a classmate like all the other students were doing?

Loss of Gender Identity
- Loss of gender identity was most commonly observed in reference to bathroom use when a male student was taken into a women's bathroom by a female instructional assistant.

Interference with Instruction of Other Students
- An occupational therapist reported that the students without disabilities were more distracted by the instructional assistant doing different activities than by the "noises" of the student with disabilities.

The instructional assistants in this study reported that they received mostly on-the-job training from other instructional assistants by talking with each other and job shadowing so that patterns of interaction by instructional assistants were passed on. Inservice training that a small number received typically was conducted in groups that included only other instructional assistants. Ironically, experienced professionals who said things like, "We do not have the training to work with these high needs kids" turned over the education of their most challenging students to instructional assistants, many of whom were high school educated, had no previous classroom experience, and had minimal training. As one special educator acknowledged, from a logical perspective, "It doesn't make sense."

In one site where an instructional assistant was not present, the classroom teacher, with support from special educators and related services providers, successfully assumed the primary role for instructing the student with disabilities. She directed his instructional program, spent time teaching him within groups and individually, used sign language to communicate with him, and included him in all class activities. This teacher stated, "You know the teacher needs to be the one who makes the decisions a lot because she is working with Mark (student with disabilities) and she knows Mark and knows which areas he needs help in." A special educator in this site acknowledged that not every aspect of this student's individualized education program (IEP) requires significant support and that some aspects of the IEP, "left to the regular educator would be just fine." The specialist for the deaf-blind on this team said, "I think a lot of it (the teacher's success with the students with disabilities) is that she has high expectations for Mark. She does not do for him; instead she shows him how to do things. She considers him very much part of the class."

Separation from Classmates

Instructional assistants were regularly observed separating the student with disabilities from the class group. For example, when it was time to go to a special area class (e.g., art, music, physical education) one instructional assistant consistently left class a couple minutes before the rest of the class to wheel the student with disabilities to the specialty classroom.

Even when the students were basically stationary, such as seated on a rug to hear a story, the instructional assistant often physically separated the student with disabilities from the group by positioning him on the fringe of the group (e.g., the farthest away from the teacher). Instructional assistants reported that their positioning of the student allowed them to leave the activity whenever they chose.

Sometimes separation from the class occurred during circumstances where the match between class activity and the student's individual needs appeared highly compatible. For example, Annie entered the classroom during an individual writing time. As the instructional assistant began an adapted writing activity using large chart paper and markers, a second instructional assistant approached her and said, "She can do this writing just as easily in the other room as here." With that prompt, the instructional assistants separated Annie from the class without consultation with, or resistance from, the classroom teacher.

Dependence on Adults

Instructional assistants in close proximity to students with disabilities were observed prompting most every behavior exhibited by the students in this study (e.g., using writing implements, using gestures, following instructions, using materials). There was little evidence of fading prompts to decrease dependence and encourage students to respond to other people (e.g., school staff, peers) and more naturally occurring cues (e.g., the presence of certain toys or school supplies). Alternatively, an instructional assistant who was cognizant of Helen's dependence on her, encouraged her to do things for herself through redirection, especially when the student sought unneeded assistance with tasks such as dressing and grooming.

An example of dependence on adults was observed on the school playground during recess. The student with disabilities was being shadowed on a large wooden play structure by an instructional assistant. The student was capably crossing a wooden bridge where safety was not a concern. The student charged toward the bridge, letting go of her assistant's hand. A few steps onto the bridge she stopped abruptly and quietly turned back toward the instructional assistant who was only a foot behind her. The instructional

assistant smiled, saying, "You know me. I stick right with you." The student reached back and took the instructional assistant's hand instead of crossing the short span of the playground bridge on her own. Sometimes the school system's dependence on instructional assistants was so strong that when the instructional assistants were absent, the family was asked to keep the child home from school or the mother was asked to be the substitute instructional assistant.

Impact on Peer Interactions

Data indicated that close proximity of instructional assistants had an impact on interactions between students with disabilities and their classroom peers. As one special educator shared:

> Sometimes I think it inhibits her relationship with her peers because a lot is done for Holly and Holly doesn't have the opportunity to interact with her peers because there is always somebody hovering over her, showing her what to do or doing things for her. I'd like to get the instructional assistant away from Holly a little bit more so that peers will have a chance to get in there and work more with Holly.

A classroom teacher offered her perspectives on how instructional assistants might be used differently.

> I would definitely prefer having a paraprofessional assigned to the classroom and then just as necessary to have her work with a child (with special educational needs) when there is a specific activity, but not exclusively to work with just that child. I think it is important for two reasons. One is that you don't want to give the child any extra stigma that is associated with a special education label. Second is that it is more healthy for the paraprofessional to work with other children so that he or she doesn't get burned out with working with just one child all the time.

Interference with peer interactions did not occur in all cases. Some team members said that if the instructional assistant was well liked by the other children it had a positive impact on the student with disabilities' access to peers. As a physical therapist described, "I have also seen it (proximity of instructional assistants) be very, very positive, in that the instructional assistant is really well liked and has done a lot to establish wonderful friendships for the student."

Conversely, if the instructional assistant was not well liked it had a corresponding negative impact. Sometimes the close proximity students had with instructional assistants led peers to perceive them as a package deal. As one mother cautiously shared, "I don't know if I should say this or not, but a lot of it was that kids didn't like the aide, so they would stay away from Annie for that reason."

When teachers assigned students to student-directed pairs or small groups, instructional assistants were often observed dominating the group's interactions. In some cases, the involvement of the instructional assistant was so omnipresent that children without disabilities simply left the group with the instructional assistant and joined a different group with only classmates, no adults. In other cases when students without disabilities initiated interactions, they were rebuffed by the instructional assistant. Ronny (a student without disabilities) asked the instructional assistant, "Do you want me to help Jamie?" She answered, "No, not yet." Ronny was never asked back to assist his classmate. At other times instructional assistants interrupted initiations made by peers. For example, in a physical education class, Michael went over to Jaime and began to run with him in his wheelchair to participate in the activity. The instructional assistant interrupted this interaction saying to Michael, "If you want to run, I'll push Jaime." After a hesitant pause, Michael reluctantly gave way to the instructional assistant. At times, prolonged close adult proximity adversely affected peer involvement even when the instructional assistant was not present. As one special educator shared:

> We've tried (reducing adult proximity) . . . like in the lunchroom. Like putting Maria or any of the other students (with disabilities) in the lunchroom and then backing off a little bit. But I think that it (close adult proximity) has been done for so long, that the peers have stayed away for so long, that they are just kind of hesitant to jump right in and do anything.

When the instructional assistant was not in close proximity to the student with disabilities, peers were more likely to fill the space the instructional assistant had vacated. The following example is typical of what we observed.

> As the instructional assistant leaves momentarily to get some materials, Mallory (student without disabilities) walks over to Elena (student with disabilities). She puts her hand gently on her shoulder and calmly says "easy hands" in response to Elena being a bit rough with her book. Elena turns to look at Mallory and then makes some vocalizations and moves her hands as Mallory talks to her about her book. As the instructional assistant starts to return, Mallory stops talking with Elena and returns to her seat.

Limitation on Receiving Competent Instruction

Observations and interviews indicated that students in this study participated in classroom activities that typically were not planned by trained professional staff. While several team members praised the work of instructional assistants in their "caregiving duties" (e.g., feeding, dressing), they expressed concerns about their role as assistants of instruction.

Many classroom teachers expected capabilities and performance from instructional assistants that were potentially unrealistic. As one teacher explained, "My problem is that I will be teaching a class and my expectations are that the paraprofessional will get the

gist of what I am doing and glean some kernel out of it that can be used right then on the spot." Making such on-the-spot decisions requires a depth of instructional knowledge and skill that many paraprofessionals and professionals do not possess.

When instructional assistants are assigned to a task, many of them say they feel compelled to go through the motions of an activity even when it seems apparent to them that their efforts are not being effective. As one instructional assistant explained, "Sometimes it gets discouraging because he is asleep, but I try. I just feel like I'm baby-sitting. I don't feel like I'm doing what I am supposed to be doing." This instructional assistant was observed repeatedly continuing to speak to the student and presenting activity-related objects, even though it was obvious that the student was asleep. In other cases, instructional assistants would both ask and answer questions posed to students with disabilities. "Would you like to paint the turkey?" (after a 1 sec pause with no observable response) "You would!," then the activity would begin.

Loss of Personal Control

When students have significant communication, motor, and/or sensory difficulties, it can be a challenge for students to advocate for themselves, express their preferences, or at times to reject the decisions of the adults who control most aspects of their personal daily functions at school (e.g., eating, toileting, mobility, selection of leisure activities, choice of friends with whom to spend time). A vision specialist put it succinctly when she pointed out the limited opportunities for choices provided to students with disabilities who "can't verbalize and say 'stop talking to me like that' or can't run away." Instructional assistants frequently made such choices for the student under their supervision. In cases where student communication is unclear, we are left to wonder if the decisions are those the student would make. As one parent wondered, "I think it would be intimidating for me if I was a kid. Just being watched over all the time."

The following examples from our observations, presented as questions, highlight the kinds of decisions made every day that represent a loss of personal control by the students:

- Did Mary really want her cheeseburger dipped in applesauce before she ate each bite?
- Did James really need to be excused from the fun activities in the gymnasium early to have his diapers changed?
- Did James really want to stay inside during recess because it was too cold outside?

Loss of Gender Identity by Students with Disabilities

In cases where the instructional assistant and the student were the opposite gender we observed some interactions that suggested the gender of the student with disabilities was secondary to the gender of the instructional assistant. For example, the gender of the instructional assistant superseded that of the student with disabilities in a physical education class. The teacher divided the class into two groups for warm-up activities. The girls were directed to take five laps around the gym and the boys were directed to do jumping-jacks. As the physical education teacher said, "OK. Let's go!," the female instructional assistant grabbed James' wheelchair and began running around the gym with him along with all the other girls. When the activity was switched, she assisted him in moving his arms to partially participate in jumping-jacks, again with the girls.

Interference with Instruction of Other Students

Students without disabilities did not seem to be distracted much by idiosyncratic behaviors of their classmate with disabilities (e.g., coughing, vocalizations, stereotyped body movements) or common classroom sounds and movements (e.g., small group discussions, questions being asked of the teacher, talk among classmates, computers, pencil sharpener being used, doors and drawers being opened and closed). However, in some cases instructional assistant behaviors were observed to cause distraction during large group lessons taught by the teacher. During these times, if the instructional assistant began doing a different activity with the student with disabilities in the midst of the teacher's large group activity (e.g., reading a story, playing a game, using manipulative materials), those students without disabilities closest to the instructional assistant turned their attention away from the teacher and toward the instructional assistant.

DISCUSSION

Although many team members acknowledged that instructional assistants can and do play an important role in educating children with disabilities, our interviews and observations identified a series of concerns regarding their proximity to the students they are assigned to support. These data are limited to the cases that were studied, and any generalization to other situations should be approached cautiously, especially considering the modest number of sites, the limited geographic distribution of sites, and their homogeneity in terms of serving students with multiple disabilities in general education classrooms.

It is hoped that results from this study can be used to address related issues and practices in other situations where students with disabilities are supported using instructional assistants. Too often students with disabilities are placed in general education classrooms without clear expectations established among the team members regarding which professional staff will plan, implement, monitor, evaluate, and adjust instruction. This absence of clarity helps create an environment in which the instructional assistant directs a student's educational program and maintains excessive proximity with the student. We believe this occurs not because instructional assistants seize control, but rather because instructional assistants are the people in the most subordinate position in the school hierarchy. When supervisory personnel (e.g., classroom teachers, special educators) engaged in limited planning and implementation of instruction for the student with disabilities, the responsibility fell to the assistants. These observations highlight that some decisions about the use of instructional assistants are not necessarily rational, but rather may be driven by teachers' (a) fear of difference or change, (b) adherence to customary routines, (c) a reluctance to add another substantial task to what many perceive as an already extensive set of responsibilities, or (d) lack of knowledge and/or support for teaching the student with disabilities. Instructional

assistants can play a valuable educational role in assisting the teaching faculty, but generally we believe it is inappropriate and inadvisable to have instructional assistants serve in the capacity of "teacher."

Although awareness of the effects of proximity is an important first step in addressing its potential hazards, teachers and instructional assistants may need specific training in basic instructional methods designed to fade assistance and encourage students to respond to natural cues (e.g., chaining, time delay procedures, errorless learning, fading, cue redundancy, task analyses, correction procedures that use naturally occurring cues as prompts for the next steps; Alberto & Troutman, 1995; Snell, 1992). Otherwise adults may inadvertently be strengthening the student's cue and prompt dependence. To some extent, many students are initially dependent on cues and supports from the adults who teach them. This starting point needs to change so that adults are increasingly aware of fading their supports to allow students greater autonomy. While capable learners can often overcome less than stellar teaching approaches, those students with more significant learning difficulties often require more precise planning and instruction in our efforts to help them learn. We believe that this problem is not an issue of placement location, since these same problems can exist in special education classes. Therefore, the concern over increasing instructional integrity is appropriately an important issue that can and should be addressed within the context of general education classrooms. We suggest that the classroom involvement of instructional assistants must be compatible within the context of the broader plan for the classroom that is developed and implemented by the classroom team for the benefit of all the students.

CONCLUSIONS AND IMPLICATIONS FOR PRACTICE

The findings of this study demonstrate that there are a number of areas of concern regarding the roles of instructional assistants who support the education of students with disabilities in general education settings. The following is a list of considerations for future policy development, schoolbased practices, training, and research.

- School districts need to rethink their policies on hiring instructional assistants for individual students. We suggest that alternatives be explored that include hiring assistants for the classroom rather than an individual student. This would allow general and special education teachers to distribute instructional assistants' time and job responsibilities more equitably to benefit a variety of students, both with and without disabilities.
- School staff and families need to reach agreement on when students need the close proximity of an adult, when that proximity can be appropriately provided through natural supports such as classmates, and when to appropriately withdraw supports that require close proximity.
- School staff and community members (e.g., classroom teachers, special educators, parents) need awareness training on the effects and potential harm to children caused by excessive adult proximity, such as described in this study (e.g., loss of personal control, loss of gender identity, interference with peer interactions, dependence on adults).
- School teams need to explicitly clarify the role of the classroom teacher as the instructional leader in the classroom including their roles and responsibilities as the teacher for their students with disabilities. It is the classroom teacher's role to direct the activities of the classroom, including the activities of instructional assistants in their charge.
- School staff (e.g., classroom teachers, instructional assistants) should be afforded training in basic instructional procedures that facilitate learning by students with special educational needs in the context of typical classroom activities. Additionally, training should specifically include approaches related to decreasing dependence and fading prompts often associated with excessive and prolonged proximity of adults.
- Students with disabilities need to be physically, programmatically, and interactionally included in classroom activities that have been planned by a qualified teacher in conjunction with support staff as needed (e.g., special educators, related services providers). Such changes in practice should decrease problems associated with students with disabilities being isolated within the classroom.
- Instructional assistants should be provided with competency-based training that includes ongoing, classroom-based supervision by the teacher.
- Instructional assistants should have opportunities for input into instructional planning based on their knowledge of the student, but the ultimate accountability for planning, implementing, monitoring, and adjusting instruction should rest with the professional staff, just as it does for all other students without disabilities.
- Use of instructional assistants in general education classrooms must increasingly be done in ways that consider the unique educational needs of all students in the class, rather than just those with disabilities.
- Research on the aforementioned items should be ongoing in order to explore efficacious ways of supporting students in our schools.

This study suggests that assigning an instructional assistant to a student with special educational needs in a general education class, though intended to be helpful, may sometimes result in problems associated with excessive, prolonged adult proximity. In questioning the current use of instructional assistants, we are not suggesting that instructional assistants not be used or that the field revert to historically ineffective ways of educating students with disabilities (e.g., special education classes, special education schools). We are suggesting that our future policy development, training, and research focus on different configurations of service delivery that provide needed supports in general education classrooms, yet avoid the inherent problems associated with our current practices. Undoubtedly, these service provision variations will necessarily need to be individualized and flexible to account for the diverse variations in students, teachers, schools, and communities across our country. We hope that by raising the issues presented in this study, we can extend the national discussion on practices to support students with varying characteristics in general education classrooms and take corresponding actions that will be educationally credible, financially responsible-helping, not hovering!

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Teaching Behavior & Social Skills
Lesson Plan

Student _____ **Date** _____

Step 1: Identify the expected behavior and describe it in observable terms.
Raising hand above head when you have a questions or something to say in class

Step 2: Rationale for Teaching the Rule (Why is it important, give examples)
1. So that all students have the opportunity to participate 2. So we are not interrupting others when they are talking 3. So that students and the teacher can be heard when they have something to say

Step 3: Identify a Range of Examples

Positive Examples of the Expected Behavior (this is what the expected behavior looks like)	Negative Teaching Examples (non-examples, what not to do)
1. Raise hand straight over head 2. Sitting upright in chair 3. Hand still and mouths quiet 4. Waiting to talk until you are called on	1. Waving your hand in the air 2. Grunting or saying call on me 3. Hand not raised over head 4. Hand off to side or in someone else's space 5. talking before being called on

Step 4: Practice/Role Playing Activities

Model **Expected Behavior** → Lead **Student through Behavior** → Test **Student**

Model: I will explain and demonstrate the right way to raise your hand and the wrong ways

Lead: Students will be asked as a group to show me the correct way to raise your hand. Students will also tell me what I am doing wrong when I raise my hand incorrectly

Test: Students will be asked a series of questions to test how well they do with handraising – immediate feedback will be given

Remember to teach 4 positive examples to 1 negative example

Step 5: Responding to Behavior in Classroom & Role Play

Reinforcement for Expected Behavior	Corrective Feedback for Misbehavior
Students will be provided with verbal praise and the opportunity to talk in class	Students will be provided with a verbal reminder or visual prompt to remember to raise their hand -- they will only be called on after raising their hand

**Move from Continuous to Intermittent Reinforcement as student gains fluency

Step 6: Prompt/Remind/Preteach Expected Behavior in Classroom

Review handraising lesson before starting with the group each day.

Verbal Prompt/Precorrection, "Ok before I ask this question, remember to raise your hand if you're ready to respond"

Visual prompt, - sign with picture of hand raiser that says "raise your hand"
- holding up my hand to remind students to raise their hand

Teaching Behavior & Social Skills
Lesson Plan

Student _____   **Date** _____

Step 1: Identify the expected behavior and describe it in observable terms.

Step 2: Rationale for Teaching the Rule (Why is it important, give examples)

Step 3: Identify a Range of Examples	
Positive Examples of the Expected Behavior (this is what the expected behavior looks like)	**Negative Teaching Examples** (non-examples, what not to do)

Step 4: Practice/Role Playing Activities
Model **Expected Behavior** → Lead **Student through Behavior** → Test **Student**
Remember to teach 4 positive examples to 1 negative example

Step 5: Responding to Behavior in Classroom & Role Play	
Reinforcement for Expected Behavior	Corrective Feedback for Misbehavior

**Move from Continuous to Intermittent Reinforcement as student gains fluency
Step 6: Prompt/Remind/Preteach Expected Behavior in Classroom

Nine Variables That Affect Compliance

1. **Using a Question Format**- The use of questions instead of direct requests reduces compliance. For example, "Would you please stop teasing?" is less effective than "I need you to stop teasing."

2. **Distance**- It is better to make a request from up close (I.e., 1 meter, or one desk distance) than from longer distances (I.e., 7 meters, across the classroom).

3. **Two Requests**-It is better to give the same request only twice than to give it several times (I.e., nag); Do not give many different requests rapidly (I.e., "Please give me your homework, please behave today, and do not tease the girl in front of you,")

4. **Loudness of Request**-It is better to make a request in a soft but firm voice than in a loud voice (I.e., yelling when making a request to get attention).

5. **Time**-Give the student time to comply after giving a request (3 to 5 seconds). During this short interval, do not converse with the child (arguing, excuse making), restate the request, or make a different request. Simply look the child in the eyes and wait for compliance.

6. **More Start Requests instead of Stop Requests**-It is better to make more positive requests for a child to start an appropriate behavior (e.g., "Please start your arithmetic assignment'.). It is better to make fewer negative requests for a child to stop misbehavior (I.e., "Please stop arguing with me.").

7. **Non-emotional instead of Emotional Requests**-It is better to make a requests in a neutral, calm, non-emotional tone. Emotional responses (e.g., yelling, name calling, guilt inducing statements, and roughly handling a child) decrease compliance and frequently escalate behavior making the situation worse.

8. **Descriptive Requests**-Requests that are positive, clear and descriptive are better than ambiguous or global requests (I.e., "Please sit in your chair with your feet on the floor, hands on your desk, and look at me" is better than "Pay attention.")

9. **Reinforce Compliance**-It is too easy to request a behavior from a child and then ignore the positive result. If you want more compliance, genuinely reinforce it.

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Compiled by Vicki Butler, Coordinator
Riverside County SELPA 2002-03

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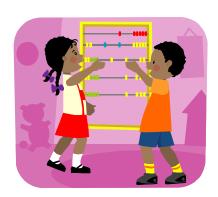
Appendix B

Guidelines for Determining Extended School Year (ESY) Sample

San Luis Obispo County
Special Education Local Plan Area
(SELPA)

Guidelines for Determining Extended School Year (ESY)

September 2010

Table of Contents

PRACTICAL IMPLICATIONS: WHAT ESY IS AND IS NOT

(Adapted from www.slc.sevier.org 2003)

Extended School Year (ESY) Is:

- ➢ An exception, not a rule.
- ➢ Based only on the individual student's specific unique needs that are critical to his /her overall education progress as determined by the IEP team.
- ➢ Designed to maintain student mastery of critical skills and objectives represented on the IEP and achieved during the regular school year.
- ➢ Designed to maintain a reasonable readiness to begin the next year.
- ➢ Focused on specific critical skills where regression coupled with limited recoupment due to extended time off, may occur.
- ➢ Based on multi-criteria and not on a single factor.
- ➢ Considered as a strategy for minimizing the regression of skill, in order to shorten the time required to gain the same level of skill proficiency that the child exited with at the end of the school year.

Extended School Year (ESY) Is Not:

- ➢ A mandated 12-month service for all students with disabilities.
- ➢ Required to function as a respite care service.
- ➢ Required or intended to maximize educational opportunities for any student with disabilities.
- ➢ Necessary to continue instruction on all the previous year's IEP goals during the ESY period.
- ➢ Compulsory. Participation in the program is discretionary with the parents, who may choose to refuse the ESY service. There may be personal and family concerns that take precedence over ESY.
- ➢ Required solely when a child fails to achieve IEP goals and objectives during the school year.
- ➢ Considered in order to help students with disabilities advance in relation to their peers.
- ➢ For those students who exhibit random regression solely related to transitional life situation or medical problems which result in degeneration.
- ➢ Subject to the same LRE environment considerations as during the regular school year as the same LRE options are not available. Additionally, LRE for some students may be home with family members.
- ➢ A summer recreation program for students with disabilities.
- ➢ To provide a child with education beyond that which is prescribed in his/her IEP goals and objectives.
- ➢ For making up for poor attendance during regular school year.
- ➢ The primary means for credit recovery for classes failed during the regular school year.
- ➢ Denied due to a lack of evidence.

I. Guidelines for IEP Teams

WHO RECOMMENDS ESY SERVICES?

Both federal and state regulations make it clear that it is the responsibility of the IEP team to determine a child's need for ESY services. The IEP team membership must include a person knowledgeable about the range of services available, the parent, a general education teacher, a special education teacher and administrator/designee. The IEP team membership may also include related services providers, assessment personnel, and/or the student.

WHAT IS THE DIFFERENCE BETWEEN ESY & SUMMER SCHOOL?

ESY services are special education and related services that are required by an individual with exceptional needs beyond the regular school year. Such individuals shall have handicaps which are likely to continue indefinitely or for prolonged periods, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. It is the issues of regression and recoupment that provide a framework upon which to base discussion on the needs of the student.

If the student does not require ESY, in some instances the student could be considered for regular summer school or regular summer intervention program services offered within the school district. Summer school classes are not special education, and therefore are not required. Summer school classes are not based upon a child's individual needs and do not require an IEP. Summer school classes are not required in order for a child to receive FAPE which is in contrast with those services provided in ESY. In addition, a school district can choose not to provide summer school. While summer school usually focuses on opportunities for secondary students to recover credits, summer intervention programs generally focus on the development of skills which students at risk of retention need in order to progress. Given that, summer intervention classes, when available, may very well be appropriate for students with disabilities who are working toward grade level standards.

Court cases have referred to the "availability of alternative resources" when considering ESY services. The LEA could consider community programs that are available to students. The LEA must be cautious when identifying services provided by community agencies. There may be no requirement to maintain the student in that program.

WHEN SHOULD ESY BE RECOMMENDED?

Since the need for ESY is primarily based on an unacceptable regression or recoupment as demonstrated by the student, it is important to understand what might be acceptable for most students. Tilley, Cox, and Staybrook (1986) found that most students experience some regression during summer break. Using standardized tests, they found the rate of regression for regular education students was 4%. Students with

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mild handicaps, hearing impairments, and serious behavior disorders regressed at approximately the same rate as their regular education peers. For students with moderate to severe handicaps, there was an increased rate of regression and a slower rate of recoupment. According to the study, the areas that were most impacted for those students were language, gross motor, fine motor, and self-help skills. Therefore, it is reasonable for students with moderate to severe challenges to be considered for an ESY program that would concentrate on minimizing regression and recovery time.

When considering ESY for any student, the IEP must consider data collected during the previous year(s) to determine the student's need based on regression and recoupment. This decision should be based on a multi-faceted measurement, although there may be rare instances where the IEP team might consider ESY services based on a single criterion. In either case, the IEP team must decide a child's eligibility for ESY services based on data collected that reflects his/her regression/recoupment capacity. To help understand this process, the following chart adapted from www.kyrene.org/resource/esy is included:

At or before the first progress report of school year
- Collect data and re-teach   - Compare to Spring data to determine if the student recouped his/her skills from previous year (This data should be the basis of the ESY eligibility discussion at the annual IEP)   - Instruction and ongoing data collection   - As soon as a student is found eligible for ESY, document the reasons why ESY is recommended on the IEP summary page or on an addendum IEP   - Include data supporting the recommendation for ESY   - Continue instruction and document progress on progress reports
Following the first and second grading period
- For new students or any student for whom you were unable to gather regression/recoupment data during the first 8 weeks of school, review data before and after any break from school (e.g. Thanksgiving, Winter or Spring break) to determine if student may have a significant regression/recoupment problem   - Use data collected as the basis for ESY eligibility discussion at the annual review IEP or addendum meeting   - Data collection will also be used for progress reporting   - Re-teaching time should equal the length of the break (1 week break = 1 week re-teaching; retest)   - As soon as students are found eligible for ESY, the reasons for eligibility are documented on the IEP summary sheet or addendum   - Continue instruction and document progress on progress report
Two to three months prior to the end of the school year
- Notify district administrator for students eligible for ESY   ➤Be sure to include documentation to support decision   - Continue to teach and gather data for last quarter/trimester of the school year   - If the data indicates the student has a need for ESY and this has not yet been addressed, convene an IEP team meeting   ➤If the team determines services are warranted, notify the district administrator as explained above
When should ESY data collection occur?
- Recommended times for data collection: ➤ At the end of regular school year   ➤ At the end of summer program   ➤ At the beginning of subsequent school year   ➤ Before and after school vacations; if student has been out of school for other reasons   ➤ Ongoing collection of information throughout the school year for progress reporting

WHY SHOULD ESY BE DOCUMENTED IN A CHILD'S IEP?

The ESY services provided must be consistent with the student's IEP so that the student receives a FAPE. ESY services should concentrate on the areas most impacted by regression and inadequate recoupment. These services may look markedly different in ESY than services provided during the regular school year as determined by the IEP team. The decision is not driven by the setting in which the student is educated during the comprehensive school year. This may also be true for the frequency and/or the duration of services as based on the individual child's needs. Related services must also be considered as they relate to the child's benefiting from special education. Therefore, it is very important that the offer of FAPE be clearly documented within the IEP. ESY services are to be considered for students between the ages of three to 21 or students who have not graduated from high school with a diploma.

HOW SHOULD ESY ELIGIBILITY BE DETERMINED?

The child's IEP plan should be the foundation for determining the need for ESY. This can be achieved through ongoing assessment and/or review of progress toward goals/objectives. The IEP team meets to review the student's progress, considering a variety of measurements to provide a baseline that documents the regression and recoupment rate.

The IEP team for an initial IEP will not be able to make this determination until after the student has been receiving the special education services and data has been collected. It is recommended that the IEP team reconvene after 3-6 months to review progress data and compare work from before and after break. Similarly, preschool students are another group that the IEP teams need to individually determine the need for ESY based on data collected after the student has participated in the special education program.

Since many districts have already implemented multiple measures to assess progress toward standards, the district's assessments may be applicable to the IEP team determination of need for ESY. The assessment must be based on the IEP goals and/or objectives so that progress can be matched directly to each benchmark outlined and the data can be compared to support evaluation of service effectiveness. The team also needs to determine and document if the student will take the local measures with or without accommodations, with or without modifications, or take alternative measures.

The severity of the handicap is a primary consideration in determining eligibility for ESY. Based on the Reusch v. Fountain case, the IEP team should consider the following: student's age, severity of the disability, presence of medically diagnosed health impairments, attainment of self-sufficiency, and development of an emerging, critical skill that will be lost due to interruption. Other factors to consider are regression rate and recoupment time in relation to normal rates, behavioral and physical problems, curricular areas which would be adversely impacted, and vocational needs.

Younger students with medically diagnosed health impairments are more likely to be referred for ESY due to degenerative diseases and/or high absenteeism as a result of

the health impairment. The ability to maintain self-sufficiency skills of the more mentally and physically challenged students will continue to be a key issue in ESY eligibility.

Once services are determined as necessary based on data collected and regression-recoupment rate, the IEP team must include a description of the services required by the child's IEP in order to receive FAPE during the provision of ESY.

Determination of Need for ESY Services Worksheet: This worksheet assists IEP team members in the ESY decision making process. The case manager begins the worksheet by identifying the student's name, date of birth, grade, school, district, and Regular School Year Special Education Services. Various people (e.g., special education teacher, general education teacher, related services personnel, parent, administrator) may provide information to complete the multiple criteria considerations in all areas of need. These should include:

- ✓ Teacher observations
- ✓ Running records
- ✓ Benchmark measures
- ✓ Progress toward goals/objectives
- ✓ Evidence of regression following break
- ✓ Evidence of difficulty recouping information following break
- ✓ Consideration of other options available, and
- ✓ Other factors

With the above information in hand, the IEP team can proceed to answering the series of questions on the ESY Worksheet to assist the team in making a determination of need for ESY. The worksheet is signed, dated, and attached to the student's IEP.

Note: Determination of need for ESY services needs to be completed annually. Eligibility one year does not mean that eligibility continues the next.

Student Name: _____ DOB: _____ Grade: _____

School: _____ District: _____

Regular School Year Special Education Services: _____

ESY WORKSHEET Page 1
MULTIPLE CRITERIA CONSIDERATIONS IN ALL AREAS OF NEED

Teacher Observations:

Running Records:

Benchmark Measures:

Progress Toward Goals/Objectives:

Evidence of Regression Following Break:

Evidence of Difficulty Recouping Information Following Break:

Consideration of Other Options Available:

Other Factors/Comments:

Student Name: _____ DOB: _____ Grade:_____

ESY WORKSHEET Page 2
Comment on the following considerations for eligibility for ESY. *Demonstration of multiple areas of need is required for a team to make a determination of eligibility.*

	Yes	No

1. <u>Nature and/or Severity of Disability</u>   ☐ ☐
The student demonstrates a severe disability in one or more areas. Without ESY services, will the nature and/or severity of the student's disability prohibit the student from receiving benefit from his/her educational program during the subsequent return to school?
COMMENTS: _____

_____

2. <u>Regression and Recoupment</u>   ☐ ☐
Is there documentation that without ESY services, the child is likely to lose critical life skills or fail to recover these skills within a reasonable time?
COMMENTS: _____

_____

3. <u>Degree of Progress</u>   ☐ ☐
Without ESY services, will the student's progress toward IEP goals related to critical life skills be significantly limited in the subsequent return to school?
COMMENTS: _____

_____

4. <u>Emerging Critical Life Skills/Break Through Opportunities</u>   ☐ ☐
Without ESY services, will the lengthy school break cause significant problems for the student in learning a critical life/school skill?
COMMENTS: _____

_____

5. <u>Interfering Behavior</u>   ☐ ☐
Without ESY services, will the interruption of programming which addresses interfering behaviors (i.e., stereotypic, ritualistic, aggressive or self injurious behavior) targeted by IEP goal(s) and/or Behavior Support or Intervention Plan be likely to prevent the student from receiving benefit from his/her educational program during the subsequent return to school?
COMMENTS: _____

_____

6. <u>Special Circumstances</u>   ☐ ☐
Without ESY services, are there any special circumstances that interfere with the student's ability to benefit from his/her educational program during the subsequent return to school?
COMMENTS: _____

_____

IEP TEAM DETERMINATION:
Does the team agree that the above-named student is eligible for ESY? ☐ **YES** ☐ **NO**
If Yes, ESY services(s) is/are required to provide this student with a free appropriate public education (FAPE). If it is determined that the student needs ESY services, complete the ESY services section of the IEP to provide a clear offer of FAPE and services to be provided during ESY. Attach this Determination of Need for ESY Services Worksheet to the student's IEP.

_____   _____   _____
Name of Person Completing Form   Title   Date

II. Planning for ESY

SAMPLE UNIFIED SCHOOL DISTRICT

2010 SPECIAL EDUCATION

9th-12th Grade Extended School Year Program

SAMPLE PARENT INFORMATION SHEET

The SAMPLE Unified School District will provide a Special Education Extended School Year Program in accordance with Individualized Education Program (IEP) plans. The purpose of the Extended School Year Program is to minimize regression and recoupment time to meet IEP goals and objectives.

➢ **DATES:**
  o **Session:**   **June 13, 2010 to July 16, 2010**
  o **No school on June 29 or July 4**

➢ **TIMES:**   **Hours: 8:00 a.m. -1:15 p.m.**

➢ **LOCATIONS:**
  ✓ **Sample High School for residents of Sample**
  ✓ **Sample #2 Hill High School for residents of Sample #2; all SDC and ED-SDC**

➢ **ATTENDANCE:** Students may not miss more than <u>six</u> hours of class per session in order to earn credit. Students must be in attendance the first day of each session to remain enrolled. Students may earn 5 credits for each semester completed with a passing grade.

➢ **TRANSPORTATION:** Transportation will **only** be available for those students that have physical or mental impairment that requires specialized transportation per IEP decision. Contact this number if you have questions about transportation: 555-555-5555.

➢ **REGISTRATION:** Complete the attached registration form.
  ✓ **Return it to _____ by May 4, 2010.**

If you have any questions regarding the Special Education Extended School Year Program, please call the Special Education Office at (666) 666-6666.

SAMPLE EXTENDED SCHOOL YEAR COVER SHEET
(See Reverse Side For Directions)

Student Name:		Age:	Grade:	Site:

Disability:	Services:

Special behavioral or discipline considerations:	☐ Yes	☐ No

Behavior Support Plan?	☐ Yes	☐ No

Skill/Goal	**1**	**Pre** ESY Performance: **Post** ESY Performance:
Skill/Goal	**2**	**Pre** ESY Performance: **Post** ESY Performance:
Skill/Goal	**3**	**Pre** ESY Performance: **Post** ESY Performance:
Skill/Goal	**4**	**Pre** ESY Performance: **Post** ESY Performance:
Skill/Goal	**5**	**Pre** ESY Performance: **Post** ESY Performance:
Skill/Goal	**6**	**Pre** ESY Performance: **Post** ESY Performance:

Health/Medical Concerns:

Other (Specialized Equipment, Accommodations, important information):

Parent Communication method(s)/plan:

This form is not intended to be maintained in the Student Record. For Internal Use Only.

SAMPLE EXTENDED SCHOOL YEAR COVER SHEET

Directions to complete the sample ESY cover sheet:

Case Managers collect the student's most recent complete IEP, any subsequent IEP addendums, most recent multiple measures results, latest report card and progress report to share with the ESY teacher and service providers. Case Managers can also complete an "ESY Cover Sheet" such as the following, which specifies the goals to be targeted for ESY.
ESY staff should complete the sections labeled "Post ESY Performance."
Pre-Post assessment measures may be employed to evaluate student's progress during the ESY instructional program. By working closely with the Student Services personnel, it may be possible for the special education students to take the same evaluation measure as other students, with or without accommodations or modifications, or alternative measure(s) may need to be identified. Selecting the measure(s) and clearly communicating with staff members how and when to administer these are also important considerations in planning for successful programs.

III. "Just Prior" Communications

To facilitate understanding of everyone involved, there are often "just prior" communications to administrators, teachers, related services staff, and parents.

TO TEACHERS AND RELATED SERVICES STAFF

Providing clear direction to teachers on expectations for completing pre-post assessments and/or progress reporting is also critical. If formal report cards and/or grades will be reported for credits, this information needs to go to the site administrator, counselor, and/or Registrar. Staff members should also be advised on what to do with the student information once the session is over. For example, Hemet's letter to teachers included the following statements:

_____

At the end of the session, please complete a Progress Report for each student. Send a copy of such home to the parent and place a copy in the binder or folder for each student enrolled. Then, send the binder/folder to the Special Education Office) before you depart for the summer.

The Special Education Office will forward these records to the appropriate site so all Case Managers have a copy of their students' performance for ESY.

_____

TO PARENTS

Since parents typically complete the ESY Registration Form many weeks before the start of the summer program, it may be important to send a "just prior" letter out to them. A sample letter follows:

Date: _____
Parent's Name: _____

Re: Extended School Year (ESY) for (Student's Name)

As determined by the IEP team on (date of IEP meeting), (student's name) was recommended to attend ESY for the following services: (List out the services).

ESY services are provided beyond the normal school year in accordance with the child's IEP and at no cost to the parents of the child. These services will be offered at (name of location) from (list dates of ESY). School will be in session from (insert start time) to (insert end time). Your child's teacher will be (name of teacher) and class will be held in (room number).

Please contact _____ at (phone number) if you have any questions regarding ESY services.

Sincerely,
Name
Title

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APPENDIX
Understanding Extended School Year (ESY):
The Legal and Practical Aspects

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FEDERAL REGULATIONS

The Individuals with Disabilities Education Act (34 CFR Part 300 §300.106) states:

(a) General.

  (1) Each public agency shall ensure that ESY services are available as necessary to provide a free appropriate public education (FAPE).

  (2) ESY services must be provided only if a child's IEP team determines, on an individual basis, in accordance with §300.320-300.324, that the services are necessary for the provision of FAPE to the child.

  (3) In implementing the requirements of this section, a public agency may not –

      (i)   Limit ESY services to particular categories of disability;
                         Or
      (ii)   Unilaterally limit the type, amount, or duration of those services.

(b) Definition.

As used in this section, the term extended school year services means special education and related services that –
  (1) Are provided to a child with a disability –
      (i)   Beyond the normal school year of the public agency
      (ii)   In accordance with the child's IEP; and
      (iii)   At no cost to the parents of the child; and

  (2) Meet the standards of the State Education Agency.

CALIFORNIA CODE OF REGULATIONS

The California Code of Regulations (CCR §3043) states:

Extended school year services shall be provided for each individual with exceptional needs who has unique needs and requires special education and related services in excess of the regular academic year. Such individuals shall have handicaps which are likely to continue indefinitely or for a prolonged period, and interruption of the pupil's educational programming may cause regression, when coupled with limited recoupment capacity, rendering it impossible or unlikely that the pupil will attain the level of self-sufficiency and independence that would otherwise be expected in view of his or her handicapping condition. The lack of clear evidence of such factors may not be used to deny an individual an extended school year program if the IEP team determines the need for such a program and includes extended school year in the IEP pursuant to subsection (f).

(a) Extended year special education and related services shall be provided by a school district, special education local plan area, or county office offering programs during the regular academic year.

(b) Individuals with exceptional needs who may require an extended school year are those who:

    (1) Are placed in special classes or centers; or
    (2) Are individuals with exceptional needs whose IEPs specify an extended year program as determined by the individualized education program team.

(c) The term "extended year" as used in this section means the period of time between the close of one academic year and the beginning of the succeeding academic year. The term "academic year" as used in this section means that portion of the school year during which the regular day school is maintained, which period must include less than the number of days required to entitle the district, special education services region, or county office to apportionments of state funds.

(d) An extended year program shall be provided for a minimum of 20 instructional days, including holidays. For reimbursement purposes:

    (1) A maximum of 55 instructional days excluding holidays shall be allowed for individuals in special classes or centers for the severely handicapped; and
    (2) A maximum of 30 instructional days excluding holidays shall be allowed for all other eligible pupils needing extended year.

(e) A local governing board may increase the number of instructional days during the extended year period, but shall not claim revenue for average daily attendance generated beyond the maximum instructional days allowed in subsection (d)(1) and (2).

(f) An extended year program, when needed, as determined by the individualized education program team, shall be included in the pupil's IEP.

(g) In order to qualify for average daily attendance revenue for extended year pupils, all of the following conditions must be met:

    (1) Extended year special education shall be the same length of time as the school day for pupils of the same age level attending summer school in the district in which the extended year program is provided, but not less than the minimum school day for that age unless otherwise specified in the IEP program to meet a pupil's unique needs.

    (2) The special education and related services offered during the extended year period are comparable in standards, scope and quality to the special education program offered during the regular academic year.

(h) If during the regular academic year an individual's IEP specifies integration in the regular classroom, a public education agency is not required to meet that component of the individualized program if no regular summer school programs are being offered by that agency.

(i) This section shall not apply to schools which are operating a continuous school program pursuant to Chapter 5 (commencing with Section 37600) of Part 22, Division 3, Title 2, of the Education Code.

[Authority cited: Section 56100(a) and (j), Education Code. Reference: Sections 37600, 41976.5 and 56345, Education Code; 34 C.F.R. 300.346]

CASE LAW

No single criterion can be used as a sole qualifying factor (Johnson v. Independent School District No. 4, 1990).

LEAs are required to consider more than just the regression/recoupment analysis and consider other factors relevant in determining ESY. One factor to be considered is the critical stage of developing a skill which has great potential for increasing self-sufficiency. For such skill, if not completely acquired and mastered, it is likely that the current level of acquisition will be lost due to the interruption of summer vacation (Reusch v. Fountain, 1994).

LEAs are not required to create programs in order to provide ESY services. An example would be a student who requires an integrated setting. If the LEA does not provide summer services for non-disabled students, the LEA is not required to create a new program (Tuscaloosa County Board of Education, 35 IDELER 172 [SEA AL 2001]).

There have been some court cases which help clarify issues of regression/recoupment.

- In Cordrey v. Euckert (17EHLR 104 [6th Cir 1990), the court noted that "the school district has no purely custodial duty to provide for handicapped children while similar provision is not made for others. Therefore, begin with the proposition that providing an extended school year is the exception and not the rule…" Therefore, districts will consider all appropriate factors in determining whether the benefits a student has been credited with during the regular school year would be at significant risk for regression if not provided with ESY.
- In MM v. School District of Greenville County, (37 IDELR 183, 303 F.3d 523 [4th Cir. 2002]), the court ruled the "ESY services are only necessary to FAPE when the benefits accrued a disabled child during a regular school year will be significantly jeopardized if he is not provided with an educational program during the summer months."
- In SS, JD, SS v. Henricoe County School Board (38 IDELR 261, 326 F.3d 560 [4th Cir. 2003]), the Hearing Officer found that ESY services "were not for the purpose of achieving goals not met during the school year."

Appendix C

Sample In-Lieu Contracts

MR. DOUGLAS MARQUAND
ASSISTANT SUPERINTENDENT
ADMINISTRATIVE SERVICES

MR. JEFFREY TOOKER
ASSISTANT SUPERINTENDENT
EDUCATIONAL SERVICES

MS. LILA MCALLISTER
DIRECTOR OF CHILD NUTRITION SERVICES

MR. GREGG RAMSETH
DIRECTOR OF TECHNOLOGY & ASSESSMENT

MR. GREGG ROBERTS
DIRECTOR OF CONSTRUCTION MANAGEMENT
& FACILITY PLANNING

MS. SANDRA RUSSO
DIRECTOR OF BUDGET & ACCOUNTING

DR. LORENA SPITZER
DIRECTOR OF PUPIL SERVICES

MR. ERIC VEREYKEN
DIRECTOR OF HUMAN RESOURCES

PLACER UNION
HIGH SCHOOL DISTRICT
13000 NEW AIRPORT ROAD, AUBURN, CA 95603
530-886-4400 FAX: 530-886-4439
www.puhsd.k12.ca.us

MR. DAVE HORSEY
SUPERINTENDENT

CHANA HIGH SCHOOL

COLFAX HIGH SCHOOL

DEL ORO HIGH SCHOOL

FORESTHILL HIGH SCHOOL

MAIDU HIGH SCHOOL

PLACER HIGH SCHOOL

PLACER SCHOOL FOR ADULTS

This Agreement is made between the Placer Union High School District, hereinafter referred to as "District," and XXX, parent of XXXX, hereinafter referred to as "Parent."

District is a school district in the County of Placer, State of California, and has its principle place of business at 13000 New Airport Drive, Auburn, California, 95603.

Elena DalFavaro, Coordinator of Certificate Bound Programs, and parent have discussed and agreed that it is in the best interest of the child, and the PUHSD to maintain the past arrangement Parent had with Placer Hills Union School District and reimburse Parent for the transportation of their child to and from the bus stop or school.

1. **Term:** This Agreement shall commence on XXXXXX, 2012, and shall continue until XXXXX, 2013. This Agreement may be terminated by either party with Sixty (60) day's written notice to the other party. Should there be a material breach in this agreement, this contract may be terminated with ten (10) day's written notice to the other party.
2. **Services:** Parent has agreed to transport their child from their residence to the school bus transfer stop at the Raley's shopping center located at 13384 Lincoln Way, Auburn CA. In addition, when District school bus transportation is not scheduled to operate, but the child's school is in session, Parent shall transport their child to and from their residence to the Placer Learning Center (PLC) located at 5477 Eureka Rd. #2, Granite Bay, CA 95746.
3. **Expenses:** Parent shall be responsible for all expenses and provide all the necessary equipment, supplies and/or materials necessary to render services pursuant to this Agreement. Parent agrees at all times to comply with all applicable ordinances, laws, and regulations as they relate to the execution of this Agreement
4. **Fee:** For the services rendered pursuant to this Agreement, Parent shall be entitled to reimbursement for the cost of transportation based on the current (2012) IRS per mile reimbursement rate of $ 0.555. Parent shall be paid within 4 weeks after receipt, and District approval, of the mileage reimbursement request form (attached).
5. **Licenses:** As an independent contractor, it shall be the sole responsibility of Parent to maintain the appropriate California Driver's License and automobile insurance as required by law.
6. **Insurance and Taxes:** Parent shall be an independent contractor and not an agent or employee of District under this Agreement. District shall not withhold or set aside income tax, Federal Insurance Contributions Act (FICA) tax, unemployment insurance, disability insurance, or any other federal or state funds whatsoever. It shall be the sole responsibility of Parent to account for all of the above liabilities.
7. **Indemnification & Hold Harmless Agreement:** The District and Parent hereby respectfully agree, to the fullest extent permitted by law, to indemnify, defend and hold harmless the other party and its board of trustees, officers, agents, invitees and employees from and against any and all claims, costs, demands, expenses (including attorney's fees), losses, damages, injuries and liabilities arising from any accident, death or injury whatsoever or however caused to the other Parties person or property, due to, arising out of, or related to the negligence of the other Party.
8. **Entire Agreement:** This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other agreement, statement or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding.

Douglas Marquand, Placer Union High School District   Date:

Parent Name and Signature   Date:

Parent Address   Phone Number   E-mail

The Placer Union High School District, an equal opportunity workplace,
is committed to student learning by providing teaching excellence in a supportive environment.

TRANSPORTATION AGREEMENT
(For contracting with Parents or Guardians)

THIS AGREEMENT is entered into this Date: _____, between *district*, hereinafter called the District, and Parent hereinafter called the Contracted for (Student Name) hereinafter referred to as the Pupil.

WITNESSETH:

WHEREAS, the District has agreed to transport a student to ( ) for special education and/or related services to the Pupil identified above, pursuant to Education Code Sections 56030-5640 or 56300-56367; and
WHEREAS, it has been determined that the Contracted will transport the Pupil to and from ( ) for the 2009-2010 school year.

NOW THEREFORE the District and Contracted hereby agree as follows;
The District shall reimburse the Contracted for the transportation of the Pupil to and from the school the sum of the current IRS mileage rate payable upon presentation of an itemized mileage report to the District Business Manager. Payment shall be made as soon as possible in the month succeeding that in which the transportation was performed.

Total number of miles per day to be reimbursed will not exceed ( ). It is expressly understood and agreed to by both parties that the Contracted, while performing services under the Agreement, is an independent contracted and is not an officer, agent, or employee of the District.

The Contracted shall defend, save harmless, and indemnify the District and its officers, agents, and employees from all liabilities and claims for damages for death, sickness, or injury to persons or property including without limitation all consequential damages, from any cause whatsoever arising from or connected with its service hereunder, whether or not resulting from the negligence of the Contracted, its agents or employees. Proof of automobile insurance shall be presented to the Business Manager prior to completing this contract.

Service under this Agreement shall commence on ( ) and shall terminate on ( ). Inclusive, unless terminated sooner. **Reimbursement forms to be submitted monthly.**

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the date and year first above written.

District   CONTRACTED

By _____   By_____

Title_____   Title_____

Date_____   Date_____

Appendix D

Study Agreement

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
STUDY AGREEMENT
October 3, 2016

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Siskiyou County Office of Education, hereinafter referred to as the COE, mutually agree as follows:

1. **BASIS OF AGREEMENT**

   The team provides a variety of services to local educational agencies (LEAs). The COE has requested that the team assign professionals to study specific aspects of the COE'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.

2. **SCOPE OF THE WORK**

   A. Scope and Objectives of the Study

      1. Review special education teacher staffing ratios, class and caseload size using the statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.

      2. Review the efficiency of para-educator staffing, including 1-to-1 para-educators, and make recommendations for improvement, if any. This will include reviewing the procedures used to identify the need for para-educators, and the process for monitoring para-educator assignments and determining the need for continued support from year to year.

      3. Analyze staffing and caseloads of related service providers such as speech therapists, psychologists, occupational and physical therapists, behavior specialists, adaptive physical education teachers, credentialed nurses and others, and make recommendations for improvement, if any.

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4.   Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost-saving measures, if any. The review will include, but not be limited to, the role of the IEP, routing, scheduling, operations and staffing.

B.   <u>Services and Products to be Provided</u>

1.   Orientation Meeting - The team will conduct an orientation session at the COE to brief COE 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 COE office and at schools if necessary.

3.   Exit Meeting - The team will hold an exit meeting at the conclusion of the on-site review to inform the COE 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 memorializing the topics discussed in the exit meeting.

5.   Draft Report - Electronic copies of a preliminary draft report will be delivered to the COE's administration for review and comment.

6.   Final Report - Electronic copies of the final report will be delivered to the COE's administration following completion of the review. The final report will be published on the FCMAT website. Printed copies are available from FCMAT upon request.

7.   Follow-Up Support – If requested by the COE within six to 12 months after completion of the study, FCMAT will return to the COE at no cost to assess the COE's progress in implementing the recommendations included in the report. Progress in implementing the recommendations will be documented to the COE in a FCMAT management letter. FCMAT will work with the COE on a mutually convenient time to return for follow-up support that is no sooner than eight months and no later than 18 months after the completion of the study.

3. **PROJECT PERSONNEL**

The study team will be supervised by Michael H. Fine, Chief Administrative Officer, Fiscal Crisis and Management Assistance Team, Kern County Superintendent of Schools Office. The study team may also include:

A.	*To be Determined*	*FCMAT Staff*
B.	*To be determined*	*FCMAT Consultant*
C.	*To be determined*	*FCMAT Consultant*
D.	*To be determined*	*FCMAT Consultant*

4. **PROJECT COSTS**

The cost for studies requested pursuant to Education Code (EC) 42127.8(d)(1) shall be as follows:

A. $500.00 per day for each staff team member while on site, conducting fieldwork at other locations, presenting reports, or participating in meetings. The cost of independent FCMAT consultants will be billed at their actual daily rate for all work performed.

B.   All out-of-pocket expenses, including travel, meals, and lodging.

C.   The COE 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 COE's acceptance of the final report.

Based on the elements identified in section 2A, the total not-to-exceed cost of the study will be $26,200.

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

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

5. **RESPONSIBILITIES OF THE COE**

A.   The COE will provide office and conference room space during on-site reviews.

B.   The COE 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 COE and sent to FCMAT in electronic format.
5.   Documents should be provided in advance of fieldwork; any delay in the receipt of the requested documents may affect the start date and/or completion date of the project. Upon approval of the signed study agreement, access will be provided to FCMAT's online SharePoint document repository, where the COE shall upload all requested documents.

C.   The COE'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 COE 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 and will be established upon the receipt of a signed study agreement:

Orientation:	*to be determined*
Staff Interviews:	*to be determined*
Exit Meeting:	*to be determined*
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 COE and any other parties from which, in the team's judgment, it must obtain information. Once the team has completed its fieldwork, it will proceed to prepare a preliminary draft report and a final report. Prior to completion of fieldwork, the COE 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 COE does not provide written notice of termination prior to completion of fieldwork, the team will complete its work and deliver its report and the COE will be responsible for the full costs. The COE 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 fieldwork has been completed, and the COE 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 COE. 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 COE in any manner without prior express written authorization from an officer of the COE.

9. **INSURANCE**

During the term of this agreement, FCMAT shall maintain liability insurance of not less than $1 million unless otherwise agreed upon in writing by the COE, 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 Siskiyou COE named as additional insured, indicating applicable insurance coverages upon request.

10. **HOLD HARMLESS**

FCMAT shall hold the COE, 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 COE 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

Contact person: Deborah Pendley, Associate Superintendent
Telephone: (530) 842-8424
E-mail: dpendley@siskiyoucoe.net

10-7-16

Kermith Walters, Superintendent *DP*   Date
Siskiyou County Office of Education

October 3, 2016

Michael H. Fine   Date
Chief Administrative Officer
Fiscal Crisis and Management Assistance Team