

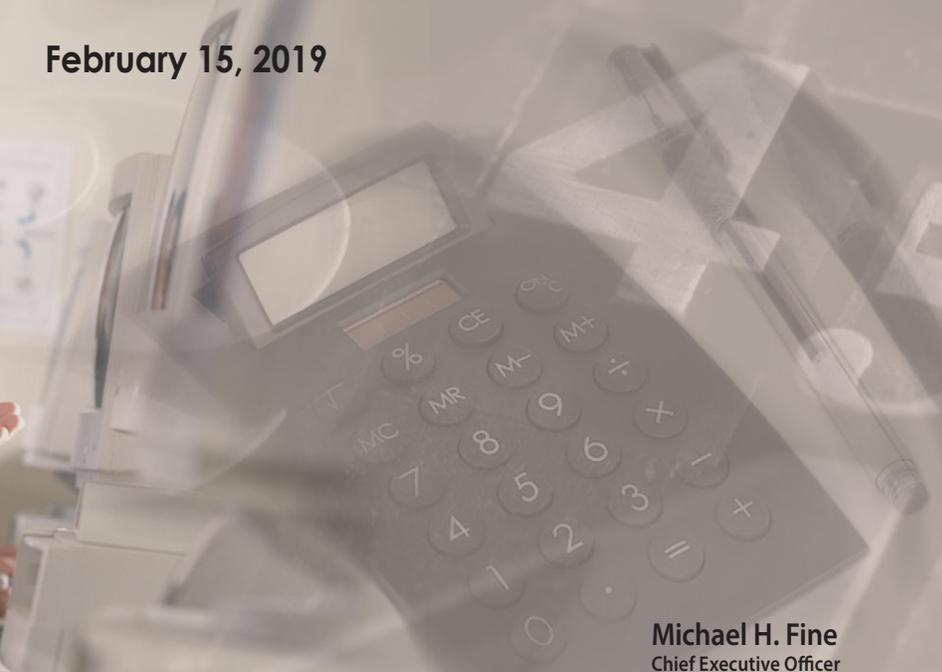


CSIS California School Information Services

Anaheim Elementary School District

Special Education and Transportation Review

February 15, 2019



Michael H. Fine
Chief Executive Officer







February 15, 2019

Christopher Downing, Superintendent
Anaheim Elementary School District
1001 S East St.
Anaheim, CA 92805

Dear Superintendent Downing:

In February 2018, the Anaheim Elementary School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for management assistance. Specifically, the agreement states that FCMAT will perform the following:

1. Review the district's implementation of Student Study Teams, Response to Intervention, and Multi-Tiered System of Supports, and make recommendations for improvement, if any.
2. Analyze special education teacher staffing ratios, class and caseload size using statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.
3. Review the efficiency of staffing of special education paraeducators (including both classroom and 1-to-1 paraeducators) using Education Code requirements and/or industry standards, and make recommendations for improvement, if any. Review the procedures for identifying the need for paraeducators, including least restrictive environment, and the processes for monitoring paraeducator assignments and determining the need for continued support from year to year.
4. Analyze staffing and caseloads of related service providers, including but not limited to speech pathologists, psychologists, occupational and physical therapists, behavior specialists, and adaptive physical education teachers and other staff who may be related service providers, and make recommendations for improvement, if any.
5. Determine whether the district overidentifies students for special education services compared to the statewide average, and make recommendations that will reduce overidentification, if needed.
6. Analyze whether the district provides a continuum of special education and related services from preschool through age 22, including placements in the least restrictive environments, and make recommendations for improvement, if any.

FCMAT

Michael H. Fine, Chief Executive Officer

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7. Review county office of education, nonpublic school and nonpublic agency special education costs and placements, and make recommendations for improving the placement process and cost efficiencies, if any.
8. Review the organizational structure and staffing of the special education department in the district's central office to determine whether administration, clerical and administrative support, program specialists, teachers on special assignments and overall functionality are aligned with those of districts of comparable size and structure; make recommendations for greater efficiencies, if needed.
9. Review the costs of due process, mediations and settlements for the past three years and make recommendations for improvements, if any.
10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.
11. Review regular and special education transportation, including but not limited to routing methodology, bus ridership averages, scheduling, operations and staffing, and general fund contribution, and make recommendations for improvement and cost savings, if any.
12. Evaluate the transportation department's organizational structure and staffing, and make recommendations for improvement, if any.
13. Review the transportation department's operational processes and procedures, including use of technology, safety and training programs, required school bus driver record maintenance, and professional development, and make recommendations for improved efficiencies, if any.
14. Review the district's vehicle maintenance program for industry standard best practices and for compliance with Title 13 Code of Federal Regulations and California Air Resources Board and local Air Quality Management District regulations. Items for review will include but not be limited to vehicle maintenance records, school bus safety checks, fleet preventive maintenance program design and documentation, and inventory control and district fleet inventory assessment. Make recommendations for improvement, if any.
15. Review the district's transportation facility including terminal offices, vehicle maintenance garages, fueling infrastructure, fleet parking, county storm water requirements and compliance, and hazardous materials best practices and security, and make recommendations for improvement, if any.

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

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

Sincerely,

A handwritten signature in black ink that reads "Michael H. Fine". The signature is written in a cursive style with a large, stylized "M" and "F".

Michael H. Fine

Chief Executive Officer



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About FCMAT

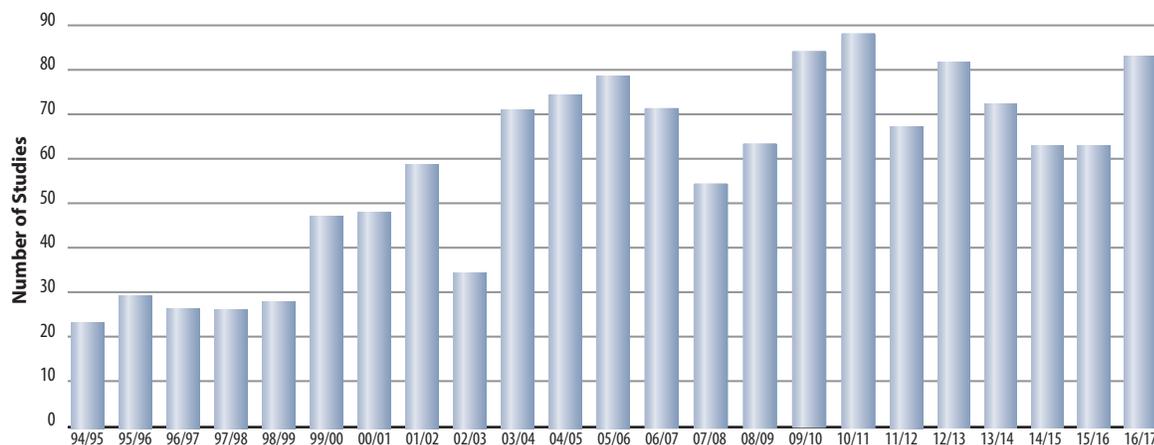
FCMAT's primary mission is to assist California's local K-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related 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 Michael H. Fine, 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 Anaheim Elementary School District is located in Orange County and has an approximate enrollment of 17,911 students in the 2018-19 school year. The district is composed of 23 elementary (K-6) schools, most operating on a traditional calendar schedule and three operating on a multi-track calendar year. In the 2017-18 fiscal year, approximately 11.7% of the district's K-6 enrollment was identified as requiring special education. It also functions as its own single-district special education local plan area (SELPA).

In February 2018 the district requested that FCMAT review its special education programs and services as well as the transportation program.

Study and Report Guidelines

FCMAT visited the district on September 25-28, 2018 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
- Fiscal Considerations
- General Education Academic Support (SST/RtI²/MTSS/PBIS)
- Special Education Staffing and Caseloads
- Instructional Assistant and Paraeducator Staffing
- Related Service Provider Staffing and Caseloads
- Identification Rate
- Continuum of Services
- Nonpublic Schools, Nonpublic Agencies, County Office of Education and Alternative Placements
- Due Process, Mediations and Settlements
- Organizational Structure
- Transportation
- Appendices

FCMAT's reports focus on systems and processes that may need improvement. Those that may be functioning well are generally not commented on in FCMAT's reports. 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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Arroyo Grande, CA

Mike Rea
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Sonoma, CA

*As members of this study team, these consultants were not representing their respective employers but were working solely as independent contractors for FCMAT.

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

Executive Summary

School districts throughout the state face an ongoing challenge in funding the costs to serve special education students. They have experienced continuing increases in the difference between the federal and state government funding received and the mandated costs for these vital student services. District internal documents provided to FCMAT indicate the district's unrestricted general fund contribution (including special education transportation) was \$25,699,900 or 60.3% of total special education expenditures in 2015-16, \$31,662,512 or 67.6% in 2016-17 and \$31,736,510 or 67.2% in 2017-18. According to the report titled "Coalition for Adequate Funding for Special Education; 2016-17 Maintenance of Effort Reports by Special Education Local Plan Area," the statewide average unrestricted general fund contribution to special education was 64.5% for the 2016-17 fiscal year, the latest data available. The district should continue to monitor its unrestricted general fund contribution to special education.

An important element of fiscal control and reconciliation for school districts involves position control. Position control is essential for budgeting because typically 85% to 90% of a school district's costs are for personnel. A strong position control system allows control and management of the budget, reduces the risk of improper reconciliation of authorized positions, allows more accurate reporting, and provides improved information about a district's positions and vacancies. Staff reported that position control data are not reconciled between the Human Resources, Fiscal Services and Special Services departments. This violates one of the essential components of position control because positions can exist and be filled even though they are not authorized by the board or properly budgeted for. The district should implement a strong position control system.

Identification of special needs students is influenced by a district's implementation of general education supports. The district has been creative and thoughtful within the Multi-Tiered System of Supports (MTSS). The district has developed a thorough resource manual for grades transitional kindergarten (TK)-sixth. Both general education and special education teachers have received professional development on this manual, and the district administrative staff and school sites helped develop the unique process. The next step is to provide similar professional development to others who support students in the classroom and on the playground such as instructional assistants and noon duty volunteers.

This study occurred early in the academic school year. At that time, the caseloads of mild/moderate and moderate/severe teachers were well within Education Code and industry maximum caseloads. Kindergarten to grade six instructional caseloads should be monitored over the course of the year and compared to previous years to ensure adequate instructional staffing. As a large elementary district, Anaheim operates a large array of preschool services. It is necessary to strengthen communication and cooperation between preschool special education and general education preschool service providers to evaluate and plan for early childhood intervention services before students are referred for special education services. Such discussion should address the operation and function of the preschool student study team called the Health, Education, Assessment Referral Team (HEART) and consider if it should meet at least twice a month as opposed to its current schedule of once a month.

The Special Services, Human Resources and Fiscal Services departments share inconsistent data for tracking special education instructional assistants. The Personnel Action Notice (PAN) form as the primary source for tracking instructional assistant (IA) assignments is not used consistently. The recent procedural change that requires the Special Services Department to sign each special education related PAN form has improved the accuracy of its use, but a higher

level of consistency is needed. The district identifies a number of students for 1-to-1 IA support, commonly referred to as special circumstance instructional assistance (SCIA). The district has a formalized SCIA assessment process, but consistency of use is needed. When 1-to-1 support is added for a special education student, one or more goals for improving student independence should be consistently added to the student's individual education program (IEP) and monitored for progress at least annually.

The district's special education identification rate is 11.7% and the statewide identification rate is 11.5%. The district continues to increase its identification rate annually. The district identification rate for speech and language impairment is 44.5% compared to the county identification rate of 24.8% and state identification rate of 20.8%.

Options for mainstreaming preschool special education with typical peers should be increased. The possible interface of special education classes with district-operated state preschool classes should be analyzed as a format for increased mainstreaming opportunities. Other strategies such as "reverse mainstreaming" of typical peers should also be considered. The district should analyze the equitable distribution of technological instructional equipment to the special education staff and students at the school site level.

The district has protocols in place to manage nonpublic school/nonpublic agency (NPS/NPA) contracts with oversight shared by the senior director of special services/SELPA and the Fiscal Services Department. Staff reported that the efforts for coordination work efficiently. Effective procedures are in place for monitoring the continued need for an NPS placement and/or transition back to a district program.

The high cost of nonpublic school placements, such as Beacon School at an average annual tuition rate of \$176,701 per student, should prompt the district to analyze the unique needs of students and determine whether the district could develop a program to better meet the needs of these students.

Based on other districts reviewed by FCMAT, the number of filings for due process are not excessive. The district has alternative dispute resolution options and is working diligently to expand their use throughout the district.

The Special Services Department organizational structure exceeds the average level of certificated support positions; however, their single-district SELPA designation requires additional supports to meet federal and state requirements. The structure of the certificated support does not align with comparable districts. Anaheim has one administrator as both the SELPA director and director of special education with the title senior director of special services/SELPA. The additional duties of this position include direct oversight of Response to Instruction and Intervention (RtI²) and Section 504, which are general education functions and the responsibility of the Educational Services Department in most districts reviewed by FCMAT. Recommendations for a redistribution of responsibility and job classifications have been provided within the report.

At the time of FCMAT's visit, approximately 2,729 regular education students are transported on 19 bus routes, and approximately 437 special education students are transported on 36 bus routes. The district has a three-tier bell schedule that helps the Transportation Department to route more efficiently. Approximately 20.8% of special education students receive transportation as a related service. There is no statewide data on the average percentage of special education students transported; however, FCMAT has observed that districts that transport more than 15% of their special education population likely overidentify transportation through the IEP process. The district utilizes a multi-suite school transportation software program that has a bus

routing function, but the department does not appear to utilize this function even though some elements of the software can be useful. Any extra activities that are scheduled independently by the schools, such as minimum days for parent-teacher conferences, cause difficulty for the Transportation Department to schedule all routes efficiently.

Findings and Recommendations

Fiscal Considerations

The special education funding structure was established by Assembly Bill (AB) 602, which was introduced and signed into law in 1997 and became effective with the 1998-99 fiscal year.

Under AB 602, special education funding is based on the average daily attendance (ADA) of all district students, regardless of the number of those served in special education programs or the cost to serve them. California distributes special education funds to SELPAs.

In addition to AB 602 state funding, districts receive a small amount of federal funds. These funding sources are designed to supplement the general education program, not support a stand-alone program. Therefore, the combined state and federal financial resources are insufficient to cover even the most efficient special education programs. Districts make contributions from local resources generated by all students, including those in special education. This contribution is the amount of funding that a district must transfer from its unrestricted general fund to pay for the portion of special education costs that exceeds program revenues.

Federal statute requires districts to spend at least the same amount of state and local funds on special education services in each succeeding year. This requirement is commonly referred to as the maintenance of effort (MOE). There are limited exceptions to the requirement, and if a district is considering reductions to its total general fund contribution to special education, it is required to follow the MOE requirements (20 U.S.C.1413 (a)(2)(B)). The California Department of Education (CDE) lists the following as exceptions that allow the district to reduce the amount of state and local funds spent on special education:

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

Source: California Department of Education, Exempt Reductions to Maintenance of Effort, www.cde.ca.gov/sp/selas/documents/leamoeexempwrkshht.xls

The Local Control Funding Formula (LCFF) was enacted with the passage of the 2013-14 State Budget Act and replaced the previous K-12 finance system. The formula for school districts and charter schools is composed of uniform base grants by grade spans (K-3, 4-6, 7-8, and 9-12) and includes additional funding for certain student demographic groups.

Under the previous K-12 finance system, general education ADA funding generated by special day class (SDC) attendance was transferred from the unrestricted general fund to the special education program. This ADA is no longer reported separately, and the CDE determined the transfer should no longer occur under the LCFF. Because of this, general fund contributions to special education can be higher under the LCFF, but do not necessarily indicate increased adverse impacts on the district's resources.

Special education financial reporting methods used by districts, SELPAs, and county offices can vary. For example, some districts include special education transportation costs, while others do not. It is not always possible to accurately compare a district's unrestricted general fund contribution to that of other districts; however, a district should address a contribution that is excessive or increasing. District internal documents provided to FCMAT indicate the district's unrestricted general fund contribution (including special education transportation) was \$25,699,900 or 60.3% of total special education expenditures in 2015-16, \$31,662,512 or 67.6% in 2016-17 and \$31,736,510 or 67.2% in 2017-18. This information is summarized in the table below.

Unrestricted General Fund Contribution

	2015-16	2016-17	2017-18
Total special education costs	\$42,590,131	\$46,849,582	\$47,219,500
General Fund Contribution to Special Education federal and state resources	\$25,699,900	\$31,662,512	\$31,736,510
Contribution percentage	60.3%	67.6%	67.2%

Source: District data

According to the report titled "Coalition for Adequate Funding for Special Education; 2016-17 Maintenance of Effort Reports by Special Education Local Plan Area," the statewide average unrestricted general fund contribution to special education was 64.5% for the 2016-17 fiscal year, the latest available data. Using the district's 67.6% contribution for the same fiscal year, and converting the difference in the percentage to dollars, this would equate to the district having contributed \$1.45 million above the statewide average in 2016-17. The district should monitor its unrestricted general fund contribution to special education.

As the table below illustrates, between 2015-16 and 2016-17 the district's identified special education pupil count decreased by 24 pupils, and expenditures per identified special education pupil increased by approximately \$1,966 per pupil or 11.1 percent. Between 2016-17 and 2017-18, the district's identified special education pupil count increased by 11 pupils and expenditures per pupil increased by \$64, or approximately one-third of one percent.

Expenditures Per Pupil

	2015-16	2016-17	2017-18
Total special education costs	\$42,590,131	\$46,849,582	\$47,219,500
Number of students with IEPs	2,406	2,382	2,393
Special education cost per student	\$17,702	\$19,668	\$19,732

Source: District data and CASEMIS

As mentioned above, data related to special education revenues and expenditures came from district internal documents. Specifically, the sources were two versions of a PowerPoint slide titled “Cost of Programs to the General Fund.” According to staff, these reports have been presented to the board to explain the level of contribution from the general fund to the special education budget. These internal documents contain significantly different levels of special education expenditures and contributions from the general fund than was reported to the California Department of Education on the Special Education Maintenance of Effort SACS report SEMA. However, staff indicated the district has not properly coded all special education expenditures to SACS goals 5000-5999 on the restricted part of the general fund, as is standard practice statewide, for approximately seven years. Instead, staff report approximately \$10 million to \$15 million per year has been coded to the unrestricted part of the general fund; consequently, these amounts have not been included in the report SEMA calculations. These expenses have been included in the overall general fund, and consequently would not result in a net change to the district’s ending fund balance. However, miscoding the transactions causes an understatement of the district’s MOE calculations, which can have serious implications for federal and state reporting. While the district’s costs for special education appear to have increased through the years, potentially negating any specific concerns about sufficiency of the district’s MOE, the district should investigate restating the SACS report SEMA calculation for multiple years in arrears and implement policies and procedures to correctly code current special education expenditures.

District financial reports seem to indicate that the Medi-Cal program (SACS resource 5640) is not recorded to a special education SACS goal as is typical, and staff reported that Medi-Cal revenues and expenses are not included as part of the special education budgeting process. These incidents regarding atypical recording of revenues and expenditures cast doubt on the accuracy of financial records for the special education program.

An important element of fiscal control and reconciliation for school districts involves position control. Position control is essential for budgeting because typically 85% to 90% of a school district’s costs are for personnel. A strong position control system allows control and management of the budget, reduces the risk of improper reconciliation of authorized positions, allows more accurate reporting, and provides improved information about a district’s positions and vacancies. For proper position control, continual collaboration and data verification are needed between the Fiscal Services, Human Resources, Special Services and Payroll departments, which is not occurring at this time. At the district, several instances were reported of data discrepancies between separate databases from these three departments. Without proper and timely data reconciliation, unauthorized and unbudgeted hiring can occur.

Staff also reported that overtime for instructional assistants and other special education staff has been performed without district authorization many times. The district has a practice of starting each year with instructional assistants in either three-hour or six-hour positions. However, these time designations often do not match actual student needs, such as a three-hour assistant for

classroom time who needs to meet the student at his or her transportation drop-off 15 minutes before school starts. Therefore, the district uses a cumbersome process each year to request authorization for changes in hours for a multitude of positions, and authorization is typically delayed for several weeks. The issue could be rectified by establishing time assignments for each unique position and using them each year, with changes as needed, rather than a complete roll-back to three- and six-hour assignments each year. This practice would reduce complexity and improve controls on overtime authorization.

The district special education budget is developed using a rollover process with some modifications based on known changes for the upcoming year. District documents indicate that the budget for 2017-18 was essentially the 2016-17 projected ending budget. Staff reported that at the end of 2017-18, a verification was performed at the site level to remove instructional assistants from sites where their services were no longer required for various reasons such as a student who had left the district. Approximately \$350,000 in savings were identified with this process. In total, staff identified \$1.83 million in 2017-18 cost reductions that were incorporated into the 2018-19 district budget. This occurred through the savings from an early retirement offering, a reduction in special day class staffing, and close monitoring of reduced needs because of sixth grade students leaving the district. While students entering the system will reintroduce expenditures into the 2018-19 budget, an annual process to closely monitor changes in services needed should continue. In addition, the special education budget for 2019-20 and beyond should be built from the “ground up” each year using the actual services needed by students to build staffing benchmarks, and comparing those benchmarks to the staffing situation at each site.

Of general concern in the district is the lack of systems for fiscal monitoring and reconciliation between departments. Each department stated that its data is accurate; however, some staff reported they are uncertain about the data they receive from other departments. The Special Services, Human Resources and Fiscal Services departments should have reliable data including the number of students served, services needed and provided, and the related budget. This would start by implementing a systemized process in the Special Services Department to include Special Education Information System (SEIS)-recorded services by IEP into the totals needed by type of service, by site, and districtwide. The observations noted in this section indicate an environment in need of increased fiscal oversight.

Recommendations

The district should:

1. Fully review the special education budget to ensure all relevant revenues and expenditures are properly coded to the appropriate SACS resources and goals. Implement policies and procedures to ensure that this practice will continue.
2. Work with the California Department of Education to correct prior year(s) report SEMA forms.
3. Continue to monitor its unrestricted general fund contribution to special education.

4. Implement a strong position control system, including the following:
 - a. Ensure that the Special Services Department performs a systematic review of data produced by SEIS to determine services needed, then group those services by type of service, by site, and districtwide.
 - b. Ensure the Human Resources Department verifies approved and open positions to the data contained in the financial system.
 - c. Schedule and hold monthly meetings of the Special Services, Human Resources and Fiscal Services departments to reconcile position control information.
5. Review the existing practice of resetting instructional assistant positions to three- and six-hour positions each year.
6. Request that the Special Services Department continue to perform regular reviews of special education personnel and services performed at each site. Reconcile this information with the SEIS reports of personnel and services required by IEPs.
7. Develop a “ground-up” special education budget beginning with the 2019-20 school year and beyond.
8. Implement a working group to resolve data inconsistencies between the Special Services, Human Resources and Fiscal Services departments.

General Education Academic Support (SST/RTI²/MTSS/PBIS)

Most special education students come from the general education setting. Identification of special needs is influenced by the district's implementation of student study teams, Response to Instruction and Intervention, and a Multi-Tiered System of Supports.

Student Study Team (SST)

The SST process is a longstanding and widely-used method that gathers information from teachers, specialists and parents to provide a struggling student with additional educational strategies and interventions. Either a staff member or a parent can make a referral to the program. SST meetings provide an opportunity for all parties to voice concerns and develop a plan. The interventions agreed upon will vary depending on the child's educational needs and the process has proven to be successful if consistently implemented.

Response to Instruction and Intervention (RTI²)

In 2004, the reauthorization of the Individuals with Disabilities Act (IDEA 2004) provided support for methods that include a response to scientific, researched-based interventions. The law states that these methods may be used as alternatives to the discrepancy model (the traditional process of comparing a child's intellectual ability and progress in school as the basis for special education eligibility) when identifying students with learning disabilities (www.cde.ca.gov/sp/se/sr/documents/sldeligibtyrti2.doc). IDEA 2004 also shifted researched-based interventions from special education to general education, stressing that these would no longer be limited to special education students, but would apply to all students. The law allows each state to develop its own guidelines and regulations. Response to Instruction (RTI), which the California Department of Education (CDE) now refers to as RTI², provides districts with a method to drive educational decisions and measure academic growth.

The CDE information further states the following:

RTI² is a systematic, data-driven approach to instruction that benefits every student. RTI² integrates resources from general education, categorical programs, and special education through a comprehensive system of core instruction and tiered levels of interventions to benefit every student. The CDE work group expanded the notion of RTI to RTI², Instruction and Intervention, to emphasize the full spectrum of instruction, from general to intensive.

Source: <https://www.cde.ca.gov/ci/cr/ri/rtiphilosophydefine.asp>

Multi-Tiered System of Supports (MTSS)

An article titled "\$10 Million to Design MTSS in California" in *The Special EDge*, winter 2015, Volume 29, No. 1, describes MTSS as "standards based instruction, interventions, mental health, and academic and behavioral supports aligned with accessible instruction and curriculum ...". The *Special EDge* article indicates that an MTSS approach can "be used to develop and align resources, programs, supports, and services at all organizational levels to increase positive student outcomes." The March 2015 Report of California's Statewide Task Force on Special Education, titled "One System: Reforming Education to Serve All Students," states:

MTSS is a whole-school, data driven, prevention-based framework for improving learning outcomes for every student through a layered continuum (typically three tiers) of evidence-based

practices that increases in intensity, focus, and target to a degree that is commensurate with the needs of the student.

The publication also states, “Operating at the student level, RtI² is a part of MTSS and echoes the tenets of MTSS in structure.”

The CDE provides information regarding the similarities and differences between MTSS and RtI² as follows:

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

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

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

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

MTSS is not designed for consideration in special education placement decisions, such as determining specific learning disabilities; MTSS focuses on all students in education contexts. For more information and documents please refer to the California Department of Education website. (<https://www.cde.ca.gov/cil/cr/ri/mtsscompri2.asp>)

Positive Behavior Intervention Supports (PBIS)

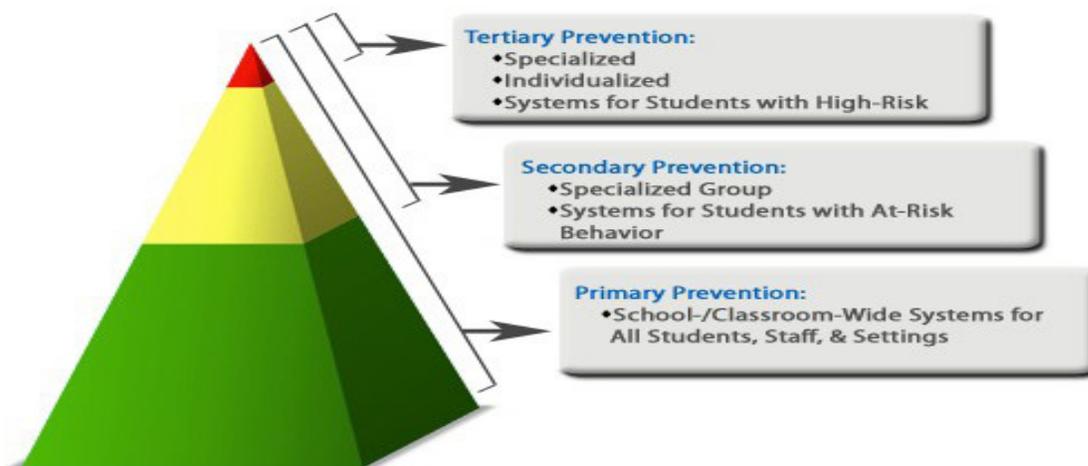
RtI² includes a behavioral component widely known as PBIS. No single approach or technique can remove the barriers to learning that occur when behaviors disrupt school. The climate of each school is different; therefore, a “one size fits all” approach is less effective than interventions based on the needs of each.

One of the foremost advances in schoolwide discipline is the emphasis on schoolwide systems of support that include strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Instead of using a piecemeal approach of individual behavioral management plans, a continuum of positive behavior support for all students in a school is implemented in areas including classroom and non-classroom settings such as hallways, buses, and restrooms.

PBIS is a proactive approach to establishing the behavioral supports and social culture needed for all students in a school to achieve social, emotional and academic success. Attention is focused on creating and sustaining primary (schoolwide or classroom-wide), secondary (specialized group), and tertiary (individualized) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all youth by making targeted misbehavior less effective, efficient, and relevant, and desired behavior more functional.

The following diagram illustrates the multilevel approach PBIS offers to all students. These group depictions represent systems of support, not children:

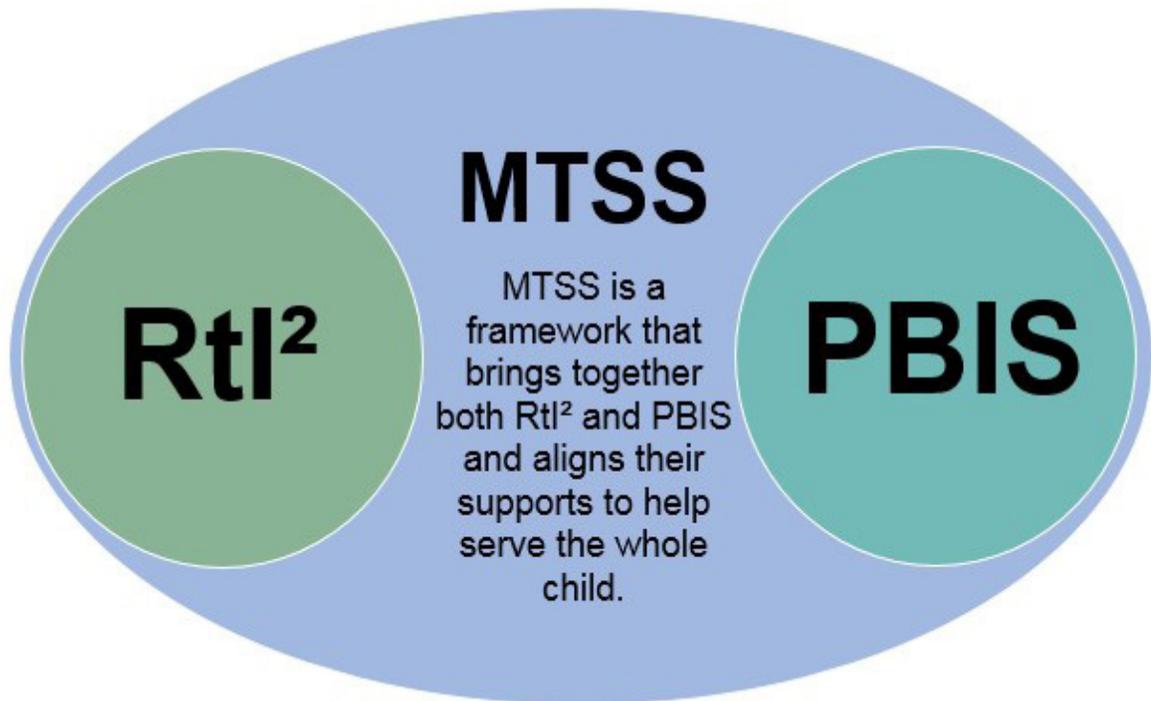
Continuum of School-Wide Instructional & Positive Behavior Support



Source: CDE and <https://www.onslow.k12.nc.us/domain/4038>

RTI², PBIS, and MTSS

MTSS, RTI², and PBIS are often spoken of synonymously, and for those new to MTSS, it can be difficult to determine what people mean when these terms are used interchangeably. It is important to keep in mind, though, that MTSS is a framework for aligning resources and initiatives; it is a method of organization. As such, MTSS encompasses both RTI² and PBIS, and systematically addresses support for all students.



Since MTSS is a framework that brings together both RTI² and PBIS and aligns their supports to serve the whole child, it also relies on data gathering through universal screening, data-driven decision making, and problem-solving teams, and focuses on content standards. MTSS aligns the entire system of initiatives, supports, and resources, and implements continuous improvement processes throughout the system.

In particular, MTSS assists LEAs in:

- Promoting LEA participation in the focus to align the entire system of initiatives, supports, and resources
- Relying on a problem-solving systems process and method to identify problems, develop interventions, and evaluate the effectiveness of the intervention in a multi-tiered system of service delivery
- Transforming the way LEAs provide support and setting higher expectations for all students through intentional integration of instruction and intervention services and supports so that systemic changes are sustainable and based on standards-aligned classroom instruction
- Endorsing UDL instructional strategies so that all students have opportunities for learning through differentiated content (i.e., teachers reacting responsively to a learner's needs), processes, and products

- Challenging all school staff to change the way in which they have traditionally worked both in and out of the classroom
- Using schoolwide and classroom research-based positive behavior supports for achieving important social and learning outcomes
- Supporting high-quality standards and research-based, culturally and linguistically relevant instruction with the belief that every student can learn and excel, including students of poverty, those who are gifted and high achievers, students with disabilities, English learners, and students from all ethnicities evident in the school and LEA culture
- Integrating a data collection and assessment system including universal screening, diagnostics, and progress monitoring, to inform decisions appropriate for all students
- Implementing a collaborative approach to analyze student data and work together in the intervention process

RtI² is an approach that focuses on individual students who are struggling academically and pulls together resources from the LEA, school, and community to promote students' success before they fall behind. It is systematic and data-driven with tiered levels of intervention to benefit every student.

PBIS is an approach that focuses on the emotional and behavioral learning of students, which leads to an increase in engagement and a decrease in problematic behavior over time. It assists the LEA in adopting and organizing evidence-based behavioral interventions that improve social and emotional behavior outcomes for all students.

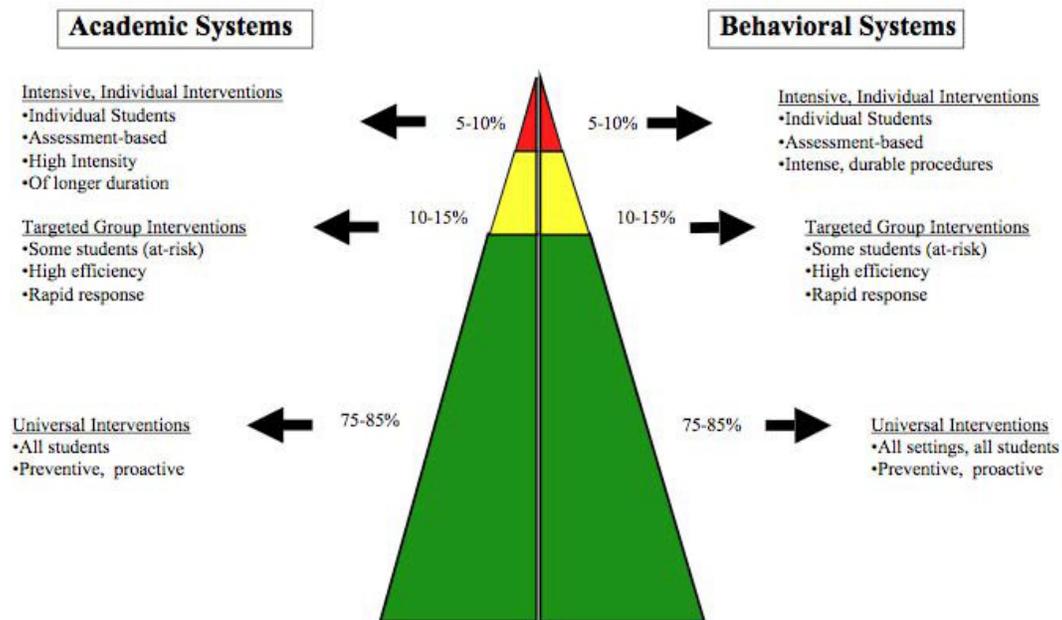
So, while RtI² focuses on academics and PBIS focuses on social and emotional learning, MTSS encompasses them all. It acts as a way of organizing supports within an LEA so that both the academic side and the social-emotional-learning side are aligned to serve the whole child.

**Source: www.cde.ca.gov/ci/cr/ri/*

The district has been creative and thoughtful within the MTSS. The district has developed a thorough resource manual for TK-sixth grade. Both general education and special education teachers have been provided professional development about this manual. The district staff and school sites helped to develop the unique process. The next step is to provide similar professional development to others who support students in the classroom and on the playground such as instructional assistants and noon duty volunteers. The district's implementation of interventions is best described by taking pages directly from the district's SST Resource Manual below.

A Smart System Structure

School-Wide Systems for Student Success



The problem-solving process takes place within each tier of the service delivery model and applies to grades TK through 6. The purposes of the first level (Tier 1) of problem solving are as follows:

- Identify the issue or concern, using specific and observable terms.
- Ensure parents and teachers have a common understanding of the issue or concern.
- Develop an Action Plan outlining an intervention strategy to address and resolve the issue or concern.
- Implement plan and document the results of the intervention strategy.
- Monitor fidelity of the intervention.

The purposes of the second level (Tier 2) of problem solving are as follows:

- Involve additional staff in the analysis of the issue or concern.
- Develop an Action Plan and monitor additional intervention strategies to address the issue or concern.
- Monitor and collect data on the impact of the intervention strategy.
- Document the results of the intervention strategy.
- Monitor fidelity of the intervention.
- Resolve the issue or concern or seek more formal problem-solving assistance.

The third level (Tier 3) of problem-solving moves to the SST. The purposes of Tier 3 problem solving are as follows:

- Provide in-depth problem analysis.
- Document the intervention Action Plan
- Assist with ongoing data collection (progress monitoring).
- Monitor effectiveness and fidelity of the intervention.
- Assist with decision making for instructional changes.
- Determine the need for additional resources.

Source: District SST Resource Manual

The district does not move toward SST until Tier 1 and Tier 2 interventions have been exhausted, which is the reason the RtI2 and MTSS process was started in 2004. The district employs site-based decision-making. This involves site administration leading their staff with making decisions they believe are best for their campus. Sites vary throughout the district in enrollment, availability of additional funds such as Title I, and the level of district-provided intervention staff.

Because of site-based decision making, schools may not all use similar levels and types of interventions. For example, one school might be provided with a full-time intervention teacher, but another may have to share this position with another school. Sites can also vary because they use their LCFF concentration money differently based on different site-based priorities. This could result in students having varying levels of support. For example, a student at one site with limited resources may move through the SST process and be referred to special education. However, if that same student was at another school site with more resources, he or she may have received the intervention needed and would not have moved through the SST process and referral for special education.

Although site-based decision-making has many advantages, the district should ensure it has equitable levels of support throughout the district for interventions and staffing to provide them. The district should have the expectation that universal screening tools and benchmarks will be used throughout the district and that interventions are clearly defined.

The entire intervention process, through referral for special education, is a general education function. Many special education staff are involved in this general education process. If this practice continues, at a minimum, the special education staff providing the general education supports should be coded to the general education function and not special education for this work. The Special Services Department coordinates these intervention services. The district should transition the entire MTSS process from the Special Services Department to a general education function of the Educational Services Department. The district should code supports correctly and clearly define the position's function under general education and special education.

Recommendations

The district should:

1. Provide professional development to classified staff who work with students in the classroom and on the playground.
2. Consider equity across the district when providing intervention staff.
3. Consider implementing consistent screening and progress monitoring tools across the district.
4. Implement consistent instructional practices and programs throughout the district for consistency.
5. Develop consistency in use of intervention materials, assessment tools and interventions offered at each site.
6. Limit the use of special education staff providing supports and intervention to students prior to special education identification, or at a minimum, correctly code the amount of time they provide general education supports to accurately reflect special education versus general education expenditures.
7. Move the MTSS process from the Special Services Department to the general education portion of the Educational Services Department.

Special Education Staffing and Caseloads

As a large preschool-to-grade-six elementary school district, Anaheim is affected by several unique factors. One is the special education caseload growth driven by identification of new special education students over the course of the school year. Such growth is common to all districts in early grades, but it is magnified in a large elementary-only district. This study was conducted within weeks of the opening of the 2018-19 school year; therefore, the size of caseloads reported was expected to grow over the course of the year especially in preschool and the resource specialist program (RSP). Some caseloads that appeared potentially overstaffed in October may operate at their maximum capacity by May.

The district's special education services operate in a mostly traditional model of RSP, mild/moderate SDCs and moderate/severe SDCs. The district operates several unique special education service delivery models on a limited basis. Two learning center service delivery models function on two sites. These two models reflect unique circumstances at each site rather than a coordinated effort to initiate the learning center model across the district as driven by the central office administration. Similarly, site-specific efforts are made to operate classes that reflect both special education and general education collaborative instruction within the same class.

The district has established several local guidelines in accordance with the certificated bargaining unit for special education caseload in RSP, mild/moderate (M/M) SDC and moderate/severe (M/S) SDC. For RSP, the district adheres to the Education Code 563629(c) guideline that caps RSP caseloads at 28. However, the certificated bargaining agreement also indicates that the RSP districtwide average is "not to exceed twenty-four (24)" (Article VIII 8.2.4). The collective bargaining agreement also establishes district guidelines for maximum caseloads that apply to all SDCs whether they are mild/moderate (M/M) or moderate/severe (M/S). The SDC guidelines include a districtwide SDC average that is computed on all SDC caseloads. The language of Article VIII 8.2.4 is as follows:

The District agrees to maintain Special Day Class size which will not exceed the maximum average of eleven (11) pupils throughout the District. Within this average of eleven (11), the District shall exert a reasonable effort to maintain a range of six (6) to fourteen (14) pupils in Special Day Classes. To the extent possible, classes containing the most severely handicapped students will be maintained at the lower end of the six (6) to fourteen (14) range. Should the class size reach fourteen (14), the affected unit member may request additional resources from the Senior Director of Special Education Services/SELPA. Such assistance shall be provided subject to the approval of the Assistant Superintendent, Education Administration.

To the extent possible, these guidelines are referenced and taken into account in the reporting of caseloads that follow within this report.

Interviews with staff indicated the district has historically been concerned over the size of caseloads in both M/M and M/S SDCs. The average caseloads in both are below the industry standard, but will grow during the year. A district SST was established to review the status of students who may require services in a more restrictive setting such as SDC. Interviews with staff indicate that the district SST does not make decisions for service outside of the IEP process. The district SST's purpose is to consider whether all appropriate resources within the least restrictive environment have been applied before the IEP team considers the potential need for more restrictive services. Staff believe this process helps maintain students in the least restrictive environment to the greatest extent possible. This process is also supported by the districtwide effort to implement RtI².

Like most large elementary districts, the district operates a large array of preschool services. In addition to required special education preschool services, the district operates a state preschool program within its boundaries. Interaction and planning occur between special education preschool services and the general education preschool services represented by the state preschool system. However, staff interviews indicate communication and cooperation between preschool special education and general education within the district should be strengthened regarding early general education intervention for students before referral to special education services. Interviews and documentation provided show the district had 542 (almost half of the general preschool population) referrals for preschool special education assessment in 2016-2017 and 411 referrals for assessment in 2017-2018.

The district operates a preschool SST identified as Health, Education, Assessment Referral Team (HEART team), but interviews with various staff indicate they disagree on its effectiveness as an SST and intervention resource for preschool students. The HEART team meets once a month, but if it is intended to function as an effective SST process given the rate of preschool referral for assessment, it should meet at least twice a month. Interviews also cited discontinuity between some of the special education services available in preschool classes and the services available when students transition to kindergarten. One example is the Applied Behavior Analysis (ABA) clinic, which is provided in preschool but not available for kindergartners.

The interaction between the preschool special education and general education services are jointly supervised by the district's Educational Services Department. Interviews indicated that administrators and staff within this department recognize the concern and are working together to coordinate and develop continuity in early intervention and special education services from preschool to K-6. Another area of concern within the operation of special education preschool is the availability of mainstreaming with nondisabled peers. Interviews indicated that the size of special education programs coupled with the state preschool's regulations make mainstreaming difficult. The same management staff working within the Educational Services Department on other preschool issues is also working to address preschool mainstreaming.

The analysis of preschool special education caseloads represented in the tables below indicates that the district has significantly higher numbers of certificated and classified preschool staff than the industry standards for districts throughout the state. As previously stated, the caseloads shown in these tables are more sensitive to growth through identification and incoming students than any other area of an elementary district. Careful tracking of the preschool referral and assessment process during the school year as well as comparison to historic caseloads are necessary to efficiently maintain preschool staffing levels.

This study also evaluated the financial impact of special education preschool services. As with any other aspect of special education operation, the federal and state revenue for special education preschool operation is significantly lower than the amount expended by the district for the mandated services. While this dynamic is generally well examined and reported in K-12 district operations, the financial impact of the local contribution for special education preschool is not as widely addressed. FCMAT's financial analysis of the preschool revenue for this district indicates approximately \$744,504 was received for the 2017-18 school year, with unrestricted preschool expenses of \$33,636.95 and restricted preschool expenses of \$710,534.59. The net of those two line items reflects \$332.46 more revenue than expenses. After the addition of approximately \$33,000 in preschool indirect costs, the data provided for this study shows the net position for preschool special education costs for 2017-18 as a loss of \$32,667.54. However, a more programmatic analysis of the current year preschool costs raises the question of possible inaccurate coding

of preschool expenses, resulting in a much higher local contribution for preschool expenses. District-provided staffing documents for preschool special education presents a much higher staffing cost than the amount provided to FCMAT, which is reflected in the chart below. Using the district's average salary cost applied to specific staff positions indicates a potential preschool funding deficit just under \$5,000,000. This warrants further examination by district administration to determine the true costs of providing preschool special education services.

2018-19 Estimated Costs Related to Preschool Special Education Services

Preschool	Costs
Speech & Language Pathologists	\$1,782,801.10
SDC Teachers	\$1,896,253.20
Psychologists	\$472,248.81
Related Services	\$478,384.03
Instructional Assistants	\$1,039,110.90
Indirect Costs	\$33,000.00
Estimated Total Costs	\$5,701,798.04
Estimated Revenue (2017-18 level)	\$744,504
Estimated District Contribution	\$4,957,294.04

Source: District data

Resource Specialist Caseload K-6*

Teacher FTE	Total Caseload	District Caseload Average	Education Code Caseload Maximum	Staffing FTE Above (+) Below (-) Education Code	District Bargained Caseload Average	Staffing FTE Above (+) Below (-) District Bargained Caseload Average
31.75	692	21.80	28	+7.04	24	+2.92

Source: District data and EC 56362(c)

*Caseloads reflected as of 8/27/18

Non-Severely Handicapped Special Day Class (Mild/Moderate) K-6*

Teacher FTE	Total M/M Caseload	District Caseload Average	Industry Standard M/M SDC Caseload	Staffing FTE Above (+) Below (-) Industry Standard	District Bargained Caseload Average	Staffing FTE Above (+) Below (-) District Bargained Caseload Average
32.00	345	10.78	12-15	+9.0 FTE	11.0	+0.64

Source: District data

*Includes Learning Center and TK SDC. Caseloads reflected as of 8/27/18.

Severely Handicapped Special Day Class (Moderate/Severe) K-6*

Teacher FTE	Total M/S Caseload	District Caseload Average	Industry Standard M/S SDC Caseload	Staffing FTE Above (+) Below (-) Industry Standard	District Bargained Caseload Average	Staffing FTE Above (+) Below (-) District Bargained Caseload Average
24	227	9.46	10-12	+5.1 FTE	11.0	+3.36

Source: District data

*Includes Orthopedically Impaired PK/Kinder, Vision Impaired K-6 and Upper and Primary Labs. Caseloads reflected as of 8/27/18.

Preschool ABA/Autism Special Day Classes* (Moderate/Severe)

Teacher FTE	Total Caseload	Total Number of 3 hour equivalent IAs	Industry Standard Adult to Student Ratio	District Adult to Student Ratio	Staffing Above (+) Below (-) Industry Standard
6.0	36	27	1:3	1: 1.09	+21 Adults ^

Source: District data

*Includes ABA Focus, ABA Specific, and ABA Clinic

^ Calculations are based on caseloads and staffing as of 8/27/18. Note that it is the nature of preschool services that student caseloads increase significantly over the course of the school year.

Preschool Non-Categorical Special Day Classes* (Mild/Moderate)

Teacher FTE	Total Caseload	Total Number of 3 hour equivalent IAs	Industry Standard Adult to Student Ratio	District Adult to Student Ratio	Staffing Above (+) Below (-) Industry Standard
10.0	91	33.8	1:7	1:2.07	+ 30.8 ^

Source: District data

*Includes PK Inclusion Class

^ Calculations are based on caseloads and staffing as of 8/27/18. Note that it is the nature of preschool services that student caseloads increase significantly over the course of the school year.

Recommendations

The district should:

1. Review all coding related to special education expenditures, especially in the area of special education preschool funding, to ensure they are accurately accounted for.
2. Analyze the cost of preschool special education services being provided versus what is being reported in the financial system.
3. Review the operation of the preschool HEART team to determine if it functions as an effective student study team process that considers and recommends intervention strategies for the preschool population prior to referral for special education. Consider increasing the frequency of the preschool HEART team meetings to at least twice a month.

4. Develop a management led study group to review continuity between preschool early intervention and special education services and the K-6 system.
5. Include appropriate preschool and primary grade instructional and support staff in the study group that considers any issues regarding the articulation of preschool services with general education and primary grade special education services.
6. Review the high number of preschool special education referrals and develop interventions that could meet the needs of struggling students before referral and assessment for special education services.
7. Address the issue of appropriate mainstreaming for special education preschool students with nondisabled peers through a management led study group.
8. Analyze the growth of caseloads from pre-K to grade six to determine average growth rate trends across the entire school year including year-round schools, to ensure adequate staffing within district guidelines and avoid overstaffing.

Instructional Assistant and Paraeducator Staffing

The district has established the basic level of special education IA staffing as a three-hour position. The industry standard is a six-hour IA position; however, many districts adopt the three-hour IA staffing option as their standard because of the potential cost savings in health and welfare benefits. The difference in cost savings for a three-hour versus a six-hour assistant position is even more significant in this district because six-hour positions receive full benefits. Analyzing special education IA staffing for this study required the conversion of three-hour IA positions into six-hour equivalents. The tables below note the six-hour conversion where appropriate.

Similar to the district-developed guidelines for special education teacher caseloads, interviews with staff indicate there are district-developed guidelines for the level of IA staffing assigned to various special education instructional services. These district standards for IA staffing are sometimes different than the industry standards typically used to analyze staffing and caseloads and are reflected in the table below.

District Staffing for Instructional Assistants Compared to Industry Standards

Program	District IA Staffing	Industry Standard IA Staffing
RSP	1 three-hour IA	1 six-hour IA
Mild/moderate SDC	1 six-hour IA	1 six-hour IA
Moderate/severe SDC	1 six-hour IA & 1 three-hour IA	2 six-hour IAs
Severe SDC	1 six-hour IA & 2 three-hour IAs	2 six-hour IAs
Preschool Non-categorical SDC	3 three-hour IAs	None
Preschool Applied Behavior Analysis SDC	4 three-hour IAs	None

Source: District data

Interviews indicated that the high number of three-hour IAs hired by the district creates problems because of the frequent turnover in what could be considered an entry-level position. Individuals who are hired as three-hour IAs typically have the opportunity to apply for six-hour IA positions when vacancies are available. The district offers two days of point-of-hire training to new IA employees, consisting of orientation to the job of assistance in a special education classroom and crisis prevention.

During interviews, many employees had concerns about accurately tracking IA staff assignments, making changes in the length of IA hourly assignments and school site administration creating new special education IA positions that were not discussed or approved by special services administrative staff. In some districts, maintaining accurate data on IA assignments can be difficult because school site administration change IA assignments without informing either the Special Services or Human Resources departments. Some changes can be minor such as moving an IA from one special education teacher to another on the same school site. However, they can also be as significant as in failing to notify district administration when the assigned student of a 1-to-1 instructional assistant moves away or allowing an emergency substitute IA to remain on the job until he or she has met the minimum number of successive days in a substitute position and must be offered a classified position. Interviews indicated these types of omissions occur with unacceptable frequency.

The Special Services Department performed a field review of all IA positions a year ago and found a significant number of errors when comparing actual special education IA assignments to the records maintained at the district level. In this district, any change in an employee's assignment must be noted and approved through the submission of a PAN form. During in the field review of IA assignments conducted last year, staff found that use of PAN forms were inconsistent. Another problem was that when a PAN form involved a special education position, previous procedures did not require a review and signature from the Special Services Department. Staff indicated this omission has been corrected and the special services director must sign all PAN forms that involve special education staff. The Human Resources and Fiscal Services departments also review and sign PAN forms so all changes can be included in position control. In addition, the special services director has assigned a program specialist to track and maintain a special education specific internal record of IA assignments.

Interviews indicated IA assignments are tracked using three methods: the form kept by the special education program specialist, a Human Resources Department source referred to as the 111 database and position control maintained in the Fiscal Services Department by the position control technician. All three records rely on the PAN forms for changes in information. The data compiled by the special education program specialist has the additional advantage of receiving firsthand information on IA changes from special education staff. The program specialist also tracks and informs school sites of the timeline for long-term IA substitutes potentially becoming district employees because of working more than 75% of a school year in violation of Education Code section 45103. The program specialist and Human Resources Department staff hold regular meetings to reconcile the IA assignment data, and similar meetings occur between Human Resources and the position control technician. Staff interviewed all believe record accuracy has increased because of the inclusion of special services in the PAN form approval process and the assignment of a program specialist to track and record IA assignments. However, interviews also found some mistakes still occur, and site-based compliance with the tracking and change procedures must still be strengthened and closely followed.

Unique to this district and another significant factor in accurately tracking IAs is the internal practice of using the PAN form process to add extra hours to an existing IA's regular assignment, which the district refers to as a temporary increase. The maximum length of time for such an addition is until the end of the school year. At that point, all such temporary increases are removed, and the IA automatically returns to his or her regular assignment. All of these temporary increases are supposed to be approved through the PAN form process, yet its use for these additions is again inconsistent at the site level. Interviews and document reviews indicated the incidence of these additions grows significantly during the school year. At the time of this review, in the second month of regular school operation, documents provided by the district indicate that 14 special education IAs have temporary increases in their hourly assignments. At the end of the 2017-18 school year 102 three-hour IAs and 47 six-hour IAs had temporary increases in their hourly assignments. The district should review its practice of using temporary increases in relation to Education Code 45103 and consult with its legal counsel to determine whether this should continue.

Interviews consistently indicate the rate of identification of 1-to-1 special education IAs is problematic for the district. It employs both three-hour IAs and six-hour IAs for additional assistance known as SCIA. To present a cost estimate of the SCIA assistants, the positions were totaled separately by six-hour SCIA positions and three-hour SCIA positions. The totals were multiplied by either the average three-hour or six-hour SCIA rate, and a total cost estimate for the SCIA positions is presented in the table below. The district has a formalized SCIA assessment process

that results in a formal assessment conducted by the district school psychologists who prepares a report that is considered by the IEP team as mandated for students identified as an individual with exceptional needs. The SCIA assessment is an essential step in ensuring that the addition of SCIA support is a formal, carefully considered process. However, another accepted practice is to establish individual student's present levels in the areas of student functioning that make SCIA support necessary. When SCIA support is added, the IEP development should include the student's present levels of functioning and a related goal or goals intended to improve student functioning so that SCIA support is no longer required. The goals developed for this purpose are to be assessed annually for progress and revised, if necessary, as any other IEP goal. Interviews indicated that this goal development and annual review process, in relation to the addition of SCIA support, is not used consistently in the district.

Interviews also indicated that most SCIA support is related to student behavior rather than significant health needs. An additional specialized group of special education instructional assistants that does not fall under typical special education classroom support is the position of behavior instructional assistants (BIA). Documents indicate that all of the BIA positions are filled by employees working six hours or more. The BIA position is also broken out separately and reported below along with SCIA's.

*Instructional Assistants K – 6**

Program	Teacher FTE	Total IA FTE*	Industry Standard Teacher FTE: IA FTE	District IA FTE Needed per Industry Standard	IA FTE Over (+) Under (-) Industry Standard
RSP	31.75	14.63	1:1	31.75	-17.12
Mild/Moderate SDC	32.00	35.79	1:1	32.0	+3.79
Moderate/Severe SDC	24.00	40.19	1:2	48.0	-7.81

Source: District data

*All IA hours converted to industry standard of six hour equivalents. This does not include 14 1-to-1 IAs.

Special Circumstance Instructional Assistant (SCIA) & Behavior Instructional Assistant (BIA)

Category	Total FTE	Total Cost*
Six-Hour SCIA	48.53	\$1,658,817
Three Hour SCIA	137.38	\$2,347,912
Total SCIA Cost Estimate		\$4,006,729
BIA	28.0	\$1,228,920

Source: District data

*Average salaries provided by the district include all statutory and health and welfare benefits .

Recommendations

The district should:

1. Continue to increase consistency in the use of the SCIA assessment and the IEP process to determine the appropriate need for SCIA support.

2. Provide training and supervision to ensure that IEP teams overseeing the provision of SCIA support, develop and annually review goals designed to build independence in the areas of student functioning that require individual staff support.
3. Conduct a management review of the existing procedures between the Special Services, Human Resources and the Fiscal Services departments for tracking IA assignment data, including the reconciliation of inconsistencies, and make modifications to the procedures as needed.
4. Strengthen the staff and site management compliance with monitoring IA assignments through consistent use of the PAN form procedures.
5. Continue to monitor the cost benefit and effective delivery of special education services through the reliance on three-hour IAs and the guidelines for IA staffing levels.
6. Conduct a management review of the efficiency of maintaining the procedure of granting temporary increases in IA assignments for up to the remainder of the school year in relation to Education Code 45103 and consult with its legal counsel to determine whether this practice should continue.

Related Service Provider Staffing and Caseloads

The district provides many related services according to the student needs outlined in each IEP. It employs related service providers such as school psychologists, speech and language pathologists, adapted physical education teachers, occupational therapists, physical therapy, vision and orientation/mobility service and nursing. The district contracts with nonpublic agencies for some services and short-term absences.

K-Sixth Psychologists

Position control documents indicate that the district employs 25.0 FTE school psychologists. 1.0 FTE is a psychologist on special assignment who will not be included in this staffing calculation, but will be discussed within the Organizational Structure section of this report. Staff interviews and documents reviewed indicate the school psychologists' standard role and responsibilities generally comply with state and professional standards. Several school psychologists maintain assignments that are unique and/or do not apply to the K-12 student population, including 3.3 FTE psychologists who are assigned to the preschool population. To provide an accurate representation of average school psychology caseloads specific to public education in California, the comparison below is made from the respected independent source CalEdFacts that analyzes current data on support services in public education. The CalEdFacts psychologist analysis is based on service to the K-12 general population and does not break out specialized psychologist assignments from within the K-12 populations. Accordingly, the 3.3 FTEs that serve the preschool population and 1.0 FTE psychologist on special assignment are not included in this comparison.

The district's average caseload per psychologist is 865.2 students while the statewide average caseload is 1,010 students per 1.0 FTE psychologist. If staffed at industry standards, the district would only require 17.7 FTE psychologists. The district could realize considerable savings by decreasing psychologists to the industry standard. It should also consider how school psychologists support much of the SST/RtI²/MTSS process and are regularly available to the individual school sites before making reductions. The district should consider funding a portion of the psychologists' salary, specifically to the general fund that represents their time involved in the intervention process to accurately reflect their duties.

School Psychologist Staffing and Caseloads

Program	No. of FTE*	Total Caseload	Caseload Average	Industry Standard	(+) Above (-) Below Industry Standard
Psychologist (K-Sixth)	20.7	17,911	865:1	1,010:1	(+) 3

Source: CalEdFacts, district data and industry standard *This does not include 3.3 FTE assigned to preschool.

Preschool Psychologists

The district employs 3.3 FTE school psychologists specifically for the special education preschool program. Based on the document provided by the district demonstrating the number of preschool assessments, the district appears to have most of the students eligible under the diagnosis of speech and language impaired, which is typical for preschool students. Students with suspected speech and language impairment are usually assessed by a speech and language pathologist and do not have a psychological assessment as part of their eligibility assessment.

The district document demonstrates that the psychologists may have assessed approximately 134 preschool students, without accounting for some of the students who were eligible under speech and language impaired. There is no established industry standard for preschool psychologists caseloads because districts utilize these positions in a variety of ways. However, in FCMAT's experience, districts typically assign 1.0 FTE psychologist for every 100 preschool students assessed. Given the number above, the district may be overstaffed with 3.3 FTE psychologists assigned to preschool. The district may consider decreasing the preschool psychologist by 1.0 FTE or focusing a psychologist's duties on supporting general preschool program interventions and develop language-based supports before requiring assessment, also known as preschool RtI².

Recommendations

The district should:

1. Review the duties of the school psychologists and correctly code their salaries per duties according to program areas such as RtI², special education and preschool.
2. Evaluate psychologist duties to determine if the district should reduce the number of FTEs or continue with the current level of support for preschool-sixth grade including MTSS.

Nurses

The district provides a variety of health-care services to general and special education students including state-mandated vision and hearing testing and health updates for students with initial and triennial IEP meetings. The district employs two nurse coordinators who manage the hearing and vision testing, parent concerns, problem solving with staff, ordering, organize meetings, develop policies and procedures and provide professional development.

The district employs 13.5 FTE school nurses with one dedicated to special education preschool. The preschool nurse has been removed from the staffing calculations since CalEdFacts reports the average caseload for K-12. The statewide average caseload for a school nurse is 2,371 students. The district's nurses have an average caseload of 1,433 students each. According to industry standards the district needs 7.55 FTE nurses K-6, which means the district is overstaffed by 4.95 FTE per industry standards.

The district also employs six health aides to support students who are medically fragile at the Westmont school site in a 1-to-1 capacity. The district should evaluate at each IEP if the 1-to-1 support is needed or the student could move to more independence such as 2-to-1 support for services.

There are also 6.0 FTE general education health technicians, assigned to four school sites. They complete the health office paperwork and support the sites when on campus. From FCMAT's experience, this level of support appears to be reasonable and supportive.

School Nurse Staffing and Caseloads

Provider	No. of FTE*	Total Caseload	Caseload Average	Industry Standard	(+) Above (-) Below Industry Standard
Nurse	12.5	17,911	1:1,433	1:2371	(+) 4.95

*Source: CalEdFacts, district data and industry standard *This does not include 1.0 FTE assigned to preschool.*

Recommendations

The district should:

1. Consider reducing school nurses by 4.95 FTE.
2. Review the need for 6.0 FTE health technicians assigned to one classroom as 1-to-1 supports, and if appropriate, move students to a less restrictive environment such as 2-to-1 support.

Occupational Therapists

The district position control document and the spreadsheet provided by the Special Services Department is not consistent for the number of occupational therapists (OTs). The district employs between 5.0-6.6 FTE OTs, but the district special services spreadsheet includes two names not found on the position control document. For purposes of this study, FCMAT used the spreadsheet provided by the Special Services Department. One OT only assesses students in preschool and does not provide direct services. The district serves a total of 224 students. The industry standard is 45-55 students per FTE. Using the industry standard, the district would only require 4.1 FTE for occupational therapy preschool-sixth grade.

Occupational Therapist Staffing and Caseload

Provider	No. of FTE	Total Caseload	Caseload Average	Industry Standard	(+) Above (-) Below Industry Standard
Occupational Therapists	6.6	224	1:34	1:45-55	(+) 2.5

Source: CalEdFacts, district data and industry standard

Recommendations

The district should:

1. Reconcile position control and the special services spreadsheet to determine the accurate number of FTEs.
2. Evaluate the need for only 4.1 FTE OTs serving preschool through sixth grade students.

Physical Therapy

For preschool-sixth grade, the district employs 1.0 FTE physical therapist (PT) who travels throughout the district serving 36 students. The industry standard is 1-to-45-55 students. Staffing appears to be appropriate at the district because of the wide range of ages and school sites. The district could consider partnering with a neighboring district to reduce costs when appropriate.

Vision and Orientation & Mobility

The district employs 1.0 FTE vision teacher and 1.0 FTE orientation and mobility (O and M) teacher, and these services may pair up for the students who are legally blind. Other students may only require assistive technology and supports by the vision teacher and not O and M services. The vision teacher serves 21 students and the O and M teacher serves 12 students.

Because these services are very specific and usually require 1-to-1 direct instruction, the caseloads are typically lower than other related service providers. The industry standards for vision and O and M range from 1-to-10-30 depending on whether the support is a related itinerant service or a classroom for all visually impaired. The district services students as a related service; therefore, the caseloads appear within industry standards. The district could consider partnering with a neighboring district to reduce costs when appropriate.

Vision and Orientation & Mobility Staffing and Caseloads

Provider	No. of FTE	Total Caseload	District VI/ O&M FTE to Student Ratio	Industry Standard (VI/O&M FTE to Student Ratio)
Vision	1.0	21	1: 21	1: 10-30
O & M	1.0	12	1:12	1: 10-30

Source: District data and industry standard

Adapted PE Teacher

The district employs 1.0 FTE adapted PE teacher who serves 24 students, and the industry standard is 1-to-45-55 students. If it staffed according to industry standards, the district would only need a 0.5 FTE teacher; however, retaining a part-time teacher would be difficult. The district may want to consider providing contracted services to local districts to bring in revenue.

Adapted PE Staffing and Caseloads

Provider	No. of FTE	Total Caseload	Caseload Average	Industry Standard
Adapted PE Teacher	1.0	24	1:24	1:45-55

Source: District data and industry standard

Speech and Language Pathologists

Documents and interviews indicate that the district employs 27.6 FTE speech pathologists and 12.0 FTE contracted speech and language pathologists (SLPs) for a total of 39.6 SLPs. These 39.6 FTE are broken into 13.6 FTEs dedicated to preschool, which includes 6.0 FTE speech pathologists specifically for preschool assessments, and 26.0 FTE SLPs dedicated to K-sixth grade. EC 56363.3 indicates caseloads for students ages five to 22 are 1-to-55, and 56441.7(a) establishes a preschool ratio of 1-to-40. Documents indicate 338 district preschool students receive speech services from the 13.6 FTE SLPs. If it were staffed at Education Code maximums, the district would be overstaffed in preschool SLPs by 5.15 FTE.

Staff may argue that speech and language pathologists are necessary for preschool assessments, but the Education Code specifically limits speech and language pathologist caseloads to 1-to-40 to account for the transition and initial assessment processes. Because districts use preschool assessment staff and intakes vary significantly, there is no set industry standard. However employing 6.0 FTE assessors is not typical for districts of this size based on FCMAT’s experience. The district could consider reducing several of the contracted agency SLPs for preschool. At a minimum, the district may want to consider discontinuing the use of contracted staff to assess preschool students. This will be discussed later in this section.

The district serves 1,689 students through 26.0 FTE for K-6 and is understaffed by 4.7 FTE according to the Education Code. If it staffed at Education Code maximums in both preschool and K–6, it would need a total of 39.15 SLPs, and it currently employs and contracts for 39.6 FTE. The district could shift SLP assignments to provide services per Education Code requirements.

Speech and Language Pathologist Caseloads

Provider	No. of FTE	Total Caseload	Caseload Average	Education Code	District Staffing Above (+) / Below (-) Ed Code
Speech and Language Pathologist (ages 5-22)	26	1689	1:64.96	1:55	(-) 4.7
Speech and Language Pathologist (Preschool)	13.6	338	24.85	1:40	(+) 5.15

Source: District data, EC 56441.7(a) and EC 56363.3.

The district contracts for 12.0 FTE speech related services including direct service, assessment, progress monitoring and IEP participation. Based on a review of contracts for services, FCMAT determined the annual contracted services for speech and language was \$1,415,510 during the 2017-18 school year. The actual average cost per contracted FTE is \$117,959.16, and the district’s average position cost is \$130,054.56, a difference of \$12,095.40 per FTE.

FCMAT and the district are concerned that the number of students identified as speech and language impaired (SLI) is increasing. Interviews indicate that the speech service exit rate is minimal, and there is no quality control over eligibility, goals developed and services provided. Some districts can experience a conflict of interest with the contracted service provider assessing eligibility qualifications for students and providing services as well. The district could consider utilizing district-employed speech pathologists to complete assessments or using a contracted service with a clear understanding of district eligibility and exit criteria only for assessing and not serving the students. The district should examine all records of students who receive speech services and determine eligibility through an independent assessor. Students no longer eligible should be exited and returned to general education or the least restrictive environment.

Staff indicated the reason for not attracting district-hired SLPs is the lack of competitive annual salary and hiring process delays, which reduce the number of SLPs signing contracts before they are hired at another district.

The district also employs 4.0 FTE speech and language pathologist assistants (SLPAs). SLPAs are not case managers, and this position is not included in the caseload average in the previous table. The SLPA can provide services under the direction of the SLP, but the district has no procedure

to determine the SLPA supports needed by SLPs. Staff expressed frustration regarding SLPA assignments and which SLPs do not receive additional support. The district should develop and implement a process to determine the need for SLPAs as well as consider the need for SLPAs if there is adequate SLP support per Education Code.

The school psychologists and OTs have common assessment tools and report templates; however, staff reported that the SLPs do not have a common assessment tool bank or a consistent assessment criteria and reports template. As a result, a student may qualify for speech services at one district school, but not at another. The district should develop a common list of assessment tools and report template to be used by district and contracted SLPs.

The preschool data on the number of assessments completed and outcomes from various assessment is not clear. Tracking students who exit and the reason for exiting is also important to add to the spreadsheet used. The district is working on a process to rectify this.

Recommendations

The district should:

1. Consider reorganizing the SLPs assignments according to Education Code requirements to account for the 5.15 FTE overage at the preschool level and the 4.7 understaffing for K-sixth grade.
2. Consider limiting SLP contracted services for Pre-K-sixth grade. At a minimum, utilize district-employed speech pathologists to complete assessments or use contracted services with a clear understanding of district eligibility and exit criteria only for assessing and not serving the students.
3. Review the records of students receiving speech services to determine eligibility, and exit them from services if they are no longer eligible.
4. Develop a common list of assessment tools and report template to be used by district and contracted SLPs.
5. Develop and implement a process to determine the need for SLPAs as well as the need for SLPAs if there is adequate SLP support according to the Education Code.
6. Develop and implement a spreadsheet documenting preschool assessment, qualification, exits and reasons, eligibility type, and type of referrals.

Identification Rate

The special education identification rate is an indicator frequently used to determine the rationale for increases in the general fund contribution. For the purpose of this study, the identification rate was determined using the CALPADS enrollment and the California Special Education Management Information System (CASEMIS) report, district of service, for special education K-6 excluding the infant and preschool categories. The district did not pull CASEMIS data for district of residence, which is an accurate accounting of students identified as residing in the district and receiving services, and not only those served in the district such as those attending programs in nonpublic schools and the county office. Because the district is responsible for providing services to those that reside in their boundaries, this is data that needs to be available to help inform their decisions moving forward.

The district has recently declined in total student enrollment similarly to the state as a whole. The special education identification of students with IEPs has steadily increased while the total public school enrollment is declining.

CalEdFacts, a compilation of statistics and information on a variety of issues concerning education in California, was used to determine total public education enrollment for the K-22-year-old population. The enrollment in California public schools for the school year 2017-18 is reported as 6,220,413. The chart below illustrates the statewide total K-22 student enrollment since 2014-15.

Statewide Total Student Enrollment K to 22 years old

School Year	Enrollment
2014-15	6,235,520
2015-16	6,226,737
2016-17	6,228,235
2017-18	6,220,413
Total Decrease from 2014-17	-15,107

Source: <https://www.cde.ca.gov/ds/dl/cb/cfe/enrollmentcomp.asp>

FCMAT used Data Quest to determine the district enrollment for 2017-18 and for special education identification. Data Quest records data and statistics collected from California schools and learning support resources to identify trends and educational needs and to measure performance (<https://dq.cde.ca.gov/dataquest/>). Using the special education information within Data Quest, FCMAT reviewed the state total of students with IEPs from birth to age 22 and reduced that number by the total of those from birth through age four. For the year 2017-18, the 5-22 year-old population for special education is 718,262. With the 6,220,413 students reported for statewide total K-22 enrollment, the identification rate is 11.5% for 2017-18. The district K-6 identification is 11.7% for 2017-18, slightly above the statewide average, and the trend for the state and district rates is shown below.

Statewide Special Education Identification Rate

School Year	Statewide Identification Rate*
2017-2018	11.5%
2016-2017	11.2%
2015-2016	10.9%
2014-2015	10.7%

Source: Data Quest, Ed Data, and CASEMIS reports * All excludes infants and preschool age students

District Identification Rate

School Year	Total Enrollment	*Students with IEPs	Percentage
2017-18	17,911	2,103	11.7%
2016-17	18,558	2,000	10.8%
2015-16	18,852	2,025	10.7%
2014-2015	19,164	2,034	10.6%

Source: Data Quest, Ed Data, and CASEMIS reports * All excludes infants and preschool age students

For additional information, the chart below compares the district's identification rate to the county and state by disability. The most notable area of overidentification is in speech and language, where the district exceeds the statewide average by 23.7%.

Identification rate of students for Dec. 1, 2017

Disability	District	County	State
Intellectual Disability	3.3	5.0	5.7
Hard of Hearing	1.2	1.4	1.3
Deaf	.0	0.4	0.4
Speech or Language Impairment	44.5	24.8	20.8
Visual Impairment	0.2	0.4	0.4
Emotional Disturbance	0.9	2.7	3.2
Orthopedic Impairment	0.9	1.3	1.3
Other Health Impairment	9.3	14.0	12.6
Specific Learning Disability	21.2	29.9	38.4
Deaf-Blindness	.0	.0	.0
Multiple Disability	0.6	1.1	0.9
Autism	17.6	18.8	14.5
Traumatic Brain Injury	0.1	0.2	0.2

Source: Data Quest & CASEMIS 12-1-2017 (Includes infants through sixth grade)

Several factors affect the identification rate in speech and language such as the criteria used for identification, the impact of English language learners referred, the lack of interventions in language development and low exit rates from special education. It would benefit the district to create a work group of speech pathologists to critically review these issues and determine the cause of overidentification. This group should establish the identification rate for speech and

language for the past three years and create eligibility and exit criteria to be used by all speech pathologists. This information is available to the work group through the district's SEIS.

Staff reported that the psychologists and occupational therapists use similar reporting templates and criteria to determine eligibility, but speech and language pathologists do not. The district should develop a list of common assessment tools and eligibility criteria to be used for SLI identification and train district and contracted SLPs in their use.

The interests of school districts and their students can often differ from the interests of outside for-profit service providers, including differing approaches to eligibility qualifications and exit strategies. A district can benefit from ensuring that contractors do not provide both assessments and services to the same students. The district could utilize district speech pathologists to complete assessments and contracted service providers to provide services to students who qualify. Another approach is to use a contracted service provider only for assessments and not serve students. The district would benefit from ensuring a clear understanding of eligibility and exit criteria, reviewing the records of all students who receive speech services and determining their eligibility using an independent assessor. Students who are no longer eligible for services should be exited and returned to general education to ensure they are served in the least restrictive environment.

Recommendations

The district should:

1. Review the protocols used to identify students for speech and language identification.
2. Determine if speech identification is affected by the identification of English learners.
3. Create a work group to address the areas of overidentification, and develop a plan to reduce it in speech and language.
4. Provide training and support to speech and language pathologists on identifying students as speech and language impaired.
5. Consider using district staff to conduct assessments and eligibility determination and contracted service providers to serve the speech and language impaired students to rule out any conflict of interest.
6. Consider developing an assessment criterion along with a template to be used consistently for speech and language reports districtwide.
7. Consider using the CASEMIS district of residence report annually to account for the number of students living in the district who receive services.

Continuum of Services

District-provided documentation describes in generic terms the continuum of special education services required according to EC 56360 and 56361. Interviews with staff and a review of documents indicate the district provides a full range of services, from mild/moderate to moderate/severe, from preschool through grade six. Through a memorandum of understanding (MOU) with neighboring districts and established protocols with the Greater Anaheim SELPA and the Orange County Department of Education, the district provides access for student services in occurrences of low-incidence support and more severe student functioning. The district also makes placement in NPSs for similar instances of severe student needs. Placements in these out-of-district settings is discussed more in depth within the NPSs, NPAs, the County Office and Alternative Placements section of this report.

From preschool to grade six, the district maintains options to serve special education students in the least restrictive environment with nondisabled peers. At the preschool level, this occurs through partnership with the district-operated state preschool. However, interviews indicated that state preschool program procedures are insufficient to meet the needs of all preschool students who require mainstreaming opportunities. Interviews and a review of district-provided documents indicate the continuum of services from least restrictive to most restrictive is provided through partnership with the South Orange County Special Education Local Plan Area (SOC SELPA) and the Orange County Department of Education. The district has options for placement in moderate/severe and low-incidence services through the SELPA and county office.

Interviews with district-level staff indicate that special education students have complete access to instructional materials, equipment and activities. However, interviews with site-level staff indicate sites vary in the distribution of technological instructional equipment. Multiple staff stated that each site may receive appropriate equipment from the district, but it is not always distributed equitably to special education staff and students. The district should conduct a comprehensive survey with special education certificated staff to verify that instructional materials and technology equipment are equitable for their classrooms.

The district has been identified as a year 2 repeater on the Annual Performance Indicator Report Measures (PIR) pertaining to Indicator 5, Least Restrictive Environment. Interviews and reviews of district-provided documents such as, “Updated Performance Indicator Review Action Plan Least Restrictive Environment – Indicator 5 - January 2018,” which provides a summary and progress for 2017-2018, supports interview statements that the district has taken appropriate steps to correct the PIR findings. Staff training and reorganization of some existing classes are among steps that are described by staff and appear in the district documentation. Staff reported that required documentation has been provided to the CDE, and the district is awaiting notification of satisfactory completion of the PIR corrective action.

Recommendations

The district should:

1. Continue to monitor and revise efforts to mainstream and ensure placement of students in the least restrictive environment.

2. Conduct a comprehensive survey directly involving special education certificated staff to verify that instructional materials and technology equipment are equally distributed to special education students and special education service providers.

Nonpublic Schools, Nonpublic Agencies, County Office of Education and Alternative Placements

Education Code 56034 defines an NPS as follows:

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

NPS is an option in the continuum of service for disabled students. Students are placed in an NPS when their unique needs outlined in an IEP require specialized programs that are unavailable in the district. The district negotiates NPS contracts in association with other special education local plan areas in Orange County.

The Special Services Department has a protocol to manage NPS/NPA contracts. The board annually approves a master contract for each NPS/NPA, and individual agreements are created for all students receiving these services. The duties and responsibility for district oversight of NPS/NPA services are assigned to the senior director of special services/SELPA in coordination with the Fiscal Services Department. Staff reported that the efforts for coordination are effective.

Program specialists are designated as the case managers of students in NPS placements at the initial IEP meeting. Effective procedures are in place for monitoring the continued need for an NPS placement and/or transition back to a district program.

Total Enrollment in Nonpublic Schools 2016-17 – 2018-19

School Year	Number of NPS Students	Annual Costs
2016-17	17	\$832,825
2017-18	16	\$711,145
2018-19	11	\$811,494 (projected)

Source: District data

With the number of students enrolled in NPS in 2018-19, the \$811,494 projected cost is high despite a reduction of five student enrollments from the prior year. The increased cost is due to a higher enrollment of students at Beacon School, with an average annual tuition of \$176,701 per student.

The district should consider creating district programs for students attending NPSs that have high enrollment numbers such as Beacon School. During 2018-19, the district is projected to spend \$353,402 for two students attending that school. The district should focus on building internal capacity and programs to meet the needs of the students enrolled and avoid costly placements in NPSs, particularly those with intensive services. NPSs are only one option on the continuum of service for students with disabilities. Many factors should be considered in creating specialized district programs such as available facilities, access to staff and training and support capacity.

For budget and reporting purposes, the Fiscal Services Department staff combines NPS and NPA expenses, but separating these costs would help special education monitor and track expenditures more accurately. This can be easily accomplished by using a separate standardized account code structure (SACS) object or goal capacity.

Education Code NPA requirements are the same as those for NPSs. Education Code 56365(a) requires an NPA to be as follows:

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

NPA includes the following three main expenditures:

- The cost to hire certificated replacements to staff open unfilled positions in speech, occupational and physical therapy, nursing and autism. An analysis of this cost to staff the programs in lieu of certificated staff was addressed in the Related Service Provider Staffing and Caseload section of this report.
- The cost of related or compensatory services (usually from settlement agreements). This will be addressed in the section on Due Process, Mediations and Settlements.
- The cost for independent education evaluations (IEE), which are permitted under IDEA.

The tracking of NPA services in 2016-17 was incomplete; however, tracking was in place for the 2017-18 school year. The total expenditures for IEEs, and some related services was \$54,796 in 2017-18.

Alternative Placements

The district uses the county office as one of its alternative placement options. FCMAT reviewed an MOU between the county office and the district. All aspects of programming, services and costs are outlined in the MOU, and payment for services is handled through a billback process to the home district for students in attendance at county office programs. The district annual enrollment for 2018-19 is 41 students at a projected average cost of \$54, 295 each. All districts are required to provide SCIA assistants for these placements at an additional cost.

Recommendations

The district should:

1. Continue the current protocol to manage NPS/NPA contracts through coordination between the Special Services and Fiscal Services departments.
2. Continue to participate in the negotiation on nonpublic school contracts with other SELPAs in Orange County.
3. Continue current effective protocols/oversight for managing NPS/NPA contracts.
4. Consider creating district programs for students enrolled in costly NPS placements, such as Beacon School, if feasible.

5. Consider separating NPS/NPA costs to assist special services to monitor and track expenditures. This can be easily accomplished by using separate SACS object or goal codes.

Due Process, Mediations and Settlements

The Individuals with Disabilities Education Act (IDEA) requires school districts to implement all procedural safeguards for children with exceptional needs. When disputes arise over the identification, assessment, educational placement or the provision of a FAPE, the procedures outline the steps to resolve disagreements at the lowest level (EC 56500.3).

Special education is a highly litigated area of federal law, with the primary basis of litigation being disputes over providing a FAPE. In this district, 52% of the filings in the last three years are over this issue, while 48% are over requests for IEEs. Based on other districts reviewed by FCMAT, the number of filings for due process is not excessive.

Summary of Mediation, Resolution and Settlements Costs under IDEA

School Year	Primary Issue	Cases	Parent Attorney Fees
2015-16	FAPE, 57% IEE 43%	7	\$30,250
2016-17	FAPE 60%, IEE 40%	10	\$118,000
2017-18	FAPE 43% IEE 57%	14	\$35,750

Source: District provided data; no data provided on cost for district legal representation.

The district makes every effort to resolve differences with parents at the lowest level possible and has successfully done so with all issues. Despite the successes, the district has additional and required costs associated with the resolution process such as payment for parent attorney fees and the legal fees incurred by the district for technical assistance (<https://sites.ed.gov/ideal/regs/ble/300.517>).

The Special Services Department uses an internal tracking document that provides detail on filings and whether they were filed by the parent or district. Further details include the school site attended by the student, the outcome and documentation of costs. The district calculates most costs but not the cost of legal assistance from its legal counsel. The school board would benefit from reviewing this internal document to gain a better understanding of the due process cases under IDEA.

The Special Services Department also uses this document with school sites. Multiple filings sometimes come from a site or grade level, and the staff uses the due process information as an opportunity to provide training and follow up with school staff. Efforts are made to include principals in the mediation process to enhance their understanding of the process at the site. These are considered proactive measures in due process cases.

The CDE receives funding for alternative dispute resolution efforts under IDEA (IDEA, Part B, Section 611) and allocates it to SELPAs in California upon request. The senior director of special services/SELPA has secured a grant for \$15,000 to build the district staff's capacity to resolve special education issues at the lowest possible level, which enhances the alternative dispute resolution process. During the 2017-18 school year, the grant was used to fund specialized training for psychologists in the facilitated IEP process. IEP facilitation is a voluntary early dispute resolution option available to parents and districts that provides a neutral third party to assist with communication and problem-solving during the IEP process with the primary goal of developing a quality IEP for a student. The director's plan is to expand the capacity for this process through additional training for program specialists and district staff.

Recommendations

The district should:

1. Continue efforts to build capacity using the facilitated IEP process as a method of resolving disputes at the lowest level under IDEA.
2. Continue to secure annual funding for the alternative dispute resolution process if available.
3. Continue to collect data on all costs associated with due process, including the cost of attorneys representing the district in special education.
4. Consider expanding the level of information received by board members about special education due process filings, issues and outcomes.

Organizational Structure

FCMAT reviewed the Special Services Department's organizational structure and staffing in the district's central office to determine whether clerical and administrative support, programs, and overall functionality are aligned with those of comparable size, structure, and demographics. The district is the only single-district SELPA in the comparable district list.

Comparison District Information

	County	Total Enrollment	Special Education*	English Learners	Free/Reduced Meals
Anaheim Elementary	Orange	17,911	2460	57.4%	86.0%
Cajon Valley	San Diego	17,369	2438	34.7%	66.3%
Santa Maria-Bonita	Santa Barbara	17,122	1685	58.5%	89.2%
Oxnard	Ventura	16,599	1920	51.8%	83.7%

Source: Ed Data 2017-18 and CASEMIS Dec. 1, 2017. *Includes infants and preschool age students.

Although comparative information is useful, it should not be considered the only measure of appropriate staffing levels. School districts are complex and vary widely in demographics and resources. Careful evaluation is necessary because generalizations can be misleading if unique circumstances are not considered.

Certificated Support Positions

Administrative Support Positions in Comparable Districts

Certificated Title	Anaheim Elem.	Cajon Valley	Santa Maria-Bonita	Oxnard
Senior Director/SELPA	1			
Director I/II		1	1	1
Coordinator/Manager		4	1	5
Program Specialist	4	3	1	
Curriculum Specialist	1			
Psychologist Special Assignment	1			
Total	7	8	3	6

Average = 5.7*

Source: Data provided by individual districts

*Average does not include Anaheim Elementary

Functionality

The district exceeds the average level of certificated support positions in comparable districts because of its single-district SELPA status and requirements.

Each of the comparable districts has special education structures that contain three specific administrative responsibilities:

- **Senior Director/ Director I/II:** Responsible for directing and managing the day-to-day operations of all special education programs and services, maintaining the staffing plan for the department, directing oversight of staff and programs, maintaining the SEIS, overseeing coordination of special education transportation, compliance and alternative dispute resolution and staff evaluation.
- **Coordinator/Manager:** Under the direction of a director, plan, organize and work collaboratively with principals to provide programs and services for students with disabilities.
- **Program Specialist:** Facilitate and coordinate services for students with disabilities and support school site administrators.

The district is a single district SELPA, a configuration requiring the senior director of special services to also serve as the SELPA director. This includes responsibility for leadership and management of the SELPA with the primary responsibility of developing, implementing, evaluating and refining special education programs and services, fiscal oversight, due process and compliance with state and federal laws for students with disabilities. SELPA responsibilities represent 50% of the current senior director's duties.

The senior director also evaluates all psychologists, program specialists, clerical support staff in the Special Services Department and additional related service providers and specialists. Additional duties include directing the oversight of RtI² and Section 504, which are functions of general education and the responsibility of the Educational Services Department in most districts reviewed by FCMAT.

Program specialists and psychologists have administrative credentials and are assigned to support the department and school sites by specific assignments to the areas of autism, Educationally Related Mental Health Services (ERMHS) and preschool. A curriculum specialist assists with inclusive practices and a psychologist on special assignment supports the functions of special education services at the school sites, including mental health.

The administrative structure needs revision to balance the duties and responsibilities of the senior director of special services/SELPA. This may require some shifting and changes in the leadership design of the office and could be done within existing resources. The district should have one to two coordinators to manage special education's day-to-day operations. Program specialist support should continue at 4.0 FTE.

Classified Support Positions

Classified Support Positions in Comparable Districts

Classified Titles	Anaheim Elem.	Cajon Valley	Santa Maria-Bonita	Oxnard
Administrative Assistant	1	1		1
Secretary II			1	
Secretary I	4	3		3
Clerk Typist III			2	2
Clerk Typist IV			1	
Accounting Assistant		2		
Records Technician	1			1
Total	6	6	4	7
Average = 5.7*				

Source: Data provided by individual districts
 *Average does not include Anaheim Elementary

Functionality

The functions of classified support positions in each district reported are consistent and cover duties and responsibilities similar to the single-district SELPA with one exception. The district uses the equivalent of 1.0 FTE secretary I to translate information at IEP meetings at school sites as well as assessment and IEP documents. This hinders clerical support in the Special Services Department, which essentially has to function with 5.0 FTE instead of 6.0 FTE. Other districts of comparable size districts hire translators apart from the district clerical support staff.

As its own SELPA, the district has numerous technical duties necessary to complete federal and state reporting, the special education pupil count, and other tasks. The department needs to continue its classified support staff at 6.0 FTE to support the work of both the district and the SELPA. The need for interpreters and translation cannot be overlooked, but should be addressed as a district need rather than staffing through the Special Services Department. The district will need to hire an estimated 1.0 FTE interpreter/translator to balance the workload for the Special Services/SELPA department.

Recommendations

The district should:

1. Review the workload of the senior director of special services/SELPA to balance responsibilities, including reassigning oversight of RtI² and Section 504 to educational services. Consider restructuring the administrative responsibilities of the Special Services Department to include a senior director of special services/SELPA and one to two coordinators of special education to maintain the day-to-day operations of special education.
2. Continue to support school sites by providing 4.0 FTE program specialists.
3. Reassign the responsibility for interpreting and translation from clerical support staff in the Special Services Department. This will allow an additional 1.0 FTE clerical support in the department to meet SELPA needs.

Transportation

Transportation Funding and Finance

School transportation in California has been inadequately funded for many years. Up to 1977, school districts and county offices of education reported their operational costs to the CDE, and the state reimbursed those costs in the subsequent year. Capital costs were never reimbursed. After the passage of Proposition 13 in 1978, the state gradually reduced the percentage of reimbursement. In the 1982-83 school year the state capped the apportionment to each district and county office at 80% of reported costs. Any cost-of-living adjustments (COLAs) to transportation were granted only occasionally through subsequent years; however, as costs increased, revenue remained rather static. As a result, the state's share of the funding covered approximately 45% of reported costs in the 2008-09 school year. That was the highest recent year of funding and it was identified as each participating county office or school district's "approved apportionment." During the Great Recession, the state reduced all categorical program funding, including transportation, by approximately 20%. This reduction effectively means that the state now covers less than approximately 35% of the statewide cost of pupil transportation, with individual districts and county offices varying widely in funding percentage.

With the implementation of the LCFF in the 2013-14 fiscal year, school districts and county offices continued to receive the amount certified in April 2013. Under LCFF, transportation revenue has never received a COLA, is restricted to transportation use and is subject to an MOE, that requires districts to spend at least as much as they receive. For 2018-19 the district receives \$1,013,886 in pupil transportation funding, and the 2018-19 adopted transportation budget is \$6,076,025. This means state funding will cover approximately 16.7% of the projected transportation expenditures, with the district's general fund contributing the remaining amount. Because the state suspended school transportation data reporting at the outset of LCFF, there is no way to compare the district's transportation costs with neighboring or comparative school districts. Based on data prior to LCFF, the percentage is below the average state funding of approximately 35% of overall expenditures for pupil transportation. Again, that funding was based on costs in the 1982-83 fiscal year, when transportation needs were most likely less than they are now, particularly in special education. As a budget comparison, the actual transportation expenditures for the three prior years were as follows:

- 2017-18: \$5,904,342
- 2016-17: \$5,930,795
- 2015-16: \$5,391,417

The progression of costs, particularly in the two most recent fiscal years, demonstrates great fiscal restraint, considering typical cost increases for a district transportation department, including, salary, health and welfare benefits, and cost of parts, tires and fuel.

The department budget; however, does not include capital costs for bus purchases. The district utilizes fund 40 for these expenditures, and in the past three years these costs were as follows:

- 2017-18: \$225,819
- 2016-17: \$30,000
- 2015-16: \$334,543

The district finance team reported that the 2017-18 expenditures in fund 40 represented payments for lease-purchase costs for a number of bus purchases. The district previously paid only cash for these items. Lease-purchases are not unusual for bus purchasing and allow a district to acquire buses to accelerate fleet replacement, but spread the costs out over a reasonable period of time. Since buses are typically assets with a life of 20-25 years, this is an effective strategy. The lease-purchase the district committed to features an interest rate of 3.0% and a seven-year term.

The district budgets separately for regular home-to-school and special education transportation. In 2018-19, these costs are projected at \$1,804,697 or \$661.30 per pupil for regular education and \$3,836,116 or \$8,778.29 per student for special education, not including the bus lease and equipment purchases. The CDE ceased collecting statewide school transportation (TRAN) data when the LCFF was implemented, and the last statewide annual per-pupil average cost was approximately \$1,500 for regular home-to-school transportation, and \$6,500 for special education transportation (in the 2011-12 fiscal year). The district estimates some of the costs assigned to each part of the transportation budget, so the separation and assignment of costs is likely not perfect; however, the cost per pupil for both regular education and special education transportation is relatively reasonable. The average cost per regular home-to-school route, calculated by dividing the 2018-19 fiscal year projected transportation budget by the 19 routes, is \$94,984 per route. With 36 special education bus routes, the average special education cost per route is approximately \$106,559, which is higher than what FCMAT typically observes statewide. Approximately 144 students are served per regular home-to-school route and approximately 12 students per special education route.

The district has a three-tier bell schedule that enhances bus route efficiency. Each route is composed of two or three runs, with one picking up students in the morning and dropping that group off at school before collecting more students. The pattern is reversed in the afternoon. Bus routes are longer than those in school districts without a tiered schedule.

The largest impact of driver costs is a contractual guarantee for all school bus drivers to be compensated for seven hours, with all hours in excess of seven per day paid at the overtime rate. Each seven-hour driver also receives full health and welfare benefits.

Although one regular home-to-school route approaches seven hours, most are five or less. Special education routes are typically longer, but many are up to an hour a day less than the guarantee. Based on route times, the district's cost for this guarantee above stated route times is approximately \$170,000 a year for the regular education home-to school staff (based on step 1 salary plus salary driven benefits, two hours per day for driver for 180 school days). Further, drivers are expected to wash their bus at least once per week and fuel their bus when necessary, but perform few other duties to make up the guaranteed time. This contractual obligation would likely be difficult to remove from the collective bargaining agreement through negotiation. The seven-hour guarantee provides a significant benefit since the district has little difficulty recruiting and retaining drivers even though this is a considerable problem statewide.

As transportation costs have increased as described above, funding has remained at the approximate 1982-83 levels. Demographic changes as well as the need for special education transportation has increased the need for transportation over the intervening years.

The state Supreme Court declared fees for pupil transportation legal in 1992, and some school districts have implemented that practice. Fees cannot be charged for special education or "indigent" students, typically defined as those qualifying for free or reduced lunch. With a free and reduced student population of approximately 86%, it would not be practical for the district to

charge fees because it would likely cost more to administer the program. However, the district registers every student for transportation and issues an identification card that is scanned whenever a pupil boards and disembarks a bus. This helps track student ridership and locate a lost student. Under the LCFF, the district receives concentration funding. The Local Control and Accountability Plan (LCAP) identifies some funding for transportation particularly to transport students to outdoor education camps and other outdoor or environmental education programs.

Eleven special education students are educated by an NPS, and eight receive transportation from the NPS as part of their contract for service. Six receive transportation from Olive Crest Academy at an additional daily contract cost of \$45.55. The annual cost for these students is approximately \$8,199 annually for a 180-day school year, which is less than the district's annual cost of transporting special education students. Two students attend Beacon Day School and receive transportation on their contract at a daily rate of \$90, plus \$2.50 per mile. Assuming that the students travel approximately 20 miles per day, this would be approximately an additional \$50 per student, per day, or an annual rate of approximately \$25,200, which is significantly more than the district's daily cost to transport special education students. One of those students also requires an aide on the bus at an additional cost of \$90 per day. The district should consider transporting any student attending an NPS, such as Beacon Day School.

The district performs approximately 1,000 field trips per year for regular education students and charges \$65 per hour for these trips. An overtime rate is charged when the driver enters overtime pay status. This rate is likely designed to capture both the employee cost and the bus operating cost. The district should determine if it adequately captures cost or is excessive.

The district has an on-site diesel fuel tank and receives bulk fuel from Pinnacle Petroleum, which charges the district federal excise tax, but the district should be exempt from this tax. District buses operated by compressed natural gas (CNG) are fueled off-site, and the supplier appears to charge state excise tax. The district should instead pay a lower excise tax directly to the State Board of Equalization, similar to the tax associated with diesel fuel. The district has no gasoline fueling capability on site, and utilizes a local cardlock station operated by Flyers Petroleum. The invoices do not specifically identify taxes, but the cost of the fuel appears to include federal excise tax, and again, the district should be exempt from this.

The district purchases tires for its vehicles from Parkhouse Tire. The invoices do not mention that the district benefits from the state bid price for tires, nor do the invoices specifically identify whether the district is charged federal excise tax.

Recommendations

The district should:

1. Consider negotiating a reduction of the seven-hour per-day guarantee for drivers to an amount that is closer to actual route time.
2. Consider transporting any student attending an NPS placement such as Beacon Day School through district transportation.
3. Evaluate the field trip rate to determine if it is sufficient or excessive.
4. Work with fuel suppliers to ensure rectification of inappropriately charged excise taxes and determine if refunds of past excise tax payments can be obtained.

5. Work with the tire supplier to ensure the district receives state bid price for tires and is not charged for federal excise tax.

Routing and Scheduling

The district transports approximately 2,729 students on 19 regular education bus routes. Included are approximately 13 passengers transported as overflow students whose regular school of attendance was full, requiring them to attend another school. Some of those 13 students are also homeless and require transportation to their former school under the Federal McKinney Vento Act. Board Policy 3541 stipulates a 1.25-mile nonservice zone around schools but allows transportation within that zone if safety considerations are a factor. Transportation Department staff reported some students are transported within the non-service zone for that reason. Staff reported that they had to add approximately seven additional regular education bus routes this school year to transport students from the Sunkist School attendance area to another site while Sunkist is modernized. In early 2019, they will need to transport an additional approximately 400 students on an undetermined number of bus routes from Roosevelt while that site is modernized. The district should ensure that the current budget reflects the increased costs related to these services.

The district has a three-tier bell schedule, with approximately one-third of the schools beginning at 7:30 a.m., 8:10 a.m. and 8:50 a.m. and afternoon dismissal times similarly tiered. Bus routes can drop off students at school up to a half hour before the school start time. This allows the regular and special education bus routes the ability to serve three schools in the morning and three in the afternoon and significantly increase bus route efficiency.

The district transports approximately 437 special education students on 36 routes. The Transportation Department reported that the need for special education transportation has gradually increased over time. Under the IDEA, students with disabilities may be entitled to transportation as a related service for them to access educational opportunities outlined in their IEP. The principles of IDEA are to provide a FAPE in the LRE so that any services are as close as reasonably possible to those received by a student's nondisabled peers.

The district provides pupil transportation as a related service for students who require it as dictated by their IEP. The approximate ridership average of 12 students per special education route indicates relatively efficient routing as observed by FCMAT throughout the state. Comparing the total special education population to the number of students transported; however, the percentage appears relatively high. The district has approximately 2,103 K-6 students with IEPs, and approximately 20.8% receive transportation. There is no statewide data on the average percentage of special education students transported; however, FCMAT has observed that districts that transport more than 15% of their special education population likely overidentify transportation through the IEP process. The Special Services Procedure Handbook contains a transportation section, but it does not include a chart known as a "decision tree" or direction on the transportation decision for the IEP team. The handbook language includes generic information about making a decision on whether to grant transportation. The document attached as Appendix A to this report is a sample transportation decision tree that could be adapted and used in the IEP process for determining transportation service.

Special Services Department staff reported that they consider many factors in determining whether to provide transportation during the IEP meeting, including the 1.25-mile nonservice zone. Staff also reported three children's hospitals in the area likely add to the number of students who may require transportation. The district has made attempts to locate programs at most schools to minimize the need for transportation.

Special Services Department staff reported that transportation service was good, drivers were caring, and communication has improved between their department and the Transportation Department since the transportation operations supervisor was hired. Staff also reported that requests for bus transportation are quickly scheduled.

After the IEP is completed, the transportation request form is routed to a clerk who is the liaison between the Special Services and Transportation departments. This clerk enters the specific information into the routing software, reducing the amount of time that would be necessary if the Transportation Department did so. This likely helps streamline the department's ability to route new special education students.

Four bus aides ride on school buses, which is not an excessive number for a district of this size. The aides are typically instructional assistants, who are assigned to ride with a student or on a bus, and are charged to the Special Services Department budget. A nurse may occasionally be required to ride with a student who has significant medical or health needs. Two nurses are scheduled to ride with these students, and they are also charged to Special Services Department.

The district eliminated all mid-day regular education kindergarten bus routes as kindergarten, and now TK, became full-day programs. However it has some mid-day special education bus routes because of students' individual needs as identified in their IEPs.

The Transportation Department owns a pupil transportation software program that can route buses, but it does not appear to be used for this purpose. Although the department may be able to route students relatively efficiently without the software, using it could still be beneficial since the system utilizes databases that can include students and route directions, which minimize the time necessary to type route sheets and directions.

The department schedules approximately 1,000 field trips per year, and department drivers can generally perform all of them. Field trip assignments are rotated among drivers according to the collective bargaining agreement. It would be unusual to require a charter bus; however, when no district drivers are available, the department utilizes a cooperative contract agreement with other school districts in the area to perform the trip at their stated rate. This contractual agreement is between most school district transportation departments in Orange County and could also include route services; however, the district does not utilize it for this purpose. It should continue to use this contractual agreement for field trips to help reduce costs.

The district schedule has an early-out day for teacher collaboration and training every Wednesday. Each school in the district is out one hour earlier. This is ideal for transportation because it does not require any additional service or cost. However, minimum days scheduled individually by schools, such as for parent-teacher conference weeks, create significant obstacles for transportation as well as additional costs that are difficult to quantify.

The district has some schools that are on a multitrack or year-round schedule. It previously provided transportation only for traditional-calendar schools, but the Transportation Department began service to some of the tracked schools that are not on a traditional schedule for the 2018-19 school year. This will likely have an additional cost that is yet to be determined.

The Transportation Department created a Parent Information Handbook for students that receive special education transportation in 2006. It is comprehensive and likely helpful to parents in understanding the department's policies and practices. The handbook should be updated to include any procedural changes and appropriately list the responsible staff individuals.

Recommendations

The district should:

1. Ensure that the regular home-to-school bus route increases for Sunkist and Roosevelt schools are reflected in the budget.
2. Develop a decision tree for the IEP team to utilize to determine eligibility and necessity for transportation as a related service.
3. Utilize the transportation software program for bus route efficiency.
4. Consider scheduling all minimum days uniformly districtwide to minimize Transportation Department scheduling problems and additional cost.
5. Continue to utilize the contractual agreement in place with other district transportation departments in Orange County to help reduce field trip costs.
6. Evaluate the cost of providing regular education home-to-school service to tracked or year-round schools.
7. Update the Parent Information Handbook for students who receive special education transportation.

Staffing, Department Organization, Communication

Staffing

The Transportation Department is staffed as follows:

- 1 FTE director of transportation
- 1 FTE transportation operations supervisor
- 1 FTE transportation services coordinator
- 1 FTE school bus driver instructor
- 1 FTE director's secretary
- 2 FTE dispatch/schedulers
- 1 FTE fleet supervisor
- 4 FTE mechanics
- 1 FTE office assistant
- 61 Seven-hour/day, 9.38-month bus drivers

There are no on-call substitute school bus drivers, but several office staff members are properly licensed and can substitute on routes if needed. Staff reported the board has approved up to 65 bus driver positions. This includes a recent addition of 10 cover drivers, of which four cover driver positions are vacant. Cover drivers are regular seven-hour per day employees who do not have an assigned route and fill in when a driver is absent, taking a field trip or otherwise cannot drive their bus route. This extraordinary staffing enhancement was made to address relatively high absenteeism. Staff reported that 8-10 drivers per day regularly call in sick, an approximate 15% absenteeism rate, and four are on industrial injury leave or some other long-term leave.

The cover drivers rarely lack a daily assignment but typically are assigned to routes both morning and afternoon. Even with the cover drivers, covering all routes every day is difficult. The district should consider working with the collective bargaining unit to create incentives to reduce driver absenteeism. When an insufficient number of drivers is available, the department typically doubles up on routes or runs routes late to provide the service. This obviously affects families, school staff, and occasionally, academic programs. The driver staffing is generally appropriate and adequate for a school transportation operation of this size, but some adjustments might need to be made to address the particular issues identified in the next few paragraphs.

The transportation director was a district elementary school principal who was reassigned by the previous superintendent to help address the discord among the transportation office/administrative staff. This individual is working on creating a collaborative culture, but not all issues are yet resolved.

The morning dispatcher independently and creatively covers bus routes, depending on the number of drivers who call in sick daily. The transportation operations supervisor reports to the dispatch office to assist upon arrival at work, but a great deal of the day's tasks related to covering routes have already been completed prior to his morning arrival time. The transportation services coordinator appears to act as the lead dispatcher and scheduler, so his shift should be adjusted so that he reports to dispatch in the morning to assist during the most demanding part of the day. The transportation operations supervisor's schedule should be adjusted so that position is in dispatch in the afternoon to assist with issues.

The four mechanics are adequate for the number of school buses in the fleet. This allows for approximately 20 school buses assigned to each mechanic, which is in line with industry standards that FCMAT has observed throughout the state. There is little capacity for the mechanics to service and maintain the district's 63 support fleet of maintenance, grounds and other support vehicles. The district laid off a fifth mechanic position a number of years ago, so nearly all white fleet maintenance is performed by outside, for-profit vehicle maintenance shops. Little preventive maintenance is performed on the support vehicles, which are sent to the shop only when they experience a mechanical problem or breakdown. This practice can significantly shorten the lives of these vehicles, and increase maintenance cost. The district would benefit from hiring another mechanic specifically to address the preventive maintenance needs of the support fleet and grounds equipment.

As previously reported, all of the bus drivers have a seven-hour day guarantee, with any hours over that amount paid at the overtime rate. Many routes are less than seven hours long. Drivers receive 30 minutes per day to inspect their bus and another 15 per day to sweep and clean them, and these amounts are incorporated into the route time. Drivers are also required to fuel their own bus when necessary and are supposed to wash the exterior once a week. The department defines any time between route time driven per day and the seven hours of paid time as extra time, which is when drivers perform other duties such as washing and fueling their bus. The department historically did not specify when the extra time would be performed, but within the past two years indicated this should occur before the afternoon route. This change has helped minimize overtime and is generally perceived as a positive financial move for the department.

Although a difficult position, the transportation operations supervisor has worked diligently to ensure all drivers are held to the same standard, manage overtime and make drivers accountable for their responsibilities. Previously, there was little management oversight, so some drivers are displeased with their new level of accountability.

The director's secretary is responsible for a vast number of duties such as generating bus passes, some department payroll and absence tracking, invoicing fuel and maintenance to other district departments, invoicing field trips to the school sites, overseeing the industrial accident and worker's compensation program for the department, managing the department's health and welfare open enrollment, ordering driver and staff uniforms. She is a tremendous support to the entire transportation operation.

Department Organization

The transportation services coordinator and the school bus driver instructor are considered supervisory staff although neither have direct supervisory responsibility or perform employee evaluations. The driver instructor performs on-the road driving evaluations that could be integrated into the employee performance evaluation. The organizational chart shows the driver instructor reporting to the director of transportation, and the services coordinator reports to the operations supervisor. Staff reported this change was made a number of years ago to address conflict between the previous operations supervisor and the driver instructor although no reason was given as to why the services coordinator became a supervisory position. Even though the current operations supervisor is new, there is still a conflict between the individuals.

An industry standard practice is for the driver instructor to report to the operations supervisor. In most school transportation operations of this size, the individuals that operate as a services coordinator and the driver instructor are not supervisory unless they have direct supervisory and evaluative responsibility over school bus drivers.

Communication

The director of transportation instituted a regularly scheduled biweekly management/supervisor's meeting, which is effective in encouraging open communication, focusing on resolving issues and planning.

The driver handbook has been recently updated. Although most school district transportation departments have such a handbook, many only recite existing laws and regulations that govern pupil transportation in California. The district document is more useful since it stipulates department procedures, practices and norms in all areas.

In spring 2018, while preparing for a remodel it was determined that the building that housed the Transportation Department offices did not meet standards, and staff immediately moved out. Instead of placing portable offices at the bus yard while the building was retrofitted, the Transportation Department office staff moved to vacant space at another elementary school site, separate from the bus drivers and mechanics. The dispatchers were temporarily housed in a small office in the vehicle maintenance shop building. Locating the offices off-site and away from the daily bus operations has only exacerbated the communication problems between drivers, the office support staff and their supervisors. As a result, drivers do not feel supported. Great care and planning should be taken to address the move back to the modernized transportation facilities so that it will not disrupt the department's day-to-day operations or hinder transportation services.

Some individuals in certain positions in the Transportation Department have historically experienced interpersonal friction. FCMAT interviewed all key employees as well as 10 drivers. Although the director of transportation has worked to resolve some of these issues, many remain and continue to contribute to dysfunction in the office. Such dysfunction is often the result of perceived injustices, resentment about perceived chain of command inequities, and a lack of respect when certain individuals do not perform their duties. All members of the department should ultimately understand and accept their responsibilities.

Recommendations

The district should:

1. Work with its collective bargaining unit to create incentives to minimize high driver absenteeism.
2. Analyze the cause of long-term leaves, including industrial leave accidents, which have resulted in 6.6% of drivers being absent.
3. Adjust the transportation services coordinator's shift to begin at the same time as the morning dispatcher so this position can assist in dispatch with coverage and other morning route issues. The operations supervisor should report to dispatch in the afternoons.
4. Consider hiring another mechanic to support fleet and grounds equipment maintenance.
5. Continue the practice of management oversight to best utilize the drivers' extra time.
6. Change the organizational structure to align with industry practice so the driver instructor reports to the operations supervisor.
7. Consider whether the transportation services coordinator and the school bus driver instructor should be supervisory positions.
8. Address staff level dysfunction within the department.

Driver Training and Safety

School bus driver training in California is highly regulated. Prospective school bus drivers must receive a minimum of 20 hours of classroom training and another 20 hours of behind-the-wheel training (E.C. 40080-40089) on curriculum developed by the CDE's Office of School Transportation. It generally takes approximately 35 hours to teach all of the classroom training units and can take at least that amount for behind-the-wheel training. In addition, every year school bus drivers must receive a minimum 10 hours of in-service training that can only be conducted by a state-certified school bus driver instructor (E.C. 40084.5). Behind-the-wheel training may be provided by a delegated behind-the-wheel instructor, which is another certification allowed by law and performed by the school transportation office. The training must be meticulously recorded, and school bus drivers must submit to a background check/fingerprinting for licensing and for employment, and drug and alcohol testing in compliance with Federal Department of Transportation (DOT) rules (49 CFR 382).

The department has only one driver instructor position, a state-certified school bus driver instructor. The operations supervisor also holds this certification, but cannot devote much time to that aspect of the job other than providing the minimum amount of training necessary to maintain her instructor certification, which is 10 hours of classroom and 10 hours of behind-the-wheel training annually. The department does not have any delegated behind-the-wheel instructors. The district has approximately 65 drivers, and one certified instructor is not adequate for an operation of this size. Driver training records appear to be adequately documented and

well organized, but there is little training for drivers other than the minimum 10 hours required annually.

Many lower-paid school bus drivers work at contractor operations locally. The salary, guaranteed daily hours, and the health-and-welfare benefit package offered by the district is attractive and staff reported that they never need to recruit and train new bus drivers. Advertisements are successful in recruiting already certified school bus drivers that can be quickly trained to become proficient and familiar with the district's buses and operations. Generally, driver instructors will constantly train new drivers. Because the district does not have this demand to train new drivers, FCMAT would have presumed that there would have been much more in-service training with existing drivers. Many staff reported that the training received is repetitive and lacks creativity of content. In addition, some drivers did not believe they were adequately prepared for the written and behind-the-wheel tests when they renewed their licenses.

The department requires drivers who take trips to the mountains to be trained and declared proficient on mountain driving techniques, transmission and brake control. Driver interviews indicated additional concerns that the mountain training is not adequate and that some drivers do not know all techniques necessary to drive in the mountains successfully and safely.

Three drivers are restricted to driving the smaller, type II buses (less than 16 passengers and the driver). The district has a limited number of these buses, and when one goes in the shop, the restricted driver cannot drive another bus. A training priority should be to upgrade these drivers so they will be able to legally drive a larger, Type I conventional or van-type school bus.

It would be beneficial for the district with an operation of this size to advertise and select one or two existing drivers to be trained and tested to become delegated behind-the-wheel instructors. Once certified, these individuals would not receive any guarantee of hours and only train on an as-needed basis in this classification. This could help provide additional training opportunities for drivers.

A transportation safety plan complies with E.C. 39831.3 is in place. The plan has also been revised, as recently required, to include new child check requirements that ensure drivers check their bus at the conclusion of each route so that no child is left on the bus unattended. The new law requires school bus drivers to receive training on checking their bus after every route or run to ensure that no students are left behind unattended. The district safety plan mentions that procedure, and drivers have received the training. The safety plan must be available for inspection by a CHP officer at each school site.

According to E.C. 39831.5, school bus emergency evacuation drills and student safety instruction must be performed annually, and specific records kept for students in grades K-6. Specific safety information must also be announced before every field trip. The Transportation Department is aware of these regulations and provided documentation to confirm they have conducted the drills.

Neither the driver's handbook, transportation safety plan, board policy nor administrative regulations have a limited visibility policy in compliance with VC 34501.6. This law requires that such a policy be implemented and gives the drivers the discretionary authority to cease operation of the vehicle when visibility is less than 200 feet.

Special education program specialists indicate the transportation operations supervisor has opened the lines of communication between their departments. The operations supervisor attends IEP meetings when necessary and has created opportunities for the program specialists

to provide special training to drivers on the unique needs of special students and strategies to mitigate behaviors and issues on the school bus.

The department has occasional school bus accidents. The department reported that approximately six accidents occurred during the 2017-18 school year, only one being a bus accident while a pupil was aboard. In the updated driver handbook, an accident procedure is articulated. This section of the handbook relates the procedures that are generally necessary in response to an accident, but Transportation Department staff reported that the practice has not yet been implemented. Further, the document does not include a process to review accidents and provide post-accident remedial training for drivers.

The department manages the DMV Employer Pull Notice Program. This program requires each commercial driver to be enrolled so the district receives annual reports of a driver's record and notification any time there is an accident or moving violation.

A third-party administrator, Central Drug System, Inc. from Fountain Valley, California, manages the federal DOT Drug and Alcohol Testing Program. This administrator assists the district in maintaining its list of drivers and also randomly selecting drivers for testing according to federal law. The CHP Motor Carrier Division also inspects these records and reports that the district has complied with all laws and regulations on this federal requirement.

Recommendations

The district should:

1. Consider selecting and training one or more drivers as delegated behind-the-wheel instructors. Once certified, these positions should not be guaranteed hours, but train only when needed in this classification.
2. Creatively and quantitatively enhance the in-service training programs for drivers, including mountain training and preparation for renewing licenses.
3. Prioritize training for the drivers who are not able to legally drive a larger, Type I conventional or van-type school bus. All drivers should be certified to drive these buses that make up a majority of the fleet.
4. Adopt a policy in compliance with VC 34501.6, giving drivers the ability to cease operations when visibility is less than 200 feet.
5. Develop an accident review process to determine fault, preventability, and remedial post-accident training.

Vehicle Maintenance, Fleet and Facility

Vehicle Maintenance

The CHP Motor Carrier Inspector Unit annually inspects buses, vehicle maintenance records, driver records, driver timekeeping records and federal drug and alcohol testing records. It produces a report of findings entitled the Safety Compliance Report/Terminal Record Update, or more commonly known as the "terminal grade." The results of the district's most current inspections are as follows:

- February 6, 2017: Satisfactory
- January 23, 2018: Satisfactory

Satisfactory is the highest grade awarded to any motor carrier and indicates general compliance with laws and regulations governing school bus safety. An “unsatisfactory” grade is very serious. In the case of an unsatisfactory grade, CHP clearly advises that a failure to correct the deficiencies can result in a recommendation to the Public Utilities Commission to revoke the district’s motor carrier operating authority, filing a complaint with the district attorney for potential prosecution, and filing an injunction. Charges can be brought against the board and the superintendent for failure to address these issues. School administrators are typically unaware of these inspections or the potential seriousness of such CHP actions.

School buses are required to be inspected every 45 days or 3,000 miles, whichever occurs first, as per Title 13 of the California Code of Regulations, Section 1232 (13 CCR 1232). FCMAT inspected vehicle maintenance records and the district complies with these regulations.

As previously reported, the vehicle maintenance shop is staffed by a fleet supervisor and four mechanics. The mechanics are on three separate shifts from 5 a.m. to 5 p.m., covering the period when buses are on the road. Interviews and documents reviewed indicated the mechanics perform very little maintenance on the support fleet vehicles, and instead, most of these tasks are outsourced to for-profit shops.

The mechanics are assigned a group of buses, and they are directly responsible for maintenance of these vehicles. This is an uncommon method of assignment and develops ownership and pride in the work performed. When mechanics are absent or on vacation, the other mechanics cover to ensure all work is completed in a timely fashion.

The department utilizes the TransTraks school transportation software suite to track parts inventory and record work. The software is not fully utilized, but it appears that the parts inventory is relatively well-maintained. However, work orders are not consistently created for all work completed, and 45-day, 3,000-mile inspections are not recorded in the software. Instead, these inspections have paper documentation. Many minor repairs that a driver directly reports are performed, but also not recorded. Other than 45-day, 3,000-mile inspections, the department has little documentation of other repairs. The software can create useful management information that could inform the department of costs, mechanic productivity and maintenance trends. However, since the it is underutilized, there is no real ability to develop useful management information.

Vehicle parts storage is in an unsecure area. The inventory records are well-kept, but the quantity of inventory is low, with the department relying on quick delivery of locally available parts.

The exterior paint of many buses is faded. 13 CCR 1256.5 requires the paint on school buses to match the federal standard. Department staff reported that the CHP Motor Carrier inspectors have commented on the need to repaint these buses. The district should plan to perform this work before the CHP places these vehicles out of service.

The vehicle maintenance shop outsources removal and replacement of major components such as engines and transmissions, a standard practice in school districts throughout California. However, it mounts and dismounts its own tires. This is a heavy, difficult task that district vehicle maintenance shops typically do not perform because it could lead to industrial injury. Further, the shop does not balance tires because it lacks the proper equipment, likely reducing tire life. Typically, the cost to outsource this work is far less expensive annually than just one industrial injury that an employee may sustain.

The district provides all tools for the mechanics, but the shop is not outfitted with some of the diagnostic tools and software necessary to identify electronic failure codes for the newest engines and transmissions.

Recent state legislation requires school transportation providers to train bus drivers to check buses after every route to ensure that students are not left inside the vehicles unattended. To meet this requirement, districts must install some type of compliant electronic device by March 2019; however, the district vehicle maintenance staff has already installed these devices in all buses.

All drivers indicated that the mechanics are responsive and skillful, and their buses are safely maintained.

Fleet

The district fleet is composed of:

- 83 school buses, 40 for regular education and 43 for special education. The average fleet age for buses is 13.9 years with the oldest being 29 years old.
- 63 support fleet vehicles with an average age of 9.95 years. These vehicles are assigned to Maintenance, Operations, Warehouse, and the Information Technology departments. The list does not include trailers, tractors, or mowers.

The department reported that it only recently began to participate in the school bus replacement grant programs that have been available for approximately 30 years. Because the previous administrations did not take advantage of these grants, the district needlessly spent a great deal of capital funds replacing buses. These grants have typically been from the California Energy Commission, The California Air Resources Board or the South Coast Air Quality Management District. This funding is typically available to reduce toxic tailpipe emissions by utilizing alternative, lower-emission fuels. The grants generally cover nearly all the cost of the new buses, with districts typically contributing some small percentage.

The district has 40 regular education buses, but only 19 routes for these students. As reported above, these routes have expanded because of the need to transport some students as their school of attendance is modernized. Older buses can be used to better qualify for bus replacement grant programs, and some school districts retain more buses than necessary for this reason. The district has a reasonable need for spare buses and field trip buses. Over time, it should consider reducing the size of its large bus fleet. A fleet of 30 regular education buses would be more than adequate for an elementary school district with 19 routes. Further, the district operates 36 special education routes with a fleet of 43 buses. Since this part of the Transportation Department's service has increased, the district could benefit from replacing some of these buses with smaller special education buses, perhaps with a target of 50.

Many school transportation providers utilize Global Positioning Systems (GPS) to determine live-time student transportation vehicle location. The district utilizes the Zonar system that allows drivers to perform electronic pretrip inspections. Any vehicle defects the drivers report could be automatically uploaded to create a work order in TransTraks, but the department disabled this feature. In addition, the GPS element of this system allows the department to track buses in real time, which can be of great assistance and support to drivers.

None of the buses have video cameras on board. This technology has become more popular recently, with many school districts outfitting three or four camera systems inside buses to monitor student behavior. These systems are expensive at more than \$2,500 per bus.

Facilities

The transportation facility is located at the rear of the district office complex, with ample space for bus parking, shop operations and offices. As previously noted, the office area is undergoing some retrofit, and the department will soon be able to move back into the facility. As recommended earlier, great care and planning should be taken during this move to ensure seamless transportation for the district's students.

The facility has only an above-ground, compliant 6,000-gallon diesel tank controlled by an electronic fuel management system that requires drivers to have a key card and input the vehicle number and mileage. Mileage reports are available and help the shop perform 45-day, 3,000-mile inspections in a timely fashion. Some air quality management districts have grant programs to develop and construct fueling infrastructure for CNG. Because CNG and gasoline are purchased elsewhere, the district should explore this option. Gasoline can likely be purchased less expensively in bulk, and the district should explore developing a gasoline fueling infrastructure. Fuel use by other departments is tracked and billed appropriately based on its use.

The vehicle maintenance garage has three full working bays as well as an outside area for bus washing and engine/chassis steam cleaning. The wash area has a three-stage clarifier system that separates cleaner water from solids and more contaminated water. This system appears to comply with local industrial waste regulations. The department also reports that it complies with the State's Stormwater Pollution and Prevention Plan to ensure that hazardous materials do not enter the stormwater system and pollute local streams and waterways.

Recommendations

The district should:

1. Fully utilize the TransTraks software to record all vehicle maintenance performed, listing parts used and labor hours, and generate useful management information reports. Consider enabling the work order feature of TransTraks so drivers could immediately report any vehicle defects.
2. Secure the vehicle parts storage.
3. Repaint faded school buses to comply with 13 CCR 1256.5.
4. Consider outsourcing tire mounting, dismounting and balancing.
5. Consider purchasing diagnostic software so the shop can perform its own determinations of fault codes on electronic engines and transmissions.
6. Aggressively apply for school bus replacement grants to address a relatively aged fleet.
7. Reduce the size of the regular education bus fleet and increase the number of special education buses over time.
8. Explore developing CNG and gasoline fueling infrastructure at the transportation facility.

Appendices

A: Sample Transportation Decision Tree

B: Study Agreement

Appendix A - Sample Transportation Decision Tree

Special Education Transportation Chart/Checklist

Student's Name:

<p>STEP 1: Unique Needs that May Require Special Education Transportation:</p> <p><input type="checkbox"/> Does disability make it problematic for student to get to school in same manner as non-disabled peers? Explain.</p>	<p>If it is problematic to get to school in same manner as non-disabled peers, this is a factor in favor of special education transportation.</p>
<p><input type="checkbox"/> Are same age peers expected to walk by themselves or take public transportation? Explain.</p>	<p>If same age peers are expected to walk by themselves or take public transportation, can this student also be expected to do this? Explain.</p>
<p><input type="checkbox"/> Does student have significant limitations in strength, vitality or alertness that prevent him/her from riding the regular bus? Explain:</p>	
<p><input type="checkbox"/> Does student's medically fragile condition prevent him/her from riding the regular school bus? Explain</p>	
<p><input type="checkbox"/> Does student need special medical equipment that must be transported on a specialized school bus? Explain</p>	
<p><input type="checkbox"/> Is there physical access for student to the curbs, sidewalks, streets and public transportation? Explain.</p>	
<p><input type="checkbox"/> Is distance from student's home to school so far or remote that it requires specialized transportation arrangements? Explain.</p>	
<p><input type="checkbox"/> Does student have a wheelchair requiring special securement system on school bus? Explain.</p>	
<p><input type="checkbox"/> Visual impairment prevent him/her from riding regular school bus? Explain.</p>	
<p><input type="checkbox"/> Hearing impairment prevent him/her from riding regular school bus? Explain.</p>	
<p><input type="checkbox"/> Does student's disability or level of functioning prevent him/her from being able to travel to school independently? Explain.</p>	
<p><input type="checkbox"/> Does student's disability or level of functioning prevent him from being able to travel to and wait independently at a regular school bus stop? Explain</p>	
<p><input type="checkbox"/> Does pupil have the capacity to arrive at school on time, avoid getting lost, avoid dangerous traffic and avoid other potentially dangerous or exploitive situations on way to and from school? How does this capacity compare to same aged non-disabled peers? Explain.</p>	

<p>___ Does student have behavior plan that requires certain transportation services so severe that he/she cannot ride the regular school bus? Explain.</p>	<p>Can Behavior plan be implemented while being transported on regular school bus?</p>
<p>___ Is student serviced at home school?</p>	
<p>___ Does student's unique needs require him to attend a special education program outside of district's geographical boundaries?</p>	
<p>___ Does student's unique ESY needs require specialized transportation?</p>	
<p><u>STEP 2: IEP Team decides whether Student is able to ride the regular bus and/or walk/bike to school without the need for accommodations.</u></p>	
<p>[Walk/Bike Analysis]</p> <p>___ Is student in walking/biking distance to school? (Follow District policy of regular ed bus for students who live further than 1 ¼ miles from school [K-5], 3 miles [6-8 grade] and 7 miles [high school].)</p> <p>___ Is student's same aged non-disabled peer able to walk self to school? [Note: If five year old lives one mile to school, he/she cannot walk him/herself to school but no regular ed transportation is provided. So, if there is not a unique need for this special education student to get transportation as a related service, the special education student would need to be walked/driven/biked by an adult just as a non-disabled peer.]</p> <p>[Regular Bus Analysis]</p> <p>___ Can student ride regular school bus without behavioral interventions?</p> <p>___ Can student get to/from bus stop in a similar manner and as safely as same age nondisabled peers?</p>	
<p><u>STEP 3: If student lives within 1 ¼ miles from school [K-5], 3 miles [6-8th grade] or 7 miles [high school] and has unique needs that prevent him from walking self or taking public transportation to school (same as like age non-disabled peers), then IEP team should discuss whether student is capable of taking regular education transportation without accommodations?</u></p> <p>___ yes or no</p> <p>If yes, then student's IEP should reflect that he/she will be provided with regular education bus</p>	

<p>transportation without accommodations, if available (despite living a closer to school).</p> <p>If no, go to STEP 4.</p>	
<p><u>STEP 4: If student cannot ride the regular bus without accommodations, the IEP team needs to determine if the student can ride the regular school bus to school with accommodations.</u></p> <p>___ Possible accommodations [to be indicated on IEP] on bus include special seating arrangements, behavior interventions, special reinforcers, encourage replacement behaviors, additional adult supervision (aide on bus), restraint, or regular bus picks student up at street address or door in lieu of regularly designated bus stop.</p>	
<p><u>STEP 5:</u> If student is unable to ride the regular bus with accommodations, the IEP team shall include specialized transportation on the IEP. Specialized transportation should be described in sufficient detail to inform parties how and where transportation will be provided and details of reimbursement to parent, if applicable.</p> <p>___ Consult representation of District’s Transportation Department, if needed.</p> <p>___ Identify type of transportation to be provided [see below “terms” and “definitions” for uniform system]</p> <p>___ Determine whether student has any unique needs that necessitate an approximate time limit for length of time on bus.</p> <p>___ Identify any special arrangements or instructions on the IEP and communicate those needs to the District’s Transportation department.</p>	
<p><u>Term</u></p>	<p><u>Definition</u></p>
<p>1. Point to point</p>	<p>Home to school and school to home. “Home” is identified by parent and can be a child care location if within the district boundaries. Must be a consistent location unless other arrangements are approved by the District. Point of pickup is safest location in proximity to “home”.</p>
<p>2. Point to Point, unsupervised</p>	<p>See #1 but no supervision required at point of pickup or point of delivery. Student can wait for pickup, unattended. Student can travel from bus to classroom or school based location unattended.</p>
<p>3. Point to Point, supervised</p>	<p>See #1 but child is under parent supervision at</p>

	time of pickup. Child can walk to bus while parent is watching from home. At school delivery, school staff maintain observation of child but do not need to provide physical attendance.
4. Hand to hand	See #1 but parent responsible for supervision at pick up. Delivers child to bus door. School staff responsible for meeting child at bus. Driver releases child to school staff who then accompany child to class or other school based location.
5. Bus attendant (Rider)	Per IEP team, for student safety and/or health, a school employee accompanies student on bus to monitor and/or implement a health protocol or behavior plan.
6. Safety support (specify)	Use of lap belt, harness, safety vest, lap belt lock, or other specialized equipment to ensure student stays in seat and travels safely. Driver can secure child in the needed support equipment.
7. General transportation	Not specialized transportation. This transportation is that form provided to any child living in District boundaries in accordance with BP/AR transportation standards.
8. School to school transportation	Due to special education placement at a school other than school of residence, student is transported from school of residence to school of service. (Student must be able to safely travel from home to school of residence or other designated pick up location identified by Transportation.)

Appendix B - Study Agreement



CSIS California School Information Services

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM STUDY AGREEMENT February 13, 2018

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

1. BASIS OF AGREEMENT

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

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

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

1. Review the district's implementation of Student Study Teams, Response to Intervention, and Multi-Tiered System of Supports, and make recommendations for improvement, if any.
2. Analyze special education teacher staffing ratios, class and caseload size using statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.
3. Review the efficiency of staffing of special education paraeducators (including both classroom and 1-to-1 paraeducators) using education code requirements and/or industry standards, and make recommendations for improvement, if any. Review the procedures for identifying the need for paraeducators, including least restrictive environment, and the processes for

monitoring paraeducator assignments and determining the need for continued support from year to year.

4. Analyze staffing and caseloads of related service providers, including but not limited to speech pathologists, psychologists, occupational and physical therapists, behavior specialists, and adaptive physical education teachers and other staff who may be related service providers, and make recommendations for improvement, if any.
5. Determine whether the district overidentifies students for special education services compared to the statewide average, and make recommendations that will reduce overidentification, if needed.
6. Analyze whether the district provides a continuum of special education and related services from preschool through age 22, including placements in the least restrictive environments, and make recommendations for improvement, if any.
7. Review county office of education, nonpublic school and nonpublic agency special education costs and placements, and make recommendations for improving the placement process and cost efficiencies, if any.
8. Review the organizational structure and staffing of the special education department in the district's central office to determine whether administration, clerical and administrative support, program specialists, teachers on special assignments and overall functionality are aligned with those of districts of comparable size and structure; make recommendations for greater efficiencies, if needed.
9. Review the costs of due process, mediations and settlements for the past three years and make recommendations for improvements, if any.
10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.
11. Review regular and special education transportation, including but not limited to routing methodology, bus ridership averages, scheduling, operations and staffing, and general fund contribution, and make recommendations for improvement and cost savings, if any.
12. Evaluate the transportation department's organizational structure and staffing, and make recommendations for improvement, if any.

13. Review the transportation department's operational processes and procedures, including use of technology, safety and training programs, required school bus driver record maintenance, and professional development, and make recommendations for improved efficiencies, if any.
14. Review the district's vehicle maintenance program for industry standard best practices and for compliance with Title 13 Code of Federal Regulations and California Air Resources Board and local Air Quality Management District regulations. Items for review will include but not be limited to vehicle maintenance records, school bus safety checks, fleet preventive maintenance program design and documentation, and inventory control and district fleet inventory assessment. Make recommendations for improvement, if any.
15. Review the district's transportation facility including terminal offices, vehicle maintenance garages, fueling infrastructure, fleet parking, county storm water requirements and compliance, and hazardous materials best practices and security, and make recommendations for improvement, if any.

B. Services and Products to be Provided

1. Orientation Meeting - The team will conduct an orientation session at the district to brief district management and supervisory personnel on the team's procedures and the purpose and schedule of the study.
2. On-site Review - The team will conduct an on-site review at the district office and at school sites if necessary.
3. Exit Meeting - The team will hold an exit meeting at the conclusion of the on-site review to inform the district of significant findings and recommendations to that point.
4. Exit Letter – Approximately 10 days after the exit meeting, the team will issue an exit letter briefly memorializing the topics discussed in the exit meeting.
5. Draft Report - Electronic copies of a preliminary draft report will be delivered to the district's administration for review and comment.
6. Final Report - Electronic copies of the final report will be delivered to the district's administration and to the county superintendent following completion of the review. Printed copies are available from FCMAT upon request.
7. Follow-Up Support – If requested by the district within six to 12 months after completion of the study, FCMAT will return to the district at no cost to assess the district's progress in implementing the recommendations included in the report. Progress in implementing the recommendations will be documented to the district in a FCMAT management letter. FCMAT will work with the district 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 completion of the study.

3. PROJECT PERSONNEL

The FCMAT study team may also include:

<i>A. To be determined</i>	<i>FCMAT Staff</i>
<i>B. To be determined</i>	<i>FCMAT Consultant</i>
<i>C. To be determined</i>	<i>FCMAT Consultant</i>
<i>D. To be determined</i>	<i>FCMAT Consultant</i>
<i>E. To be determined</i>	<i>FCMAT Consultant</i>
<i>F. To be determined</i>	<i>FCMAT Consultant</i>
<i>G. To be determined</i>	<i>FCMAT Consultant</i>

4. PROJECT COSTS

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

- A. \$800 per day for each staff 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 district will be invoiced at actual costs, with 50% of the estimated cost due following the completion of the on-site review and the remaining amount due upon the district's acceptance of the final report.

Based on the elements noted in section 2A, the total not-to-exceed cost of the study will be \$51,800.

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

Payments for FCMAT's services are payable to Kern County Superintendent of Schools - Administrative Agent, located at 1300 17th Street, City Centre, Bakersfield, CA 93301.

5. RESPONSIBILITIES OF THE DISTRICT

- A. The district will provide office and conference room space during on-site reviews.
- B. The district will provide the following if requested:
 - 1. Policies, regulations and prior reports that address the study scope.
 - 2. Current or proposed organizational charts.

3. Current and two prior years' audit reports.
 4. Any documents requested on a supplemental list. Documents requested on the supplemental list should be provided to FCMAT only in electronic format; if only hard copies are available, they should be scanned by the district and sent to FCMAT in electronic format.
 5. Documents should be provided in advance of 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 district will upload all requested documents.
- C. The district's administration will review a preliminary draft copy of the report resulting from the study. Any comments regarding the accuracy of the data presented in the report or the practicability of the recommendations will be reviewed with the team prior to completion of the final report.

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

6. **PROJECT SCHEDULE**

The following schedule outlines the planned completion dates for different phases of the study 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
Draft Report Submitted:	to be determined
Final Report Submitted:	to be determined
Board Presentation:	to be determined, if requested
Follow-Up Support:	if requested

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

FCMAT will begin work as soon as it has assembled an available and appropriate study team consisting of FCMAT staff and independent consultants, taking into consideration other jobs FCMAT has previously undertaken and assignments from the state. The team will work expeditiously to complete its work and deliver its report, subject to the cooperation of the district and any other parties from 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 district may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the district does not provide written notice of termination prior to completion of fieldwork, the team will

complete its work and deliver its report and the district will be responsible for the full costs. The district understands and agrees that FCMAT is a state agency and all FCMAT reports are published on the FCMAT website and made available to interested parties in state government. In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a report once fieldwork has been completed, and the district shall not request that it do so.

8. INDEPENDENT CONTRACTOR

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

9. INSURANCE

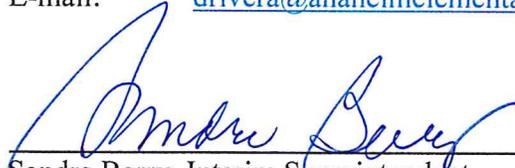
During the term of this agreement, FCMAT shall maintain liability insurance of not less than \$1 million unless otherwise agreed upon in writing by the district, automobile liability insurance in the amount required under California state law, and workers compensation as required under California state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

10. HOLD HARMLESS

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

11. CONTACT PERSON

Name: David Rivera, Assistant Superintendent
Telephone: (714) 517-7537
E-mail: drivera@anaheimelementary.org



Sandra Barry, Interim Superintendent
Anaheim Elementary School District

Date

2/18/18



Michael H. Fine,
Chief Executive Officer
Fiscal Crisis and Management Assistance Team

February 13, 2018

Date