

FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

Special Education Review

April 29, 2024



Lake Elsinore Unified School District

Michael H. Fine
Chief Executive Officer

April 29, 2024

Ryan Lewis, Ed.D., Superintendent
Lake Elsinore Unified School District
545 Chaney St.
Lake Elsinore, CA 92530

Dear Superintendent Lewis:

In October 2023, the Lake Elsinore Unified School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to conduct a review of the district's special education program. The agreement stated that FCMAT would perform the following:

1. Review the district's implementation of student success teams, response to intervention, and multitiered system of supports, and make recommendations for improvement, if any.
2. Analyze special education teacher staffing ratios and 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 allocations of special education paraeducators, per 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 the assignment of paraeducators and determining the need for continued support from year to year (include classroom and 1-to-1 paraeducators).
4. Analyze staffing and caseloads for related service providers, including but not limited to speech pathologists, psychologists, occupational and physical therapists, behavior specialists, adaptive physical education teachers, and other staff who may be related services providers, and make recommendations for improvement, if any.
5. Determine whether the district overidentifies students for special education services compared to the statewide and countywide averages, and make recommendations that will reduce overidentification, if needed.
6. Analyze whether the district provides a continuum of special education and related services for students from preschool through age 22, including placements in the least restrictive environments, and make recommendations for improvement (which may include instructional models), if any.
7. 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 assignment and overall function are aligned with those of districts of comparable size and structure, and make recommendations for greater efficiencies, if needed.

8. Review the costs of due process, mediations and settlements for the past three years and make recommendations for improvements, if any.
9. Review the district's professional development/training program as it relates to special education, and make recommendations for improvement, if any.
10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.
11. Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost saving measures, if any. The review will include but not be limited to the role of individualized education programs (IEPs), routing, scheduling, operations, and staffing.

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

FCMAT appreciates the opportunity to serve the Lake Elsinore Unified School District and extends its thanks to all the staff for their assistance during fieldwork.

Sincerely,

A handwritten signature in black ink that reads "Michael H. Fine". The signature is written in a cursive, flowing style.

Michael H. Fine
Chief Executive Officer

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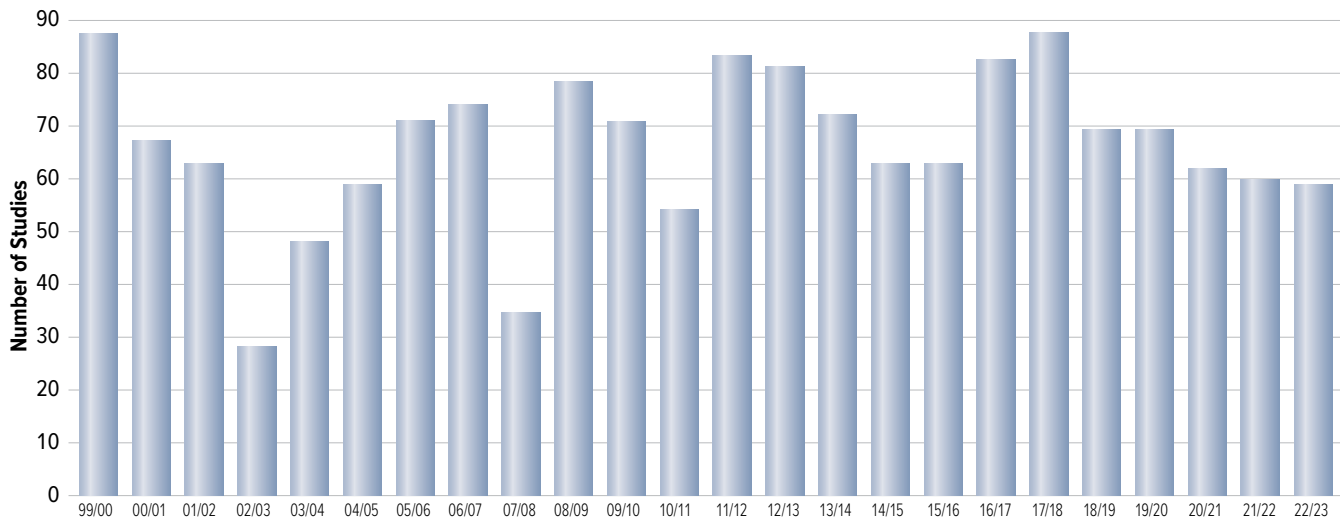
About FCMAT

FCMAT’s primary mission is to assist California’s local TK-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.

Studies by Fiscal Year



FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of TK-14 LEAs and the implementation of major educational reforms. FCMAT also develops and provides numerous publications, software tools, workshops and professional learning 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 1991 to assist LEAs to meet and sustain their financial obligations. AB 107 in 1997 charged FCMAT with responsibility for CSIS and its statewide data management work. AB 1115 in 1999 codified CSIS’ mission.

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

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

On September 17, 2018 AB 1840 was signed into law. This legislation changed how fiscally insolvent districts are administered once an emergency appropriation has been made, shifting the former state-centric system to be more consistent with the principles of local control, and providing new responsibilities to FCMAT associated with the process.

Since 1992, FCMAT has been engaged to perform more than 1,400 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

Located in Riverside County, the Lake Elsinore Unified School District is governed by a five-member board and serves students residing in the cities of Lake Elsinore, Canyon Lake, Wildomar, Corona, and Lakeland Village. According to [DataQuest](#), the district enrolled a total of 21,322 students from kindergarten through grade 12 (K-12) during the 2022-23 academic year. The district operates 13 elementary schools serving transitional kindergarten through fifth grade (TK), four middle schools serving grades 6-8, two TK-8 schools, three high schools serving grades 9-12, one alternative education site serving grades TK-12, one alternative education site serving grades 10-12 and an Adult Transition Program. It is a member of the Riverside County Special Education Local Plan Area (SELPA), which is a regional service delivery model for special education. In 2022-23, 13.99% of the district's K-12 students were identified as requiring special education, which was slightly above the statewide average of 13.07%.

In October 2023, the district and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to conduct a review of the district's special education program.

Study and Report Guidelines

FCMAT visited the district on February 13 and 14, 2024 to conduct interviews with district and school administrators, special education teachers, related service providers, and paraeducators. Following fieldwork, FCMAT reviewed and analyzed data and documents. This report is the result of those activities.

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:

Carolynne Beno, Ed.D., CFE
FCMAT Intervention Specialist

Colleen Patterson, MBA, CMA
FCMAT Consultant

Leonel Martínez
FCMAT Technical Writer

Tim Purvis
FCMAT Consultant

Those members of this study team who are otherwise employed by a local educational agency (LEA) were not representing their respective employers but were working solely as independent contractors for FCMAT.

All team members reviewed the draft report to confirm accuracy and achieve consensus on the final recommendations.

Executive Summary

District Special Education Continuum of Services

The Individuals with Disabilities Education Act (IDEA) requires that students with disabilities be offered a free appropriate public education (FAPE) and be educated in the least restrictive environment (LRE). While the district offers a full continuum of special education options and services enabling it to offer a FAPE, it did not meet four out of six targets that measure LRE on its most recent local level annual performance report. This indicates that the district's continuum of service options for students with disabilities may overly restrict student access to general education settings and interactions with neurotypical peers.

Ensuring access to general education settings and fostering interactions with neurotypical peers are essential for maximizing the performance and outcomes of students with disabilities. Consequently, the district's highest priority should be to increase the number of students with disabilities educated in general education settings for at least 80% of the school day. The district plans to open a general education preschool class in 2024-25 that will be taught by a general education teacher and a special education teacher. This will expand inclusive opportunities for preschool-age students with disabilities.

Special Education Enrollment

From 2018-19 through 2022-23, the district's enrollment declined by 498 students according to DataQuest. However, its special education enrollment increased by 75 students, contributing to caseloads that are higher than the industry-standard caseloads for some of the district's special education teachers who lead special day classes (SDCs) for preschool age students and school-age students with mild-to-moderate support needs. The number of K-12 students enrolled in special education increased by 0.66 percentage points from 2018-19 through 2022-23, and was 13.99% in 2022-23, which is slightly higher than countywide and statewide averages.

Although the percentage of the district's K-12 students in special education is just above countywide and statewide averages, this trend needs to be addressed. The district needs to focus on implementing a districtwide student study team (SST) process and multitiered system of support (MTSS) with clearly defined interventions to ensure consistent intervention and support opportunities outside of special education for students across all district schools.

Special Education Staffing

The district has 2.5 FTE fewer administrator/leadership positions in its Special Education Department than unified school districts in California that have student enrollment and unduplicated pupil percentages (UPPs) similar to those of Lake Elsinore Unified. Stable, competent leadership in the Special Education Department appears to have enabled it to function relatively well despite a lower number of these positions in the central office supporting special education. However, the district should evaluate whether adding administrator or other leadership positions in its Special Education Department to align with similar districts would allow it to provide better service to students.

FCMAT analyzed special education teacher staffing using statewide guidelines and industry standards. Districtwide resource specialist program (RSP) teacher caseloads fall below the Education Code (EC) 56362(c) maximum of 28. Districtwide, the teacher caseload average in moderate-to-severe SDC transitional kindergarten through grade 12 (TK-12) is 9.56 students per SDC teacher, which aligns with the industry standard. The district's contract with the Lake Elsinore Teachers Association specifies SDC caseload guidelines that do not fully align with industry standards. Several mild-to-moderate SDC classes are not

staffed according to industry standards. The SDC caseload average in mild-to-moderate transitional kindergarten through grade 12 (TK-12) is 15.13 students per SDC teacher. This is aligned with the high end of the industry standard range. However, the middle and high school caseload averages exceed the industry standard by 3.10 and 4.47 students, respectively. In addition, the districtwide preschool noncategorical SDC teacher caseload average is 2.70 students above the blended industry standard. The district needs to review preschool SDC and mild-to moderate TK-12 noncategorical SDC caseload numbers and student needs to determine if any staffing changes are necessary.

The district contracts with nonpublic agencies (NPAs) for behavior aides. Because of the high cost to contract, the district may benefit from adding a special education paraeducator classification and job description, which would require the registered behavior technician (RBT) certification. This could decrease the district's reliance on using NPAs to meet student behavior needs.

FCMAT analyzed staffing ratios for the district's adapted physical education (APE) teachers, occupational therapists, school nurses, school psychologists, and speech and language pathologists (SLPs). Staffing for credentialed school nurses is over the industry standard, while staffing for APE teachers, school psychologists, and SLPs is under the industry standard.

Unrestricted General Fund Contribution to Special Education

The district's 2022-23 unrestricted general fund contribution to special education, adjusted to add indirect costs to program expenditures, was \$31,050,335, or 56.83% of total special education costs. This figure falls below the last available 2021-22 statewide average of 64.3%, as calculated by School Services of California.

School Transportation

Since the inception of the Local Control Funding Formula (LCFF), the district has received \$2,151,345 annually for school transportation. The Budget Act of 2022 increased school transportation funding to the equivalent of the prior year's student transportation expenditures reported in Function 3600, beginning in the 2022-23 fiscal year. The district will receive at least \$1,063,883 in additional school transportation funding in 2023-24. To optimize its transportation funding, the district needs to begin reporting expenses for licensed vocational nurses (LVNs) and other staff who ride on school buses to support students, as well as contracted external transportation provider costs, under transportation expenditures in Function 3600.

In the 2023-24 fiscal year, the district is projected to spend \$3,171 per student for school transportation. This cost is reasonable, aligning with that of comparable districts, and is a blended amount that includes students enrolled in both general education and special education. Approximately 23.3% of the district special education students are offered special education transportation, which is a relatively high percentage that may indicate liberal assignment within the individualized education program (IEP) process. The Special Education Department needs to begin using a transportation decision tree (a treelike model of decisions and their possible consequences) and provide training as necessary. Staff reported that 504 students, or about 15.6% of students enrolled in special education, use special education transportation. This percentage aligns with what is commonly observed across the state.

It would benefit the district to develop a training program for special education school bus and van drivers to help them better understand the needs of, and provide positive behavior support for, students with different disabilities. The district should also develop a special education transportation handbook that outlines key practices and procedures for parents, facilitating clarity and transparency in the transportation process for students with disabilities.

Findings and Recommendations

Background and Context – Transforming Education to Improve Outcomes for Students with Disabilities

Over the past two decades, educational reform movements emphasizing accountability have highlighted achievement gaps among students based on factors such as race and ethnicity, family income, language ability, and disability. Although California has made some progress in reducing inequities in educational outcomes for these student groups, those with disabilities remain among the lowest-performing subgroups.

In 2013, California convened a statewide special education task force dedicated to ending persistent poor outcomes for California's students with disabilities, including infants, toddlers, preschoolers, and students up to age 22 in K-12 schools. The task force's purpose was to study the complex systems designed to serve students with disabilities and to forward recommendations to the State Board of Education, the Commission on Teacher Credentialing, and the California Department of Education (CDE). In March 2015, the task force published One System: Reforming Education to Serve All Students, Report of California's Statewide Task Force on Special Education, as well as an executive summary.

The Statewide Special Education Task Force Project Summary stated:

California's current policies, including funding, credentialing, and a range of service delivery options, tend to 'bolt on' special education to general education. While there are certainly examples throughout the state of well-integrated models of supports, these are the exceptions rather than the norm. Our prevailing model has made it acceptable, and in some instances seem desirable, to isolate special education as a unique and separate system that parallels general education.

This project summary explained that operating special education as a separate program is contrary to current research that suggests:

Inclusive practices, integrated systems, and coherence are essential to provide high-quality, cost-effective special education programs within (rather than apart from) a well-articulated system of education.

The 2015 report on One System identified the following seven distinct and interconnected areas of focus to improve outcomes for students with disabilities:

1. Early learning.
2. Evidence-based school and classroom practices.
3. Educator preparation and professional learning.
4. Assessment.
5. Accountability.
6. Family and student engagement.
7. Special education financing.

Among the areas of focus and many recommendations in the 2015 report on One System was the predominant theme that California’s special education system would improve if one coherent system were designed in which general education and special education work together to meet the needs of all students. The report explained:

In a coherent system of education, all children and students with disabilities are considered general education students first; and all educators, regardless of which students they are assigned to serve, have a collective responsibility to see that all children receive the education and the supports they need to maximize their development and potential, allowing them to participate meaningfully in the nation’s economy and democracy.

The project summary identified a need to transform the understanding of special education from being:

[A] place where students go to receive more or different services, to a viewpoint that includes special education services as one of many programs of support under the umbrella of general education.

In 2020, the CDE assigned WestEd to report on policy and system changes that have affected students with disabilities since the 2015 report on One System. The 2021 WestEd report, California’s Progress Toward Achieving One System: Reforming Education to Serve All Students, explains that the 2015 report on One System was intended to create momentum and discourse in California’s efforts to reform special education. To evaluate these efforts, WestEd examined the 2015 report on One System’s seven focus areas and then made additional recommendations in each area. WestEd concluded that “numerous improvements have been made to California’s general and special education landscapes.”

Using the 2015 report on One System and the 2021 WestEd report as guides, districts will need to focus on coherence, inclusive practices, and integrated systems to develop a comprehensive system of education that supports positive outcomes for all students. Districts need to recognize that students who receive special education services are general education students first and operate with the understanding that special education services are one of the many programs of support under general education rather than a place where students go to receive more or different services. These tenets will be used throughout this report to analyze the district’s organization, staffing and continuum of service options, and to inform current recommendations for improvement.

District Organization and Central Office Special Education Staffing

A district’s organizational structure and how it staffs special education at the central office level play crucial roles in shaping the effectiveness of its special education program. A district should be organized to foster effective communication and collaboration among departments in the district’s central office and with its schools. This collaboration is necessary to address the unique needs of students with disabilities and to implement evidence-based practices that promote inclusive education.

District Organization and Priorities Related to Students with Disabilities

District Organization

A simplified version of the district’s organizational chart is shown below. The district’s administrative cabinet includes the superintendent and the assistant superintendents of community and family engagement, student support services, fiscal support services, personnel support services, facilities and operations support services, and instructional support services.

Simplified District Organizational Chart, 2023-24

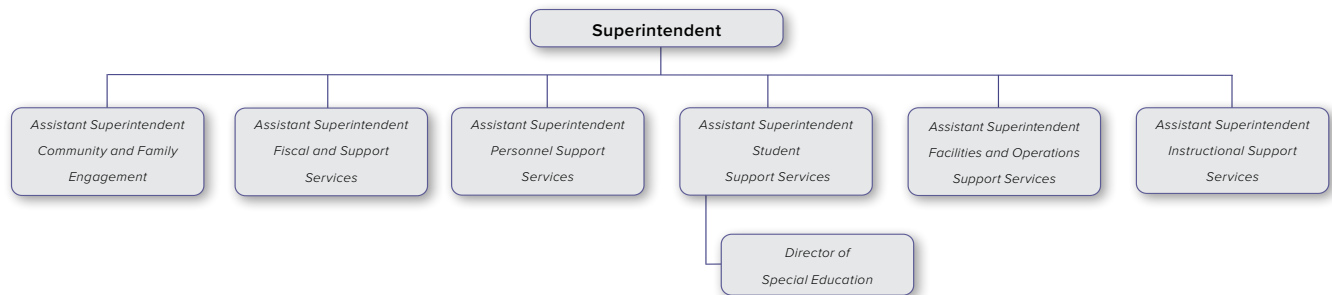


Figure 1. A simplified version of the district’s organizational chart that shows administrative cabinet and the director of special education.

Source: District-provided data.

The district recently reorganized and expanded its administrative cabinet to include an assistant superintendent of instructional services and an assistant superintendent of student support services. Previously, it had an assistant superintendent of student and instructional support services who administered both areas. The director of special education reports to the assistant superintendent of student support services.

Staff across district departments expressed an eagerness to collaborate. The director of special education and members of the special education leadership team collaborate with other departments in support of activities such as budget development, staffing, districtwide professional learning, Local Control and Accountability Plan (LCAP) development, and the district’s multitiered system of supports. Staff interviewed consistently articulated the district’s priorities and processes, which demonstrates coherence among educators at schools and the district office.

District Priorities Related to Students with Disabilities

California school districts are required to annually prepare a three-year, public LCAP defining their goals and priorities. The LCAP identifies successes and needs among student groups and reports what the district will do to support positive student outcomes.

The district's 2023-24 LCAP identifies a need to improve the academic achievement of its students with disabilities as indicated by the district's 2022 California Assessment of Student Performance and Progress (CAASPP) scores in English language arts and mathematics. Accordingly, the district has prioritized support for students receiving special education services through two new actions in its LCAP. One will provide audiobooks for struggling readers, and the other is a program to provide diagnostic evaluation and individual personalized instruction.

The CDE's Compliance Intervention Monitoring (CIM) process identified a need for "improvement in students with disabilities placements conforming to Least Restrictive Environment (LRE)." Accordingly, the district has prioritized improving access for students with disabilities to general education environments. This strategic focus aligns with the district's commitment to meeting LRE requirements and aims to improve the academic achievement and engagement of students with disabilities.

Special Education Central Office Staffing

Central Office Administrator and Leadership Positions

The Special Education Department has 7.0 full-time equivalent (FTE) administrator and leadership positions in the central office, as shown below.

Table 1. Central Office Special Education Administrator and Leadership Positions, 2023-24

Position Title	Number of Positions	Total FTE
Director	1	1.00
Assistant Director	1	1.00
Coordinator	1	1.00
Mental Health Program Specialist	1	1.00
Elementary Program Specialist	1	1.00
Secondary Program Specialist	1	1.00
Adult Transition Program Specialist	1	1.00
Total	7	7.00

Source: District-provided data.

Central Office Administrative Support Positions

The Special Education Department has 6.00 FTE administrative support staff, as shown below.

Table 2. Special Education Department Administrative Support Staff Positions, 2023-24

Position Title	Number of Positions	Total FTE
Secretary III	2	2.00
Clerk 3 Local Education Agency Medi-Cal Administrative Activities (LEA/MAA) Program and Billing	1	1.00
Clerk 3 Special Education Information System (SEIS)	2	2.00
Student Support Services Receptionist	1	1.00
Total	6	6.00

Source: District-provided data.

Note: The department's linkage specialist position was excluded from the total number of positions because districts do not always centralize the services this position provides.

Special Education Central Office Staffing Comparison

FCMAT conducted an informal survey among unified school districts in California that have student enrollment and unduplicated pupil percentages (UPPs) similar to those of Lake Elsinore Unified. The survey focused on gathering information about districts' Special Education Department central office staffing in two areas:

1. Central office administrator/leadership positions, including directors, assistant directors, coordinators, program specialists, and teachers on special assignment (TOSAs). These positions may or may not require an administrative credential.
2. Central office administrative support positions, including secretaries, administrative assistants, filing clerks, and data technicians.

The table below compares Lake Elsinore Unified's Special Education Department central office staffing to the responses from the eight districts that replied to FCMAT's survey. Among these comparison districts, the average number of FTE administrator/leadership positions supporting special education in the central office is 9.50; Lake Elsinore Unified reports a lower figure of 7.00 FTE in this category. The average number of special education administrative support positions in the central office among the comparison districts is 5.87 FTE, and Lake Elsinore Unified reports a similar figure of 6.00 FTE.

Table 3. Central Office Special Education Department Leadership and Support Staffing Comparison

District	County	2022-23 Census Day Enrollment	2022-23 Census Day UPP%	2023-24 Administrator/ Leadership Position FTE	2023-24 Administrative Support Position FTE
Alvord Unified	Riverside	17,106	86.30%	7.00	6.75
Antioch Unified	Contra Costa	16,171	73.65%	13.00	3.00
Fairfield-Suisun Unified	Solano	20,559	55.88%	10.00	7.00
Hayward Unified	Alameda	20,517	68.76%	9.00	5.00
Jurupa Unified	Riverside	18,370	82.57%	8.00	5.00
Napa Valley Unified	Napa	16,441	64.55%	9.00	5.20
Oceanside Unified	San Diego	18,277	62.89%	10.00	6.00
Redlands Unified	San Bernardino	20,019	68.05%	10.00	9.00
Average FTE				9.50	5.87
Lake Elsinore Unified	Riverside	21,322	70.4%	7.00	6.00

Sources: EdData - Comparisons (ed-data.org) and district-provided information to FCMAT survey.

Notes: Lake Elsinore Unified was excluded from the average FTE calculations.

Teachers on special assignments were included in administrator/leadership FTE if they performed special education program support functions in the central office.

Any variances in FTE are due to FCMAT's interpretation of the information shared via survey.

Lake Elsinore Unified has 2.5 FTE fewer administrator/leadership positions in its Special Education Department than the comparison districts. Stable, competent leadership in the Special Education Department appears to have enabled it to function relatively well despite a lower number of administrator/leadership positions in the central office. However, during interviews, staff identified two areas that need additional administrator/leadership support: coaching to promote inclusive practices so the district can continue to make progress toward meeting LRE targets, and the preschool program. These are discussed in the “Continuum of Service Options for Students in Special Education” section of this report.

Recommendation

The district should:

1. Evaluate whether adding administrator/leadership positions in its Special Education Department to align with similar districts would allow it to provide better service to students. Consider adding positions focused on inclusive practices at the elementary level and in the preschool program.

Continuum of Service Options

The Individuals with Disabilities Education Act (IDEA) establishes nationwide minimum standards for providing education services to children with disabilities, as well as related services for eligible infants, toddlers, preschoolers, children, and youth with disabilities up to the age of 22. It mandates that each state ensure the availability of a free appropriate public education (FAPE) for any child with a disability who needs special education and related services, regardless of whether they have failed or been retained in a course or grade, and even if they are advancing from one grade level to another (Title 34, Section 300.101(c) of the Code of Federal Regulations [34 CFR 300.101(c)]).

Continuum of Services

FCMAT analyzed the district’s special education continuum of services and its alignment with the principles outlined in the 2015 report on One System. The district’s special education service options are outlined below.

Riverside County SELPA Special Education Service Options



Figure 2: Riverside County SELPA special education service options.

Source: Riverside County SELPA IEP Manual.

The next two subsections of this report describe the district's special education continuum of services.

Continuum of Services for Students Ages 3 to 5

The district operates a preschool assessment center that facilitates the required assessments for students transitioning from the Inland Regional Center to the district. The center also evaluates other children ages three to five who are suspected of having a disability to determine their eligibility for special education. Following assessment, qualifying students receive school-based specialized academic instruction, and/or related services as needed.

Specialized academic instruction is offered in self-contained special day classes (SDCs) for preschool-age students. These classes are noncategorical, meaning they serve students with a variety of disabilities, including those with autism and intellectual disabilities. Students attend school daily during a morning or afternoon session. Certain students with disabilities are enrolled for a half day in a private general education preschool program, the Head Start Program, or the California State Preschool Program and a half-day in a SDC preschool to receive specialized academic instruction. This positive practice promotes access for students with disabilities to general education settings, neurotypical peers, and general education teachers, while still enabling access to specialized instruction.

The district is opening a general education preschool class in 2024-25 that will be taught by a general education teacher and a special education teacher. The expansion of inclusive opportunities for preschool-age students with disabilities is strongly aligned with the 2015 report on One System.

All staff interviewed, and district data, reported a large increase in the number of preschool assessments and preschool-age students qualifying for special education over the past several years. The district is evaluating staffing for its preschool assessment center to ensure it can meet the demand for assessment, as explained in the "Related Service Provider Staffing and Caseloads" section of this report. In addition, as explained in the "Special Education Central Office Staffing Comparison" section of this report, the district has fewer administrative/leadership positions in the Special Education Department than similar districts and needs to consider adding a program specialist position to support the preschool assessment center and preschool-age continuum of services.

Continuum of Services for School-Age Students

The district provides specialized academic instruction and related services, such as speech and language therapy, adapted physical education (APE), and occupational therapy (OT), for school-age students with disabilities. These services are provided in accordance with students' individualized education programs (IEPs) and can be delivered either within the general education classroom or in a separate setting through a variety of district programs, which include:

- **Supported Inclusion Program** - Staff adapt the content, methodology and instructional delivery to facilitate access for students with IEPs to general education settings. This program supports students with IEPs who are working to meet general education curriculum standards.
- **Pull-out Program** – These small group classes are taught by special education teachers using general education curricula and supplemental materials to differentiate instruction to support individual student needs. Pull-out classes meet district requirements for a student to graduate with a diploma but do not meet the California A-G requirements, which are a series of courses that must be passed to be eligible to enter a four-year public college in California.

- **Self-Contained Classes** – The district provides the following options:
 - *Self-contained-Moderate Service Needs* – Special education teachers adapt the content, methodology, and instructional delivery in this program to provide access to general education curricula in a self-contained classroom.
 - *Self-contained Moderate/Severe Service Needs* – This highly individualized program emphasizes communication, mobility, life skills, and specialized health care.
 - *Alternative Programs* – These programs emphasize social-emotional and behavior management systems to facilitate general education curriculum access in a district school, as an alternative to placement in a nonpublic school (NPS).
 - *Adult Transition Program* – This program serves adult students with disabilities ages 18-22 with a combination of work experience and volunteer opportunities as well as classroom and community-based instruction to prepare students to meet their post-secondary goals as they transition into adulthood.

In addition to the in-district program options, a small number of district students on IEPs attend an out-of-district program. These options include a regionalized program or an NPS. Students who attend a regionalized program have a disability, such as being deaf or hard of hearing, which necessitates access to a specialized class. NPSs are privately-operated, publicly-funded schools that specialize in providing educational services for students with needs so exceptional that they cannot be met in a traditional public school setting.

Least Restrictive Environment

The IDEA requires that students with disabilities be offered a FAPE and be educated in the LRE. To determine the appropriate setting for an individual student, their IEP team reviews the student’s strengths and needs and considers the educational benefit of placement in different educational settings. The assessment of LRE placement is conducted through the CDE’s local level annual performance report. These reports, required by the IDEA, evaluate districts on 14 indicators for which the target is “met” or “not met.” The district’s performance on indicator 5, which assesses the placement of school-age students in the LRE, is shown in the table below.

Table 4. District’s 2021-22 Performance on Indicator 5 — School-Age Students in the Least Restrictive Environment

Indicator	Indicator	Rate	Target	Target Met?
5a	LRE Rate: In Regular Class More than 80% of the school day	55.85%	≥60.00%	No
5b	LRE Rate: In Regular Class Less than 40% of the school day	23.17%	<18.00%	No
5c	LRE Rate: Separate Schools	0.87%	<3.20%	Yes

Source: Local Level Annual Performance Report 2021-22.

Although the district did not meet two of the three indicators for school-age LRE in 2021-22, it made progress towards indicator 5a’s target. Indicator 5a, which measures the rate of students in regular classes for more than 80% of their school day, increased from 49.03% in 2020-21 to 55.85% in 2021-22. This increase

is positive, and the district needs to sustain this momentum since it indicates more students are accessing the LRE. On the other hand, the district moved further from the target on indicator 5b, which measures the percentage of students in regular class for less than 40% of their day. Indicator 5b increased from 21.38% in 2020-21 to 23.17% in 2021-22. Unlike indicator 5a's rate which should progressively increase each year as more students access their LRE, indicator 5b's rate should progressively decrease as more students remain in their LRE.

The district met indicator 5c in both 2020-21 and 2021-22, and performance improved in 2021-22. While the district had previously met indicator 5c's target in 2020-21, with 0.93% of students in special education attending a separate school, the percentage decreased to 0.87% in 2021-22, which is a positive trend.

The district is working to meet school-age student LRE targets in two main ways. First, the district has greatly reduced enrollment in SDCs for students with mild-to-moderate support needs, such as learning disabilities, through its supported inclusion program. Supported inclusion is a collaborative teaching approach offering targeted support for students with disabilities within inclusive general education settings instead of in separate classes taught by a special education teacher. This strategy is aligned with evidence-based practices, and research demonstrates collaborative teaching approaches can benefit both teachers and students with disabilities. Scruggs et al. (2007) found special education teachers engaged in collaborative teaching increased their knowledge of course content and classroom management strategies and improved in their ability to adapt the curriculum to meet the needs of diverse learners, while general education teachers reported collaborative teaching contributed positively to their professional development. Oh-Young and Filler (2015) found students with disabilities in general education settings outperformed students with disabilities in less integrated settings on academic and social-emotional measures. The district's supported inclusion program emphasizes serving students in their LRE and is strongly aligned with the 2015 Report on One System, which explains that the performance and outcomes of students with disabilities improve with increased access to general education settings.

Second, the district has worked to promote an inclusive mindset among educators. According to Cathy Pratt (1997),

...inclusion is a belief that ALL students, regardless of labels, should be members of the general education community. As members of the general education community, students with and without disabilities should have access to the full range of curriculum options. This means, for example, that students without disabilities should be able to utilize resource rooms without receiving a label first. It also means that students with disabilities should have access to typical homerooms, general education classrooms and courses, and school clubs. Those who support inclusion acknowledge that students have diverse learning needs and that the traditional model of education increasingly is not able to accommodate all students. The philosophy of inclusion encourages the elimination of the dual special and general education systems, and the creation of a merged system that is responsive to the realities of the student population.

Educators interviewed expressed views congruent with this definition of inclusion.

District educators interviewed also discussed issues with the supported inclusion program. A common issue involved how students with disabilities are scheduled and grouped in general education classes. Staff stated that district schools have received training on how to schedule and group students with disabilities in general education classes to facilitate collaborative teaching. However, certain district leaders stated they try to avoid grouping students, such as students with disabilities, into classes because they fear it will lead to lower student performance. Since the district has no formal strategy for grouping students with disabilities in the supported inclusion program, certain students may lack access to support opportunities

in the general education program. It would benefit the district to seek resources from [Supporting Inclusive Practices](#) and use them to develop a districtwide approach to grouping students in the supported inclusion program in general education classes. Then all students in the supported inclusion program could benefit from collaborative teaching.

The district's performance on indicator 6, which measures the placement of preschool-age students in the LRE, is shown in the table below.

Table 5. District's 2021-22 Performance on Indicator 6 — Preschool-Age Students in the Least Restrictive Environment

Indicator	Indicator	Rate	Target	Target Met?
6a	Preschool LRE: Regular Program	24.11%	≥41.00%	No
6b	Preschool LRE: Separate Class	71.63%	<31.00%	No
6c	Preschool LRE: Home	0.00%	<3.50%	Yes

Source: Local Level Annual Performance Report 2021-22.

The district did not meet two of the three indicators for preschool-age LRE in 2021-22 and did not show progress towards these targets between 2020-21 and 2021-22. However, it successfully met indicator 5c's target, which measures the percentage of students who are receiving special education and related services in their home, in both 2020-21 and 2021-22. To expand inclusive opportunities for preschool-age students with disabilities, the district is opening a general education preschool class in 2024-25 taught by a general education teacher and a special education teacher.

Conclusion – District Special Education Continuum of Services

Overall, the district offers a full continuum of special education options and services. However, it did not meet four out of six targets measuring LRE in its most recent local level annual performance report. This indicates that the district's continuum of service options for students with disabilities may overly restrict student access to general education settings and interactions with neurotypical peers.

Access to general education settings and fostering interactions with neurotypical peers are essential for maximizing the performance and outcomes of students with disabilities. Therefore, the district needs to continue to prioritize the LRE and better support its continuum of service options that facilitate access to general education settings for students with disabilities. Emphasizing high expectations for students with disabilities, fostering staff collaboration, and promoting access to general education learning environments for students with disabilities need to be key priorities. The district also needs to focus on providing ongoing professional development in inclusive practices for all instructional staff as described in the "[District Professional Development Plan](#)" section of this report.

Recommendations

The district should:

1. Increase the number of students with disabilities educated in general education settings and decrease the number educated in separate settings such as SDCs, with a focus on meeting and exceeding LRE targets on the CDE local level annual performance report.

2. Consider seeking resources from Supporting Inclusive Practices and using them to develop a districtwide approach to grouping students with disabilities and assigning special education support for them in general education classes.

District Professional Development Plan

A district's professional development plan should consider the needs of students with disabilities and align with evidence-based practices, such as Universal Design for Learning (UDL) and an MTSS, as outlined in the 2015 report on One System. Staff reported the district has provided training addressing UDL, but more is needed as well as continued training addressing cultural responsiveness. The district leaders interviewed emphasized the importance of lesson design and are developing curriculum maps to support general education teachers in designing lessons that actively consider and plan for the needs of all students. Staff reported that the district is working to develop a districtwide MTSS and common academic and behavioral interventions across schools. Related to MTSS, district leaders are assessing practices across district schools as part of their efforts to define best first instruction, which are Tier 1 instructional strategies that are directly linked to higher levels of student learning. The district will then identify timely interventions that are focused on accelerating student learning.

The district offers ongoing professional learning throughout each school year, but recently added two mandatory paid professional learning days to the calendar that will support ongoing professional learning needs, such as in lesson design and MTSS.

Professional Development for Special Education Paraeducators

The best practice is for special education paraeducators to receive regular training. Staff reported that special education paraeducators participate in mandated training, with some receiving additional formal training on topics such as nonviolent crisis intervention and/or informal training from their classroom teacher or from shadowing other paraeducators. However, most staff members indicated that special education paraeducators have unmet training needs in crucial areas such as disability awareness, positive behavior supports, nonviolent crisis intervention, positive communication, implementing accommodations and modifications, and differentiation strategies. This training gap is exacerbated by staff turnover and a lack of dedicated, paid training time for special education paraeducators. A lack of training may result in less effective support for students and create potential liabilities for the district.

Recommendations

The district should:

1. Prioritize professional development for instructional staff that addresses lesson design and MTSS and encourages positive student outcomes for all students.
2. Develop a plan to facilitate better access for paraeducators to professional development in areas such as disability awareness, positive behavior supports, nonviolent crisis intervention, positive communication, implementing accommodations and modifications, and differentiation strategies.

Special Education Student Identification

Special education should be reserved for students who are eligible to receive these specialized services. To be eligible for special education, a student must qualify under the two-pronged (i.e., two criteria) test that requires that they:

1. Meet the definition of one of the 14 disability categories in the IDEA.
2. Have a need for specially designed instruction.

Identifying a student for special education before implementing general education interventions does not best serve the student. A student in special education may experience stigma, less access to the rigorous instruction given in the general education curriculum, limited interaction with their typically developing peers, and lower expectations, which can limit their academic, social, and emotional progress and outcomes. Additionally, serving a student in special education through an IEP is costlier than serving them through interventions and general education supports.

However, failing to identify a student with a disability for special education can deprive them of their rights to a FAPE under the IDEA. This can impede a student’s learning and may obligate the district to pay for compensatory educational services.

Therefore, it is crucial that the district identify only qualifying students with disabilities for special education. This process is significantly influenced by the district’s implementation of student study teams (SSTs) and an MTSS.

District Special Education Identification Rate

From 2018-19 through 2022-23, the district’s K-12 census day enrollment decreased by 498 students, as shown in the chart below.

Census Day Enrollment, 2018-19 - 2022-23

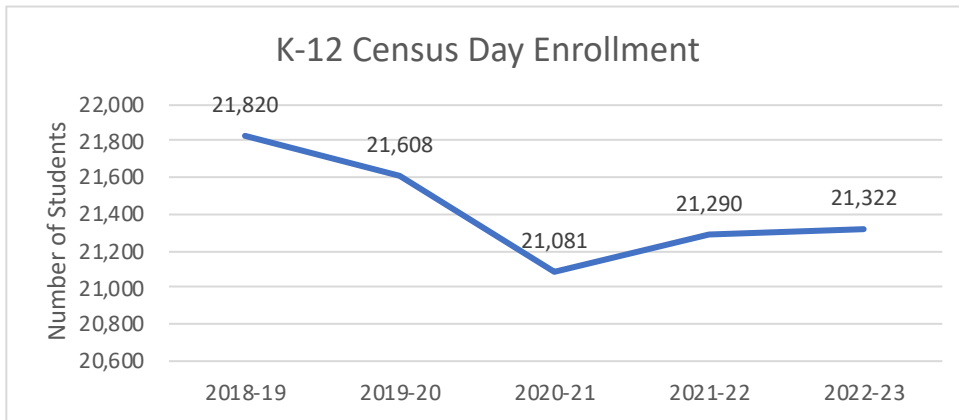


Figure 3. District’s K-12 census day enrollment from 2018-19 to 2022-23.

Source: Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified (CDE).

The district's special education enrollment increased by 75 students from 2018-19 through 2022-23, as shown in the chart below.

Special Education Enrollment, 2018-19 - 2022-23

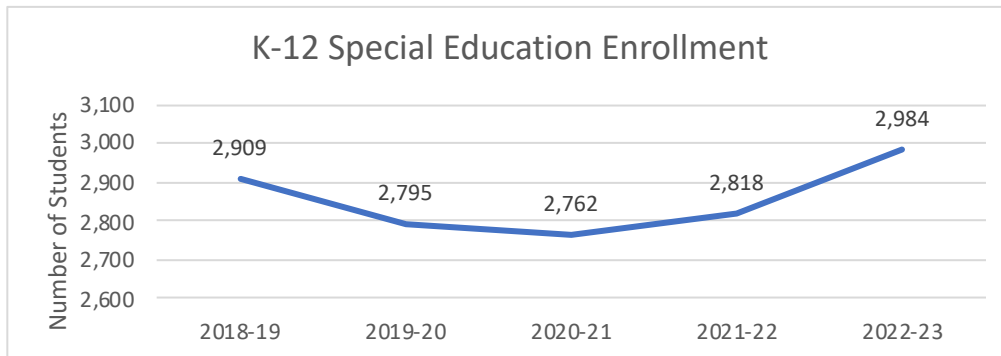


Figure 4. District's K-12 special education enrollment from 2018-19 to 2022-23.

Source: Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified (CDE).

Although 51% of all district students are boys, 67% of students in special education are boys, which mirrors the statewide average of 66% calculated from [DataQuest](#).

Disproportionality in Special Education Identification

The National Association of School Psychologists defines disproportionality as “the extent to which membership in a given group affects the probability of being placed in a specific disability category.” It is also the under- or overrepresentation of certain groups in special education. The district needs to monitor for disproportionality in special education identification annually and provide training to IEP teams as necessary on how to properly identify students for special education.

Representation of English Learners in Special Education

English learners are commonly overidentified for special education. In 2022-23, 11.5% of all district K-12 students were identified as English learners. Of the district's 2,984 K-12 students in special education, 228, or 7.6%, were identified as English learners, as shown in the chart below. Because the percentage of English learners in special education is lower than the percentage in the district as a whole, the district may be underidentifying English learners for special education. The district needs to review its data to determine possible causes of lower-than-expected identification of English learners in special education.

Percentage of District's English Learners in Special Education Compared to Total Student Population, 2022-23

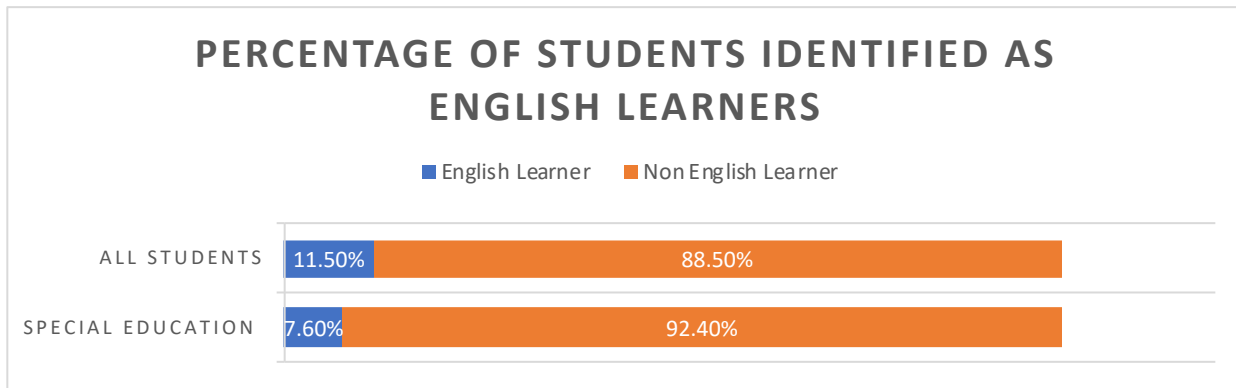


Figure 5. Percentage of district students identified as English learners in special education compared to the district's total student population in 2022-23.

Source: [Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified](#).

Although the reason behind the lower-than-expected identification of English learners in special education is unclear, it is imperative that the district identify all qualifying students with disabilities. This is necessary for at least two reasons. First, public schools are required under the IDEA to identify, locate, and evaluate all children who are suspected of having a disability. Second, failing to identify a student with a disability for special education can deprive them of their rights to a FAPE under the IDEA. This can impede the student's academic achievement and outcomes and may obligate the district to pay for compensatory educational services.

Special Education Enrollment by Disability Category

It is considered a best practice to monitor special education enrollment annually by disability category to ensure students are appropriately identified for special education. Students qualify for special education according to the 14 categories of disability, as shown below.

- Autism (AUT).
- Deaf-Blindness (DB).
- Deafness (DEAF)/Hearing Impairment (HI).
- Emotional Disturbance (ED).
- Established Medical Disability (EMD).
- Hardness of Hearing (HH).
- Intellectual Disability (ID).
- Multiple Disabilities (MD).
- Orthopedic Impairment (OI).
- Other Health Impairment (OHI).
- Specific Learning Disability (SLD).
- Speech or Language Impairment (SLI).

- Traumatic Brain Injury (TBI).
- Visual Impairment (VI).

According to WestEd’s California Special Education Funding System Study, SLD constitutes the vast majority of identified disabilities for K-12 students, followed by SLI and AUT, respectively. In 2023, the district reported to California Longitudinal Pupil Achievement Data System (CALPADS) that 3,218 students from prekindergarten through grade 12 were enrolled in special education. Of those, 1,046, or 33%, were identified as having an SLD, as shown below. In line with statewide trends, the disability categories of SLI and AUT were represented the next largest categories in the district, accounting for 24% and 17% of students, respectively. In 2021, SLD and SLI were also the two largest disability categories in the district, followed by OHI and then AUT. From 2021 to 2023 the AUT category increased from 525 to 549 students (a 4.57% increase).

District’s Special Education Enrollment by Disability Category, 2023-24

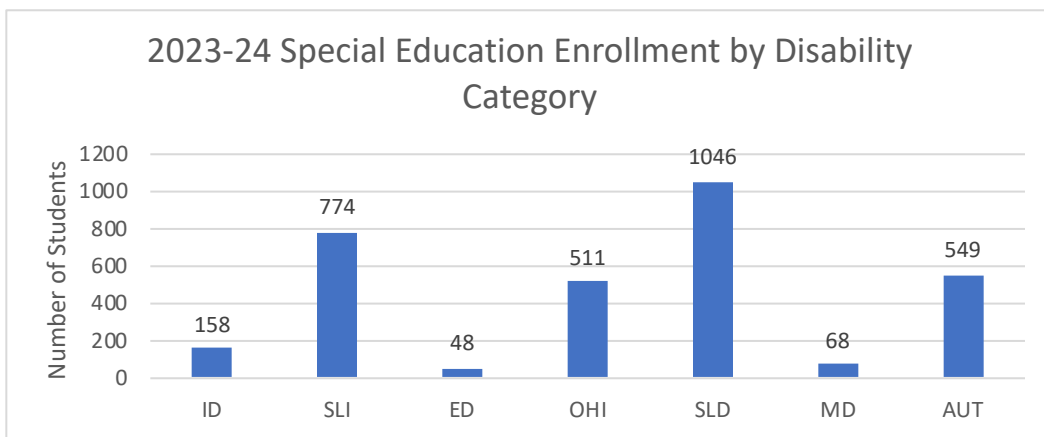


Figure 6. Number of district students by disability category in 2023-24.

Source: District’s CALPADS report 16.12.

Note: In addition to those shown in the chart, the district also had students in the following disability categories during the 2023-24 academic year: HH, 22; HI, 5; VI, 12; OI, 19; TBI, 5; EMD, 1.

Some district staff indicated that some students who qualify for special education under the category of SLI are not transferred (exited) from special education according to the two-pronged test at their three-year (triennial) IEP meeting if they no longer qualify. In 2023, 24% of district students were eligible for special education under the SLI disability category. This is three percentage points higher than the last available statewide classification rates for students up to the age of 22 from 2018-19 when 21% of students enrolled in special education qualified under the SLI disability category. Related to this, WestEd’s California Special Education Funding System Study revealed differences in special education eligibility by grade level. Speech and language impairments represented the vast majority of identified disabilities in the early grades; however, by grades 5 or 6, SLDs became the majority and SLIs became a much smaller proportion of identified disabilities. Staff reported that some parents or educators are reluctant to agree that a student can stop receiving speech and language therapy services. As a result, certain students who qualify for special education under the category of SLI may remain in special education when they no longer meet the two criteria. Students experience less stigma, have increased access to rigorous instruction given using the general education curriculum, and have more interactions with their typically developing peers when they are not enrolled in a special education program. Therefore, the district needs to evaluate its special education exit rates by at least school, grade level, and disability, and provide professional development on proper exit procedures from special education as needed.

Percentage of Students Enrolled in Special Education

The percentage of the district’s K-12 students in special education remained relatively constant between 2018-19 and 2022-23, showing an increase of only 0.66 percentage points during that time, as shown in the chart below.

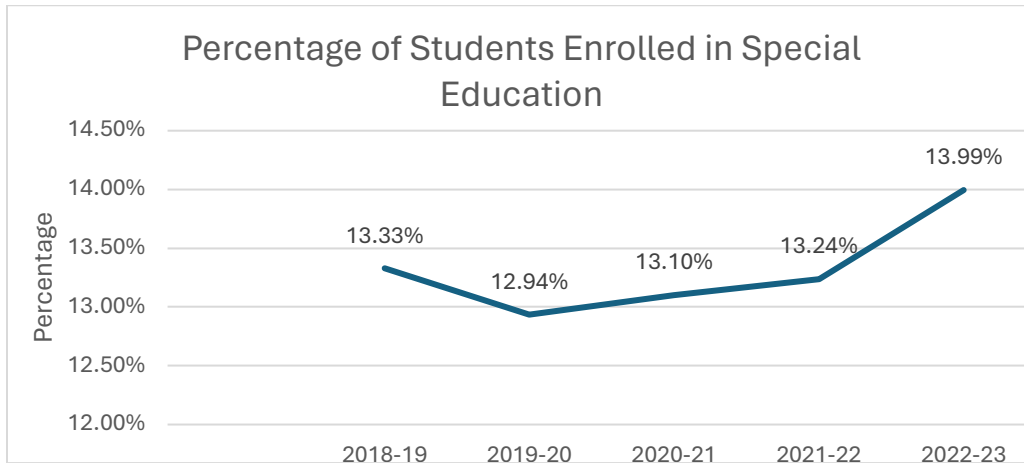


Figure 7. Percentage of K-12 district students enrolled in special education from 2018-19 to 2022-23.

Source: Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified (CDE).

FCMAT conducted an analysis of total and special education K-12 enrollment for the district, Riverside County, and the state, as shown in the table below.

Table 6. Total Special Education and K-12 Enrollment, 2022-23

2022-23	Lake Elsinore Unified	Riverside County	California
K-12 Enrollment	21,322	422,804	5,852,544
K-12 Special Education Enrollment	2,984	57,089	765,169
Percentage	13.99%	13.50%	13.07%

Sources: Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified (CDE), Enrollment for Charter and Non-Charter Schools - Riverside County (CDE), and Enrollment by Subgroup for Charter and Non-Charter Schools - State (CDE).

In 2022-23, 13.99% of the district’s K-12 students were identified as requiring special education. This percentage is slightly above the countywide and statewide averages for K-12 students.

Factors that may be contributing to the district’s higher-than-average percentage of students in special education include the district’s implementation of MTSS and SST practices. These factors are discussed further in the [following section](#) of this report.

Recommendations

The district should:

1. Review its data to determine possible causes of the lower-than-expected representation of English learners in special education, and provide training as necessary.
2. Evaluate its special education exit rates by at least school, grade level, and disability, and provide professional development on proper exit procedures from special education as necessary.
3. Annually monitor the percentage of students who qualify for special education at least by gender, race, ethnicity, English learner status, and disability category, and provide professional development in identifying students for special education as necessary.

Factors Affecting the District's Special Education Identification Rate

Identifying a student for special education before implementing general education interventions does not best serve the student. It is essential that the district identify only qualifying students with disabilities for special education; this is influenced by a district's implementation of SSTs and MTSS.

Student Study Teams

Education Code 56303 states, "A pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized." Before considering placement in special education, struggling students should be referred to a student success team (SST). This team approach is specifically designed to help students with a wide range of concerns related to their school performance and experience. All districts should have an SST process.

The primary purpose of an SST is to provide early intervention and develop a support system for students who face challenges in the general education classroom. SSTs are responsible for reviewing students' strengths and weaknesses, identifying appropriate interventions, setting SMART (specific, measurable, achievable, relevant, and time-based) goals, and monitoring students' progress toward these goals. An SST is composed of the student (if appropriate), the parent or guardian, and various school-based personnel such as counselors, resource specialists, speech pathologists, school psychologists, classroom teachers and administrators.

The district has adopted a data-driven SST process and forms (including a student profile, referral forms, parent notification form, and parent input form) intended to be used districtwide, but staff reported that use of this process is inconsistent from school to school. Each school has an SST coordinator who receives a stipend to coordinate the SST process at their school and provide training for teachers. The district has documents that guide teachers in documenting interventions in the district's student information system before an SST meeting.

As part of the SST process, the district uses the following intervention plans:

- **Initial Tier 1 Intervention Plan** – This plan documents student strengths and concerns in reading, writing, mathematics, behavior, and attendance. The plan includes SMART goals addressing identified areas of concern. The plan identifies interventions to support the student's goals and distinguishes the frequency, setting, and who is responsible for implementing the interventions.
- **Tier 2 Targeted Intervention Plan** – This plan documents student strengths, areas of concern, and SMART goals that address student needs. This form also includes a section for monitoring progress toward meeting the SMART goals.

Most staff interviewed reported that only certain instructional staff have a clear understanding of how to provide comprehensive interventions in response to different student needs. District leaders indicated that they are in the process of defining common Tier 1 or standard high-quality classroom instructional practices, and acknowledged that Tier 2 interventions for students who need additional support have not yet been well defined by the district.

Multitiered Systems of Support

California's MTSS focuses on aligning various initiatives, supports and resources with content standards to meet the needs of all students. This integrated, comprehensive framework aligns academic, behavioral, and social-emotional learning and implements continual improvement processes throughout the educational system. It serves as a method of organization and uses data collected through universal screening to support decision making and problem solving. MTSS includes both response to instruction and intervention (RtI²) and positive behavioral interventions and supports (PBIS).

Response to Instruction and Intervention (RtI²)

Response to instruction and intervention is a nationwide approach targeting individual students who are struggling academically. This approach mobilizes resources from the district, school and/or community to promote student success. It is data-driven and systematic, with tiered levels of intervention. The CDE coined the acronym RtI² to indicate a general education approach of high-quality, culturally responsive differentiated instruction and early intervention, prevention, and behavioral strategies. RtI² uses universal screening and data analysis of all students' learning progress in the general education classroom.

A comprehensive districtwide RtI² system not only prevents the inappropriate identification of students for special education but also ensures the delivery of services within students' LREs. An RtI² system should define the following for tiers 1 and 2:

- Type of intervention (e.g., literacy, mathematics, positive behavior supports).
- Who is selected for the intervention.
- Program, materials, and/or curriculum to be used.
- When students will receive instruction.
- Who will deliver the intervention.
- How students will be grouped.
- Time (i.e., duration and frequency).
- Assessments to be used (e.g., for progress monitoring and entry or exit from the support).

Positive Behavioral Interventions and Supports

Positive behavioral interventions and supports concentrates on fostering the emotional and behavioral learning of students, which leads to an increase in engagement and a decrease in problematic behavior over time. PBIS helps districts adopt and structure evidence-based behavioral interventions.

District Implementation of MTSS

The district has developed an MTSS flowchart that guides staff step-by-step through documenting concerns about a student's academic or social-emotional needs, implementing interventions, progress monitoring, and going through the district's SST process. Staff stated that district schools received training in PBIS before the COVID-19 pandemic and that some schools implement certain components of PBIS. The district has invested in two board-certified behavior analysts (BCBAs) to support the general education program, and a half-time counselor and a half-time social-emotional learning support provider at each of its elementary schools. However, because the district has yet to formalized standard, tiered academic, behavioral, and

social-emotional prereferral supports and interventions districtwide, certain students may lack access to intervention and support opportunities in the general education program. Formalizing standard, tiered academic, behavioral, and social-emotional prereferral supports and interventions districtwide could reduce the need for identification for special education services.

Recommendations

The district should:

1. Provide districtwide training on its SST process, and proactively monitor, support, and require its consistent use.
2. Continue its work to define the high-quality classroom instructional practices to be used districtwide and provide training for all instructional staff.
3. Refine its MTSS to include common high-impact instructional practices and an RtI² program to address students' academic, behavioral, and social-emotional needs, and provide training for all instructional staff.

Special Education Teacher Staffing Allocation

FCMAT compared the district's special education teacher staffing in the resource specialist program (RSP) and SDC program to statewide guidelines and/or industry standards.

Resource Specialist Program Staffing

Education Code 56362(c) specifies a statewide guideline for RSP staffing and states:

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

Article 5 of the district's contract with the Lake Elsinore Teacher's Association (LETA) states that a resource specialist's caseload may not exceed 28 students.

In the 2023-24, the district has 58.5 FTE TK-12 RSP teacher positions assigned to specific schools, which were included in this analysis. In addition, the district has 2.0 FTE itinerant RSP teacher positions, but these were not included in this analysis. The itinerant RSP teacher positions fill in at schools as needed when a teacher's caseload exceeds the maximum. Based on caseload estimates provided by the district, RSP teachers manage the cases of 1,366 students, averaging 23.35 students per teacher, as shown in the table below.

Table 7. Resource Specialist Staffing, 2023-24

School Level	Total RSP Teacher FTE	Total RSP Student Caseload	Average RSP Teacher Caseload	RSP Staffing Above (+) or Below (-) EC Standard
Elementary	18.5	377	20.38	+5.04
K-8	5.0	125	25.00	+0.54
Middle	13.0	338	26.00	+0.93
High	19.0	472	24.84	+2.14
Independent Study	3.0	54	18.00	+1.07
Total	58.5	1,366	23.35	+9.71

Sources: District-provided data and EC 56362(c).

Districtwide RSP teacher staffing is 9.71 FTE above what is needed to meet the EC 56362(c) standard. However, a reduction in RSP teacher staffing is not necessary because the EC 56362(c) standard is based on a maximum caseload that is higher than the statewide caseload average FCMAT observes in districts with RSPs that use an inclusive model.

Although its definition varies across California's school districts, the intent of an inclusive model is to enable students to attend their neighborhood schools, enroll and progress through the grade levels that match their chronological ages, and access general education classes and curriculums to the greatest extent possible. In addition, under this model, specialized academic instruction is provided either in the general education classroom or through a pull-out service (in which a student is removed from the general education class setting for a period during the school day for specific skill building) depending on students' needs. The district's RSP aligns with the intent of an inclusive model and requires the current RSP teacher staffing to support the needs of its students.

Additionally, to meet LRE targets, the district needs to focus on integrating additional students with disabilities in general education settings for more of their school day. The district’s current RSP staffing will be required to support this effort.

The district would benefit from reviewing RSP caseload projections and student needs annually to determine whether RSP teacher staffing adjustments are necessary at any school level.

District Staffing Guidelines and Industry-Standard Caseloads by Special Day Class Program

The district operates self-contained noncategorical classes for students with mild-to-moderate and moderate-to-severe support needs at the preschool, elementary, K-8, and high school levels. The district also operates specialized SDCs focused on supporting students with social-emotional and behavior support needs; these are called alternative programs.

Article 5 of the district’s contract with LETA specifies caseload guidelines for mild-to-moderate and moderate-to-severe SDCs, which are shown in table 8 below under the “District Staffing Guideline” column. Although the Education Code does not specify maximum caseloads for SDC teachers, industry standards are included.

Table 8. Special Day Class Industry Standard Caseloads and District Staffing Guideline

School Level	SDC Support Level	SDC Focus	Grade	District Staffing Guideline	Industry-Standard Caseload Range
Preschool-Grade 12	Mild-to-Moderate	Noncategorical	Preschool/TK/K-5th	Not to exceed 17 students per teacher	12-15 students per teacher
			Secondary	Not to exceed 22 students per teacher	
Preschool-Grade 12	Moderate-to-Severe	Noncategorical	Preschool/TK/K-5th	Not to exceed 15 students per teacher	10-12 students per teacher
			Secondary	Not to exceed 15 students per teacher	

Sources: District-provided information and Article 5 of the district’s contract with LETA.

The district’s SDC staffing guidelines for classes for students with mild-to-moderate and moderate-to-severe support needs are higher than the industry standards. The district needs to evaluate whether aligning its SDC caseload guidelines with industry standards would allow it to better serve the students in its SDC programs.

TK-12 Mild-to-Moderate SDC Teacher Staffing

In 2023-24, the district has 54.0 FTE mild-to-moderate TK-12 SDC teachers who lead noncategorical classes. The district also has 4.0 FTE SDC teachers leading alternative program classes providing targeted support for students with social-emotional or behavioral needs. Because there is no industry standard for mild-to-moderate SDCs serving students with social-emotional or behavioral support needs, these 4.0 FTE were excluded from the totals shown in Table 9 below. Based on caseload estimates provided by the district, the 54.0 FTE mild-to-moderate TK-12 noncategorical SDC teachers manage the cases of 817 students, averaging 15.13 students per teacher.

Table 9. Mild-to-Moderate Special Day Class Teacher Staffing, 2023-24

Grade Level	SDC Support Level	SDC Focus	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry-Standard Caseload Range
Elementary	Mild-to-Moderate	Noncategorical	21.00	250	11.90	12-15 students per teacher
K-8	Mild-to-Moderate	Noncategorical	6.00	55	9.17	12-15 students per teacher
Middle School	Mild-to-Moderate	Noncategorical	10.00	181	18.10	12-15 students per teacher
High School	Mild-to-Moderate	Noncategorical	17.00	331	19.47	12-15 students per teacher
Total			54.00	817	15.13	12-15 students per teacher
All	Mild-to-Moderate	Social Emotional and Behavioral Support Needs	4.00	44	11.00	N/A

Sources: District-provided data and industry standards.

Notes: Only mild-to-moderate K-12 noncategorical SDCs were included in the total calculations.

There is no industry standard for mild-to-moderate SDCs designed for students with social-emotional and behavioral support needs.

The districtwide mild-to-moderate TK-12 noncategorical SDC caseload average of 15.13 students per SDC teacher is aligned with the high end of the industry-standard range, exceeding it by only 0.13 students. However, the caseload averages are not balanced among the different school levels. At the middle and high schools, the caseload averages exceed the industry standards by 3.10 and 4.47 students, respectively. To align with the high end of the industry standards, the district would need to increase SDC teacher staffing by 2.0 FTE at the middle school level and 5.0 FTE at the high school level.

Factors such as increased special education enrollment and higher student support needs following the COVID-19 pandemic have contributed to mild-to-moderate noncategorical SDC caseload averages at the middle and high school levels that are higher than industry standard. High caseloads can prevent teachers from providing students with adequate supervision and support. Therefore, the district would benefit from reviewing mild-to-moderate TK-12 noncategorical SDC teacher caseload projections for 2024-25 and student needs to determine if staffing adjustments are necessary at any school level.

TK-12 Moderate-to-Severe SDC Teacher Staffing

In 2023-24, the district has 16.0 FTE teachers leading noncategorical TK-12 moderate-to-severe SDCs. Based on caseload estimates provided by the district, moderate-to-severe SDC teachers manage the cases of 153 students, averaging 9.56 students per teacher, as shown in the table below.

Table 10. Moderate-to-Severe Special Day Class Teacher Staffing, 2023-24

School Level	SDC Support Level	SDC Focus	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry-Standard Caseload Range
Elementary	Moderate-to-Severe	Noncategorical	7.00	60	8.57	10-12 students per teacher
K-8	Moderate-to-Severe	Noncategorical	3.00	29	9.67	10-12 students per teacher
Middle	Moderate-to-Severe	Noncategorical	2.00	27	13.50	10-12 students per teacher
High	Moderate-to-Severe	Noncategorical	3.00	28	9.33	10-12 students per teacher
Independent Study	Moderate-to-Severe	Noncategorical	1.00	9	9.00	10-12 students per teacher
Total			16.0	153	9.56	10-12 students per teacher

Sources: District-provided data and industry standards.

The districtwide moderate-to-severe noncategorical SDC TK-12 teacher caseload average of 9.56 students per SDC teacher is just below the industry-standard range. However, the district’s moderate-to-severe non-categorical SDC average teacher caseload at the middle school level exceeds the high end of the industry standard range by 1.50 students. The district needs to review moderate-to-severe SDC noncategorical TK-12 caseload projections for 2024-25 and student needs to determine if staffing adjustments are necessary at any school level.

Preschool SDC Teacher Staffing

In 2023-24, the district has 7.0 FTE SDC preschool teachers. Based on caseload estimates provided by the district, these teachers manage the cases of 103 students, averaging 14.71 students per teacher.

Table 11. Preschool Special Day Class Teacher Staffing, 2023-24

School Level	SDC Support Level	SDC Focus	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry-Standard Caseload Range
Preschool	Mild-to-Moderate and Moderate-to-Severe	Noncategorical	7.00	103	14.71	12 students per teacher

Sources: District-provided data and industry standards.

Notes: A blended industry standard of 1 teacher for 12 students was used, based on SDC noncategorical preschool teacher-to-student ratios of 1-to-14 for students with mild-to-moderate support needs and 1-to-10 for those with moderate-to-severe needs.

The districtwide preschool noncategorical SDC teacher caseload average is 2.70 students above the blended industry standard and results in 1.58 FTE fewer preschool SDC teachers than the industry standard. Staff reported that the district plans to hire another 1.00 FTE preschool special education teacher in 2024-25 as part of its plan to open a general education preschool class taught by a general education teacher and a special education teacher. The district should review caseload estimates and student needs for its existing preschool SDCs and its new class opening in 2024-25 to determine if staffing adjustments are necessary.

Recommendations

The district should:

1. Continue to review RSP caseload projections and student needs annually to determine whether RSP staffing should be adjusted at any school level.
2. Evaluate whether aligning its SDC caseload guidelines with industry standards would allow it to provide better service to students.
3. Review mild-to-moderate and moderate-to-severe TK-12 noncategorical SDC teacher caseload projections for 2024-25 and student needs to determine if it needs to change teacher staffing at any school level.
4. Review caseload estimates and student needs for the existing preschool SDCs and the new preschool class opening in 2024-25 to determine if staffing adjustments are necessary.

Special Education Paraeducator Staffing Allocation

Special education paraeducators, also known as special education aides or instructional assistants, are trained professionals who work with students, usually under the direction of a classroom teacher. Districts often employ special education paraprofessionals under different titles with distinct job descriptions to perform functions such as specialized academic instruction, specialized medical support, behavioral support, and 1-to-1 student support or special circumstance instructional assistance (SCIA).

The district employs paraeducators under two job titles: special education paraeducator II and III, each of which has a distinct job description. Both paraeducator positions are responsible for “assisting (under direct supervision) in the supervision and instruction of special education students” and “assisting students by providing for special health care needs.” The paraeducator II position is responsible for “relieving teachers of routine clerical tasks,” while the paraeducator III position is responsible for “supporting teachers with the educational and physical needs of students.”

1-to-1 Student Support

There is no industry standard for special education paraeducators who provide 1-to-1 student support. Many districts throughout the state have taken steps to remove the designation of 1-to-1 support because it unintentionally reinforces the concept of one adult assigned to one student. Industry practice commonly refers to both the assessment process and the special education aide position’s title as SCIA.

The district has access to the Riverside County SELPA’s related services independence assistance (RSIA) process to assess whether a student requires intensive individual service (IIS), also known as 1-to-1 support from a paraeducator. The RSIA clarifies decision-making processes and procedures, and cautions, “A recommendation for IIS is a significant programmatic decision and one that should be based on a thorough, data-driven evaluation, considering all less restrictive alternatives, including the implementation of Tier 1 and 2 interventions.” The RSIA is aligned with industry standards because it focuses on personal independence, promotes individual decision-making, focuses on maximizing existing supports, and is based on data-driven assessment. Staff interviewed were familiar with the RSIA but stated it is used inconsistently to determine the need for 1-to-1 paraeducator support. Staff turnover, a lack of recent training on use of the RSIA, and high caseloads for school psychologists have contributed to the RSIA’s inconsistent use. Consistently requiring the RSIA to be used to determine the need for 1-to-1 paraeducator support ensures the district is making data-driven decisions and considering less restrictive alternatives before assigning 1-to-1 paraeducator support.

The RSIA focuses on planning for a student’s transition to independence, with IEP goals to support this, and states:

The goal for all students with disabilities is to encourage and enhance their independence. Local Education Agencies (LEAs) are responsible for developing and implementing individualized education programs (IEPs) that foster this independence. When an IEP team determines that a student needs IIS, it should always be seen as temporary with specific conditions/goals established to gradually fade/reduce the reliance on ISS.

The development of annual goals for independence is a critical aspect of the effective use of 1-to-1 paraeducator support. However, most staff reported that they do not write any related goal(s) for independence when adding 1-to-1 paraeducator support to a student’s IEP, a practice that is contrary to any other identi-

fied area of deficit. This practice may be attributed to staff’s perception that goals for independence are not required, coupled with a lack of training on how to write these goals.

Given that the assignment of 1-to-1 paraeducator support is a highly restrictive intervention, the development of goals is an essential step to support students’ use of this support. These goals focus IEP services on the deficit area to strengthen skills, monitor annual progress, and help the IEP team determine whether adjustments can and should be made in the service level. Moreover, this approach helps the IEP team move away from the concept of assigning one staff member to one student. It also allows the district to consider the benefits of having one special education paraeducator support several students when appropriate.

The ongoing monitoring and reporting of student progress, like any goal, supports the IEP team in making informed decisions when altering services such as 1-to-1 paraeducator support. Consequently, each IEP that includes the use of a 1-to-1 paraeducator, except for medically necessary support, should include goals for independence and a plan to reduce the need for a 1-to-1 paraeducator over time.

Special Education Paraeducator Staffing

The district’s special education paraeducators work in 3-, 6- or 6.5-hour-per-day positions. Staff reported it has been particularly difficult to fill and retain special education paraeducators in the three-hour positions so some of these positions have been converted to six-hour positions.

Paraeducator Staffing for the Resource Specialist Program

Education Code 56362(6)(f) states, “At least 80 percent of the resource specialists within a local plan shall be provided with an instructional aide.” The district meets this requirement in 2023-24 since it has 58.5 FTE RSP teachers and 65.5 paraeducator positions assigned to the RSP. For the purposes of this comparison, two three-hour paraeducator positions assigned to the RSP were combined to equal one six-hour paraeducator position.

Paraeducator Staffing for Special Day Class Program

The industry-standard base staffing for SDCs is to assign one paraeducator for every teacher in SDCs supporting students with mild-to-moderate and moderate-to-severe needs. For SDCs supporting students with autism, the standard is two paraeducators for every teacher. Additionally, the industry standard for staffing beyond the SDC base staffing is determined by an adult-to-student ratio, as shown in the table below.

Table 12. Industry Standard Special Education Paraeducator Staffing and Adult-to-Student Ratios by Type of Support

SDC Support Level	SDC Focus	Industry-Standard Special Education Paraeducator Staffing	Adult-to-Student Ratio
Mild-to-Moderate	Noncategorical	1-2 six-hour special education aides depending on a class size of 12-15	1-to-7
Moderate-to-Severe	Noncategorical	1-2 six-hour special education aides depending on a class size of 10-12	1-to-5
All	Autism	2-4 six-hour special education aides depending on a class size of 8-10	1-to-3

Source: Industry standards.

Notes: The industry standard special education paraeducator staffing should be determined by class size to meet the adult-to-student ratio.

Both the classroom teacher and special education paraeducator(s) are included in the adult-to-student ratio.

Article 5 of the district's contract with LETA identifies an SDC staffing ratio for paraeducators, which is the same for mild-to-moderate and moderate-to-severe SDCs:

- Up to 15 students, 1 FTE paraeducator is assigned.
- At 16 students, staffing is increased to 1.5 paraeducators.

Article 5 defines an FTE paraeducator as one six-hour position or two three-hour positions.

The district's SDC staffing ratio for paraeducators does not align with industry standards. Staff interviewed and the district's data indicate that it does not consistently use its own standard, industry-standard SDC base staffing, or an adult-to-student ratio to assign paraeducators in mild-to-moderate and moderate-to-severe SDCs. Staff reported that several SDCs in the district have almost as many adults as students. Special education enrollment increases, staff turnover, and heightened student needs following the COVID-19 pandemic have contributed to the addition of classroom and 1-to-1 paraeducator support in numerous SDCs.

Assigning more paraeducator support than necessary is costly and may limit the opportunities of students with disabilities to gain independence. The district needs to evaluate whether it can reassign paraeducators from SDCs where staffing exceeds the industry standard to those that fall below it to better meet student needs and align with industry-standard adult-to-student ratios.

The district contracts with NPAs for behavior aides. The cost to contract for behavior aide services is much higher than the cost of employing district staff, and staff reported that some NPA behavior aides lack the training and experience in working with students with disabilities to effectively do their jobs. The district may benefit from adding a special education paraeducator classification and job description that would have a higher salary and require the registered behavior technician (RBT) certification. If it were to add this paraeducator classification, the district would need to determine how to provide supervision and BCBA support for employees in this classification.

Recommendations

The district should:

1. Require the RSIA to be used to determine the need for 1-to-1 paraeducator support.
2. Ensure each IEP that includes 1-to-1 student support from a paraeducator, except for medically necessary support, contains goals for independence and to phase out support (fade plan).
3. Consider whether aligning its SDC paraeducator staffing ratio with industry standards would allow it to provide better service for students.
4. Use the industry-standard SDC base staffing and an adult-to-student ratio to assign paraeducators to mild-to-moderate and moderate-to-severe SDCs.
5. Determine if classroom special education paraeducators who support mild-to-moderate and moderate-to-severe SDCs can be reassigned to better align classes with industry standards and meet student needs.
6. Determine whether it should add a special education paraeducator position focused on behavior support that would require an RBT certification.

Related Service Provider Staffing and Caseloads

Related services are the developmental, corrective and other supportive services required to help a child with a disability benefit from special education (34 CFR 300.34). These services are written into students' IEPs and include but are not limited to physical therapy, speech and language therapy, and occupational therapy.

FCMAT analyzed staffing ratios for the district's APE teachers, occupational therapists, school nurses, school psychologists, and SLPs. Staffing ratios for physical therapists and for itinerant teachers for students who are deaf/hard of hearing or visually impaired were not included in the analysis because the district contracts with the Riverside County Office of Education for these services. The industry standards for related service providers are listed in the table below.

Table 13. Industry Standard Provider-to-Student Ratios by Provider Type

Provider Type	Industry Standard Provider-to-Student Ratio
Psychologist	1-to-977
SLP (preschool)	1-to-40
SLP (ages five through 22)	1-to-55
APE Teacher	1-to-45-55
Physical Therapist	1-to-45-55
Occupational Therapist	1-to-45-55
Vision and Orientation and Mobility	1-to-10-30
Deaf and Hard of Hearing	1-to-15-25
Nurse	1-to-2,274

Source: Industry standards and [CalEdFacts - Publications \(CDE\)](#).

Adapted Physical Education

The district’s contract with LETA does not specify a teacher-to-student staffing ratio for APE teachers. In 2023-24, the district has 2.0 FTE APE teacher positions managing a caseload of 134 students who receive direct services, as shown in the table below.

Table 14. Adapted Physical Education Teacher Staffing in 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Above or Below Industry Standard
APE Teacher	2.0	134	67	1-to-45-55	1.00 FTE below 1-to-45 0.44 FTE below 1-to-55

Sources: District-provided data and industry standards.

Notes: Only students who receive direct services from the district’s APE teacher were included in the total caseload and related calculations.

The district is staffed at 1.0 FTE below the high end of industry-standard staffing and 0.44 below the low end. Relatively high APE teacher caseloads may be caused by the district serving most of its students with intensive support needs in district programs as opposed to out-of-district regional programs. While serving students in this manner is a desirable practice because these students have access to their LRE, it may create a need for additional APE teacher staffing. The district needs to review APE teacher caseload projections, the assessment load, the number of schools each APE teacher is supporting, the driving time between sites, direct and consultation service minutes, and student needs to determine if it should increase APE teacher staffing.

Occupational Therapy

The district’s contract with LETA does not specify an occupational therapist-to-student staffing ratio. In 2023-24, the district has 6.0 FTE occupational therapist positions, each managing an average caseload of 47.83 students who receive direct services, as shown in the table below. Additionally, the district has 2.6 FTE certified occupational therapist assistants, who are not included in the industry-standard comparison or related calculations.

Table 15. Occupational Therapist Staffing in 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
Occupational Therapist	6.0	287	47.83	1-to-45-55	Within the industry standard range

Sources: District-provided data and industry standards.

Notes: Only students who receive direct services from the district’s occupational therapists were included in the total caseload and related calculations.

The number of FTE and related calculations excludes the 2.6 FTE certified occupational therapist assistants.

The district is staffed within the industry standard range for occupational therapists. The district needs to annually review occupational therapist caseload projections, the assessment load, the number of schools each occupational therapist is supporting, the driving time between sites, direct and consultation service minutes, and student needs to determine if staffing changes are necessary.

Credentialed School Nurses

The district’s contract with LETA does not specify a caseload size for credentialed school nurses, but Article 5 states, “The District shall make all reasonable efforts to maintain an equitable workload distribution among psychologists, music teachers, and nurses at each level (Elementary, Middle School or High School) to which they are assigned.” In 2023-24, the district has 13.00 FTE credentialed school nurses, each managing an average caseload of 1,640 students, as shown in the table below.

Table 16. Credentialed School Nurse Staffing in 2023-24

Provider	Number of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
School Nurses	13.00	21,322	1,640	1-to-2,274	+3.62 FTE

Sources: CDE, district-provided data, industry standards, and Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified (CDE).

The district is staffed at 3.62 FTE above the industry standard for credentialed school nurses. Increased health-related reporting and student needs following the COVID-19 pandemic may have caused the district to increase the number of these positions. However, since this increases costs, the district needs to review district enrollment, the assessment load, the number of schools each school nurse is supporting, driving time between sites, school nurse duties, and student needs to determine if it can reduce school nurse staffing to better align with industry standards.

School Psychologists

School Psychologists for School Age Programs

The district’s contract with LETA does not specify a caseload size for school psychologists, but Article 5 states, “The District shall make all reasonable efforts to maintain an equitable workload distribution among psychologists, music teachers, and nurses at each level (Elementary, Middle School or High School) to which they are assigned.” In 2023-24, the district has 18.00 FTE TK-12 school psychologists, each managing an average caseload of 1,185 students. The district also has 2.00 FTE school psychologists who work in the preschool assessment center. FCMAT does not have an industry standard for school psychologists working in preschool programs, so 2.00 FTE were not included in the comparison to the industry standard or related calculations.

Table 17. School Psychologist Staffing in 2023-24

Provider	Number of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
K-12 School Psychologist	18.00	21,322	1,185	1-to-977	-3.82 FTE

Sources: District-provided data, CalEdFacts - Publications (CDE), and Enrollment for Charter and Non-Charter Schools - Lake Elsinore Unified (CDE).

Note: The number of FTE and related calculations exclude the 2.00 FTE school psychologists who work in the preschool assessment center.

The district is staffed at 3.82 FTE below the industry standard for K-12 school psychologists. It is not clear why this is the case, but it could cause the district to be unable to meet special education assessment timelines. Inadequate staffing also limits the work a K-12 school psychologist can perform outside of special education assessment in areas such as prevention and intervention, crisis preparedness, response and

recovery, instructional support, schoolwide practice development to support learning and positive student behavior, support for social-emotional learning, data collection and analysis, counseling, and mental health interventions. The district needs to review the number of initial psychoeducational assessments in the current school year, the number of annual and triennial psychoeducational assessments expected next school year, the number of early reassessments expected next school year, the number of specialized programs in the district, total student enrollment, special education enrollment, and individual site needs. This will allow it to determine if it needs to increase K-12 school psychologist staffing to better align with industry standards and support school and student needs.

School Psychologists for Preschool Programs

All staff interviewed, and district data, indicated a large increase in the number of preschool assessments and preschool age students qualifying for special education over the past several years. FCMAT does not have an industry standard for preschool school psychologist staffing. However, the district should review its data over the last three years to assess the adequacy of its school psychologist staffing for preschool programs. Data points to review should include at least the following: the number of assessments for students transitioning from infant (Part C) to preschool (Part B) services, the number of initial preschool assessments, the number of transition assessments (preschool to school-age services), whether the district has met statutory timelines for assessments, support needed for the district’s preschool continuum of services (including the expansion of inclusive programming), the amount of direct and consultation services provided by members of the preschool assessment team, and total preschool enrollment.

Speech and Language Pathologists

Education Code 56363.3 establishes a maximum caseload of 55 students for SLPs serving students ages five to 22, while EC 56441.7(a) establishes a preschool maximum caseload of 40 students.

Article 5 of the LETA contract with the district uses EC 56363.3 and EC 56441.7(a) as maximum SLP-to-student ratios. The agreement also states, “If a Speech and Language Pathologist provides services to a blend of ages between preschool and TK-12 students, the ratio shall be multiplied by 1.4 per preschool student.”

Preschool and School-Age Blended Speech and Language Pathologist Staffing

In 2023-24, the district has 10.8 FTE SLPs serving students in both the preschool and school-age program, each managing an average caseload of 58.70 students receiving direct services, as shown in the table below.

Table 18. Combined Preschool and School-Age Speech and Language Pathologist Staffing, 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry-Standard Blended SLP-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
Preschool and School-age SLP	10.8	634	58.70	1-to-47.50	-2.55 FTE

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

Note: Only students receiving direct services from an SLP were included in the total caseload for comparison with the industry standard.

A blended average of the industry standards for preschool (1-to-40) and K-12 (1-to-55) was used (1-to-47.5) since these district SLPs serve both groups of students.

School-Age Speech and Language Pathologist Staffing

In 2023-24, the district has 21.8 FTE SLPs for school-age students, each managing an average caseload of 56.24 students receiving a direct service, as shown in the table below.

Table 19. Speech and Language Pathologist Staffing for Providers Serving Students in School-age Programs in 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
School-age SLP	21.8	1,226	56.24	1-to-55	-0.49 FTE

Sources: District-provided data and EC 56363.3.

Note: Only school-age students receiving direct services from an SLP were included in the caseload average for comparison with the industry standard.

The district is staffed at 2.55 FTE below the industry standard for SLPs serving students in both the pre-school and school-age programs, and 0.49 FTE below the industry standard for SLPs serving only students in the school-age program. The statewide shortage of SLPs is contributing to the district being staffed below the industry standard for SLPs. Adequate staffing allows SLPs to meet special education assessment timelines and provide student's direct and consultation service minutes. Given current staffing, SLPs are also unlikely to be able to provide schoolwide support for the language-related prevention and intervention services that can reduce the need for special education identification. The district needs to review SLP caseload projections, the assessment load, the number of schools each SLP is supporting, the driving time between sites, direct and consultation service minutes, and student needs to determine how much to increase SLP staffing by to better align with Education Code maximums.

The district pays SLPs when the caseload is over the maximum allowed in the Education Code to ensure student service minutes are met; however, it needs to explore how to better recruit and retain SLPs. While FCMAT did not perform a study of regional SLP salaries, a review of SLP salary schedules in six neighboring districts showed Lake Elsinore Unified offers the lowest starting salary and lowest top salary of these districts. The district would benefit from reviewing regional compensation for SLPs and evaluating its current recruitment efforts.

Recommendations

The district should:

1. Regularly analyze whether all related service provider staffing ratios are aligned with current laws and industry standards and are adequate to meet student needs.
2. Review APE teacher caseload projections, the assessment load, the number of schools each APE teacher is supporting, the driving time between sites, direct and consultation service minutes, and student needs to determine if it should increase APE teacher staffing.
3. Review district enrollment, the assessment load, the number of schools each school nurse is supporting, driving time between sites, school nurse duties, and student needs to determine if it can reduce school nurse staffing to better align with industry standards.
4. Review the number of initial psychoeducational assessments in the current school year, the number of annual and triennial psychoeducational assessments expected next school year, the number of early reassessments expected next school year, the number of specialized

programs in the district, total student enrollment, special education enrollment, and individual site needs to determine if it needs to increase K-12 school psychologist staffing to better align with industry standards and support school and student needs.

5. Review SLP caseload projections, the assessment load, the number of schools each SLP is supporting, the driving time between sites, direct and consultation service minutes, and student needs to determine how much to increase SLP staffing to better align with Education Code maximums.
6. Evaluate its current recruitment efforts and continue to explore how to better recruit and retain SLPs.

Unrestricted General Fund Contribution to Special Education

Fiscal Background

California's special education funding structure was established by and is commonly referred to as Assembly Bill (AB) 602, which was introduced and signed into law in 1997 and became effective during the 1998-99 fiscal year.

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

In addition to AB 602 state funding, districts receive a small amount of federal funds. These funds are designed to supplement the general education program, not to support a stand-alone program. The combined state and federal financial resources are insufficient to pay for even the most efficient special education programs.

Districts make contributions to special education from local resources generated by all students, including those in special education. This contribution is the amount of funding that districts must transfer from their unrestricted general funds to pay for the portion of special education costs that exceeds program revenues.

Federal law requires districts to spend at least the same amount of state and local funds on special education services in each successive year. This requirement is commonly referred to as the maintenance of effort (MOE). While this requirement has few exceptions, if a district is considering reducing its total general fund contribution to special education, it must adhere to the guidelines outlined in the MOE document (20 U.S. Code 1413 (a)(2)(B)). The CDE lists the following exceptions that allow a district to decrease the amount of state and local funds spent on special education:

- Voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- A decrease in the enrollment of children with disabilities.
- 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.
 - c. No longer needs the program of special education.
 - d. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

Districts need to analyze their budgets throughout the year and monitor their MOE calculations at the first and second interim reporting periods.

Unrestricted General Fund Contribution

The special education finance reporting methods used by districts, county offices and SELPAs can vary. For example, some districts include legal/settlements or transportation costs, while others exclude them. There are also variations in how special education funds are allocated by SELPAs. Therefore, it is not always possible to accurately compare a district's unrestricted general fund contribution to those of other districts. However, a district should evaluate a contribution that is excessive compared to other districts or that is increasing disproportionately compared to other costs.

FCMAT analyzed the increases in the district's unrestricted general fund contribution to special education from 2019-20 through 2022-23. The 2023-24 budget was reviewed for reasonableness and is shown for comparison purposes.

Interviews with staff indicated that special education expenses charged to one-time state and federal income in 2021-22 and 2022-23 were ongoing and have been budgeted by the district as ongoing special education expenses in 2023-24. For analysis and forecasting of expenses, these salaries and ongoing expenses charged to one-time funding have been added to historical special education expenses while the income was excluded, and the effect on the unrestricted general fund contribution was modified.

To build comparable data, only ongoing income and ongoing expenses reported in the Standardized Account Code Structure (SACS) accounting software were used, and one-funding totaling \$2,051,502 in 2021-22 and \$815,387 in 2022-23 were removed from the analysis. In addition, indirect costs based on the CDE's approved rate for the district were added to district-reported expenses. It is a best practice to consistently charge the full indirect cost rate to special education programs. It is unclear why the district has not done so in the past, but the true cost of the special education program cannot be determined unless full indirect costs are consistently charged to special education. The district's approved indirect cost rates were 5.75% in 2019-20, 5.63% in 2020-21, 4.6% in 2021-22, 3.97% in 2022-23 and 4.5% in 2023-24. Indirect costs of \$2,452,736 were used in 2023-24.

Using exclusively ongoing income (no use of one-time 2021-22 or 2022-23 income), the district's ongoing expenses will continue to outpace funding. This will cause the district's unrestricted general fund contribution to special education to increase, as shown in the table below.

Table 20. Special Education Expenses, Ongoing Income Only, From 2019-20 through 2023-24

Income /Expense Category	2019-20	2020-21	2021-22	2022-23	2023-24	Average Annual Rate
Increase in Special Education Students	-4%	-1%	2%	5%	N/A	3%
Increase in Ongoing Income	5%	7%	19%	14%	-1%	10%
Increase in Certificated Salaries	4%	3%	8%	13%	6%	8%
Increase in Classified Salaries	7%	3%	3%	12%	4%	6%
Increase in Benefits	8%	0%	2%	13%	5%	5%
Increase in Books and Supplies	-20%	-10%	44%	85%	-5%	17%
Increase in Services	9%	-23%	72%	55%	23%	35%
Increase in General Fund Contribution	7%	-4%	0%	17%	5%	5%
Adjusted Dollar Amount of Contribution	\$27,556,751	\$26,537,607	\$26,537,473	\$31,050,335	\$32,719,582	
Dollar Amount of Expenses Charged to Special Education	\$43,874,113	\$43,981,576	\$47,211,746	\$54,637,761	\$56,074,654	

Sources: Official Standardized Account Code Structure (SACS) data, 2023-24 first interim SACS data annualized.

Notes: In the “Increase in General Fund Contribution” row, 2023-24 was extrapolated from district-reported first interim actuals, then reduced to take out one-time income from 2021-22 and 2022-23.

In the “Adjusted Dollar Amount of Contribution” row, expenses for indirect costs the district did not fully charge to special education were added.

In the “Dollar Amount of Expenses Charged to Special Education” row, the contribution was adjusted to match footnoted budget entries.

The district’s unrestricted general fund contributions, adjusted to add indirect costs to program expenditures, are shown in the table below.

Table 21. Adjusted Unrestricted General Fund Contribution from 2019-20 to 2022-23

	2019-20	2020-21	2021-22	2022-23
Unrestricted General Fund Contribution	\$27,556,751	\$26,537,607	\$26,537,473	\$31,050,335
Percentage of Adjusted Special Education Costs	62.81%	60.34%	56.21%	56.83%

Source: Official SACS data, adjusted to add indirect costs to special education program expenditures.

In 2022-23, the district’s unrestricted general fund contribution (adjusted to add indirect costs to special education program expenditures) was \$31,050,335, or 56.83% of total special education costs, which was lower than the last available 2021-22 statewide average of 64.3% as calculated by School Services of California. The district’s unrestricted general fund contribution (adjusted to add indirect costs to special education program expenditures) as a percentage of total special education costs is projected to increase to 58.35% in 2023-24.

The average increase in ongoing funding over the last five years has been 10% per year. The SELPA’s funding figures for districts for 2023-24 have not been updated since May 2023. At that time, the SELPA projected a decrease in ongoing funding, which is mainly due to the SELPA not projecting its distribution of the district’s out-of-home care funding, a 5.22% estimated decrease in income-generating ADA, and a 34% increase in the cost of directly contracted SELPA services. District expenses, except salaries and benefits, increased more than funding between 2019-20 and 2022-23.

In 2022-23, special education enrollment increased by 5%, but expenses increased by 15.73%. This was mainly due to the reopening of schools in spring 2021 and because the district negotiated a 13% increase

in salaries and benefits effective 2022-23. In addition, the cost of contracted services increased by 55% in 2022-23 and is projected to continue to increase by approximately 23% in 2023-24. Based on its 2023-24 first interim budget, supported by actual expenditures to date, the district has increased certificated staff costs by approximately 1.85% and classified staff by 0.70%.

Based on staff interviews and increased contracted service costs, the costs of placements in NPSs and special education-related services for students residing in licensed children's institutions (LCI) are increasing at rates that far exceed income. The district has not implemented a cost-per-student analysis, which is required to identify and support the annual filing for extraordinary cost pool reimbursement for NPS and LCI under EC 56836.21. The Special Education Extraordinary Cost Pool for NPS and LCI is ongoing state funding that was increased by almost 700% in 2022-23. The threshold amount for 2022-23 was \$90,504.67 for a single placement and services. It appears that the cost of services for several students may exceed that amount and qualify for full or partial reimbursement depending on state funding availability.

Recommendations

The district should:

1. Continue to monitor and manage its unrestricted general fund contribution to special education.
2. Charge full indirect costs to its special education programs so the true cost of special education can be known.
3. Review and adjust SELPA income and direct expenses as updated information becomes available.
4. Work with the Riverside County SELPA to determine if the costs related to any student, particularly those placed in an NPS or LCI, meet the criteria for the SELPA to seek reimbursement from the CDE's Special Education Extraordinary Cost Pool for NPS and LCI.
5. Monitor and review the increase in the district's NPA and NPS costs and placements.

Cost of Due Process, Mediation and Settlements

The IDEA and EC 56500.3 require school districts to implement all procedural safeguards for children with exceptional needs. These procedures provide a structured framework to resolve disputes related to identification, assessment, educational placement, or the provision of a FAPE at the lowest level. Special education is a highly litigated area, with most litigation focused on disputes over providing a FAPE.

The district has no record of formal Office of Administrative Hearing (OAH) complaints filed with the CDE in the last six years. Interviews indicate that the district does not track the number of open informal complaints or update its budget based on this data. While most informal complaints are settled by offering compensatory services, the cost of those services is not tracked separately in the general ledger and therefore is unavailable. Compensatory service costs have historically not been tracked in the district; however, if the district were to begin tracking the costs of settlements it could analyze this data to identify trends.

The district received \$58,081 in one-time alternative dispute resolution (ADR) funds in 2021-22 and \$184,255 in 2022-23.

The district’s annual special education legal costs have decreased by \$75,758 over the last three years, as shown in the figure below.

Special Education Legal Costs, 2020-21 – 2022-23

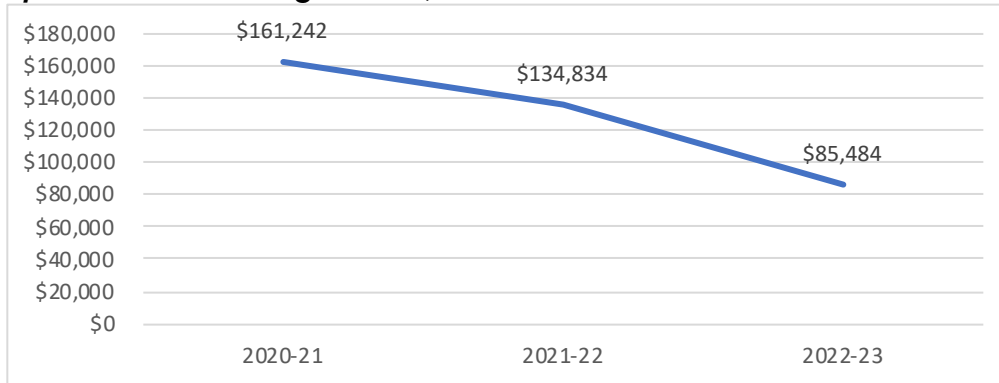


Figure 8: District’s special education legal costs from 2020-21 to 2022-23.

Source: District-reported data.

Recommendations

The district should:

1. Track the number of open formal and informal complaints, and update its budget regularly based on the potential costs.
2. Track compensatory services costs related to settlements separately in the general ledger so that the cost of settlements is available for analysis.

School Transportation

Context - School Transportation Funding History

Historically, school transportation has been one of the most poorly funded areas in California's education budget. Before 1977, school transportation was fully funded. School districts reported their operational costs and were fully reimbursed in the subsequent school year. However, after the adoption of Proposition 13, the state began reducing the percentage of reimbursement for school transportation. By 1982-83, districts were reimbursed at 80% of their reported costs, and the state imposed a cap, limiting reimbursements to the costs reported by school districts in that year.

From 1982-83 to 2012-13, costs rose significantly, cost-of-living adjustments (COLAs) were granted only occasionally, demographics underwent changes, and the demand for special education transportation increased dramatically. The subsequent economic downturn during the Great Recession, beginning in 2007 and lasting several years, prompted the state to reduce all categorical programs, including school transportation, by approximately 20%.

In the 2013-14 fiscal year, California adopted the LCFF. Under this formula, school transportation funding was allocated as an add-on to each district's base grant. This funding must be spent on school transportation expenses, and districts must meet an MOE requirement, ensuring that they spend at least the amount received to maintain the same level of funding.

The Budget Act of 2022 increased school transportation funding. Starting in the 2022-23 fiscal year, school transportation funding is equal to 60% of the prior year's student transportation expenditures reported in Function 3600. The LCFF transportation funding is part of this new allocation.

In addition, the Budget Act of 2022's trailer bill language resumed school transportation data collection and required each district in California to adopt a plan by April 1, 2023, articulating how it will offer transportation to the district's unduplicated students (those who are English learners, socioeconomically disadvantaged, foster youth or homeless). The district developed and adopted its Transportation Services Plan as required, so it may receive school transportation funding equal to 60% of the prior year's student transportation expenditures reported in Function 3600. Subsequent transportation services plans adopted by the district's governing board may be for multiple years.

District School Transportation Funding

Since the inception of LCFF, the district has received \$2,151,345 annually for school transportation. Its 2022-23 unaudited actuals financial report indicates that the district spent \$5,358,713 for school transportation. The district did not report any capital expenses in 2022-23, which would have resulted in a deduction of those expenses. Sixty percent of the district's school transportation expenditures is \$3,215,228. Consequently, the district will receive an additional \$1,063,883 in school transportation funding for the 2023-24 fiscal year, which is a significant funding increase.

Transportation Costs

Transportation Cost Per Route

The district spent \$5,358,713 on school transportation in 2022-23 and projects that it will spend \$7,398,393 on school transportation in 2023-24, which is \$139,592 per route. This is a relatively high per-route cost compared to the figures commonly observed across the state.

Transportation Cost Per Student

The district is projected to spend \$3,171 per student for school transportation in the 2023-24 fiscal year. This figure is a blended amount that includes both general education and special education student transportation. Before the implementation of the LCFF, the CDE collected and published school transportation data. At that time, the average cost to transport a student enrolled in general education was \$1,500 per year, while the cost for a student enrolled in special education was \$6,500 per year. Given the rise in costs since the inception of the LCFF and considering that the district's cost of \$3,171 per student is a blended amount, the district's per student transportation cost appears reasonable.

The Budget Act of 2022 required school transportation data collection to resume. Upon its publication, the district can conduct a thorough comparison of recent per-student transportation costs.

The district's student transportation costs incurred through its contract with EverDriven, which is a contractor, are not in the transportation budget and therefore are not included in the district's per-student cost. Additionally, certain students are assigned a bus aide, typically a paraeducator or licensed vocational nurse (LVN), as a service in their IEP to facilitate access to school transportation; however, these costs are not included in the reported transportation expenses. Expenses associated with these bus aides and the district's transportation contract with EverDriven need to be reported as transportation expenses. Staff members may not be aware that such reporting directly increases the amount of transportation funding the district is eligible to receive because these expenses contribute toward the district's expenditures in Function 3600, which is the basis for the district's transportation funding.

The district does not have school transportation costs for parents who are reimbursed for mileage for transporting their student in lieu of receiving district-provided transportation service. In addition, the district does not have expenses from nonpublic schools that are transporting district students.

Fuel for District Vehicles

School districts are exempt from federal and state excise taxes for diesel fuel and from federal excise taxes on gasoline. FCMAT reviewed recent fuel invoices and verified that the district was not charged excise taxes for fuel.

Recommendations

The district should:

1. Record all transportation expenses, including contracts with external transportation providers, under Function 3600.
2. Assign a portion of the FTE for paraeducators, LVNs and other staff working as bus attendants to Function 3600.

Routing and Scheduling

School Bus Routing Software

The Transportation Department uses an industry-standard routing program called TransTraks that includes modules for field trip scheduling and vehicle maintenance. TransTraks also has an application that parents can use to determine their child's bus arrival time in the morning and afternoon. The Transportation

Department recently invested in a new global positioning system (GPS) that includes a parent application called Spot My Bus for real-time bus location tracking and historical pathway records. It also allows parents to track the location and stopping points of their student's bus. The Transportation Department also has a two-way radio system for immediate contact between the drivers and the district transportation dispatcher.

General Education Transportation Routes

In 2023-24, the district reported providing general education transportation to approximately 1,874 students on 20 routes using large coach-style buses. A typical school bus route consists of multiple runs, and many general education bus routes provide service on two runs in the morning and two in the afternoon. This equates to an approximate load ratio of 50% per general education school bus route. Achieving a greater load ratio on the district's larger buses is difficult due to new legislation that affects school start and end times. Beginning in the 2022-23 academic year, high schools must start classes no earlier than 8:30 a.m., and middle schools must start no earlier than 8 a.m. The district may benefit from developing a master bell schedule with wider tiers between school start and end times that also adheres to the legislative requirements for secondary education.

The Transportation Department also provides transportation for approximately 1,300 field trips and athletic events annually.

Special Education Transportation Routes

In 2023-24, the district reported providing special education transportation to 504 students. Of these students, 490 are served on district buses on 33 routes and 14 in nonschool bus passenger vehicles on three routes. Many of the special education bus routes provide service on two runs in the morning and two runs in the afternoon. These routes are less efficient because more time is needed to pick up students in the morning and drop them off in the afternoon. Many of the special education bus routes also have midday routes that transport students home earlier than the regular afternoon dismissal time.

The 14 students transported in passenger vehicles are enrolled in special education programs outside the district's geographical boundary, as shown in the table below.

Table 22. Out-of-District Program Sites for District Transportation Service in 2023-24

School/Program	Number of Students Transported	Program Location
California School for the Deaf	1	Riverside
Enchanted Hills Elementary	3	Perris
Le Roy Haynes	1	La Verne
March Middle School	1	Moreno Valley
Palms Elementary	2	Perris
Portview Preparatory	3	Ontario
Rancho Verde High School	1	Moreno Valley
Spectrum	2	Hemet
Total	14	

Source: District-reported data.

Due to the distances traveled to eight out-of-district program sites, the three passenger vehicles typically have one run in the morning and one in the afternoon.

Overall, the district's special education bus routes are relatively efficient, with 9.2 students per bus route and 4.6 students per passenger vehicle. This is comparable to what is observed in similar programs operating efficiently, and the Transportation Department cannot easily achieve a higher passenger ratio due to the legislative requirements regarding later start bell times for secondary education.

Recommendations

The district should:

1. Explore whether a different master bell schedule with wider tiers between school start and end times that also adheres to the legislative requirements for secondary education would be a cost savings for the Transportation Department.

Special Education Transportation Service

In 2023-24, 23.3% of district students enrolled in special education are offered special education school transportation. This is a relatively high percentage that may suggest the liberal assignment of transportation services during the IEP process. District transportation routing information identified that of the 751 special education students offered special education school transportation, 504 use it. This means 15.6% of students enrolled in special education use special education transportation, which is slightly higher than figures observed statewide.

It is a best practice to use a transportation decision tree, which provides decision support utilizes a tree-like model of decisions and their possible consequences, when assessing a student's need for special education transportation as a related service. Staff members reported that they do not use such a decision tree to evaluate the need for special education transportation. Staff turnover and a lack of recent staff training on special education transportation eligibility are contributing to the district's liberal assignment of special education transportation as a related service. Given the relatively high assignment of special education transportation service, the Special Education Department needs to adopt a transportation decision tree and provide training on its use to ensure students are transported in the least restrictive manner possible.

Assignment of Transportation Service for Students in Special Education

Once a student's IEP team assigns special education transportation as a related service, the case manager adds the student's name and information pertinent for transportation routing to a shared spreadsheet. Staff in the Transportation Department then access the shared spreadsheet for routing purposes. Staff reported that the district does not use a transportation request form, which would help to standardize the scheduling of special education transportation and ensure a student is transported in the least restrictive and most cost-effective manner.

Additionally, staff reported that they do not write transportation-related goals in IEPs for students who receive special education transportation. This is due to a lack of training on how to identify transportation-related needs and write a corresponding goal in a student's IEP. As a result, a student may be transported in a far more restrictive manner than necessary and at a higher cost.

Parent Transportation Handbook

It is a best practice to provide a special education school transportation handbook for parents. The district reported that it has not developed such a handbook. A comprehensive parent handbook that outlines the district's practices and procedures, along with contact information for key staff mem-

bers, would be a useful resource for parents. It may also reduce the number of telephone calls to both the Transportation and Special Education departments.

Recommendations

The district should:

1. Adopt and consistently use a transportation decision tree to help IEP teams evaluate whether a student requires special education transportation to receive a FAPE.
2. Provide training on how to identify transportation-related needs and write corresponding goals in the student's IEP. Monitor whether students are receiving transportation in the least restrictive manner.
3. Develop and consistently use a special education transportation request form to alert the Transportation Department when a student needs to be added to a route.
4. Develop a special education transportation handbook for parents.

Transportation Department Staffing

In the 2023-24 fiscal year, the district's Transportation Department has the positions in the table below.

Table 23: Transportation Department Staffing, 2023-24

Position	FTE or Number of Staff
Director of Transportation	1.00 FTE
Transportation Operations Supervisor	1.00 FTE
Garage Lead Mechanic	1.00 FTE
Mechanic	4.00 FTE
Driver Instructor	2.00 FTE
Secretary III	1.00 FTE
Clerk II	1.00 FTE
Dispatcher	3.00 FTE
Shop Substitute	2 Positions
Bus/Van Driver	58 Positions

Source: District-reported data.

Notes: The district reported the following vacancies at the time of FCMAT's study: 1.00 FTE garage lead mechanic position, 1.00 of the 2.00 FTE driver instructor positions, and 12 bus/van driver positions. Staff reported that the Transportation Department is recruiting for its third dispatcher position.

The Transportation Department reported it received approval to add a garage supervisor position, but the position has not yet been funded. Combined with the current vacancy of the garage lead mechanic, this is placing a tremendous burden on the director of transportation. Although two substitute mechanics are assisting part-time in the shop, the district's size, scope of transportation services, vehicle maintenance programs, and fleet size dictate a need for both a garage lead mechanic and a garage supervisor.

Bus Driver Staffing and Scheduling

The district has five substitute bus/van driver positions, but since it has 12 bus/van driver vacancies, at least seven routes require additional bus/van driver coverage daily. Staff reported that bus and van drivers call in daily to take approved vacation, illness, or personal necessity time off, which requires additional route coverage. The Transportation Department's dispatchers, transportation operations supervisor, and driver instructor cover routes daily to make up for this severe bus/van driver shortage. Staff reported that six to eight routes on average must be covered daily or are unassigned, which requires the doubling up of a route assignment. This results in individual school runs delivering students to school late and can cause a loss of instructional minutes and/or access to the school breakfast program. Staff indicated that serious morning transportation delays occur for students in multiple grades and school levels.

The recruitment and retention of school bus drivers has become increasingly difficult, both locally and nationwide. Consequently, many districts have adopted various strategies, including offering full-time pay and other incentives, to address this issue. The district's bus/van drivers are guaranteed six, seven or eight hours per day. Given that most route schedules are less than six to eight hours per day, bus/van drivers are assigned additional duties to fulfill their workday. Staff reported that bus/van drivers often perform transportation-related duties during their nondriving periods, such as exterior bus washing, interior bus cleaning, fueling, and periodic special assignments. Certain drivers also drive for midday field trips and school runs.

Recommendations

The district should:

1. Continue to recruit for all vacant positions.
2. Fund its vehicle maintenance supervisor position and begin recruitment.
3. Develop an aggressive school bus driver training model that may include sign-on and periodic bonus compensation for drivers who fulfill the driver training and licensing requirements to become a certified school bus driver.
4. Expedite the hiring process for school bus driver candidates.

Vehicle Maintenance, Fleet and Facilities

The Transportation Department performs maintenance for all district vehicles. Staff reported that the Transportation Department invoices other departments for the cost of parts and labor for such repairs.

Safety Compliance Report/Terminal Record Update

California regulations require all school buses to receive a full inspection from the California Highway Patrol (CHP) Motor Carrier Safety Unit. Any problems must be repaired before placing the vehicle back into service. The CHP Motor Carrier Inspector Unit also inspects all vehicle maintenance records, driver on-duty records, driver timekeeping records, and Federal drug and alcohol testing records. The unit produces a report of its findings entitled "Safety Compliance Report/Terminal Record Update," commonly referred to as the CHP terminal grade.

The district earned grades of "satisfactory" on its most recent CHP terminal grade inspections in April of 2022 and 2023. This designation is the highest grade awarded to any motor carrier and indicates that the carrier is generally in compliance with the laws and regulations governing school bus safety. Conversely, a grade of "unsatisfactory" indicates a serious deficiency or deficiencies. In such cases, the CHP clearly

advises that failure to correct the deficiencies may lead to severe consequences, including a recommendation to the Public Utilities Commission (PUC) to revoke the district's motor carrier operating authority, filing a complaint with the district attorney for potential prosecution, and seeking an injunction. Failing to correct these issues may result in criminal charges against the governing board and the superintendent. Given the district's satisfactory CHP terminal grades, the district is operating a safe and compliant school transportation program.

School Bus Safety Inspections and Maintenance

School buses are required to be inspected every 45 days or 3,000 miles, whichever occurs first, per Title 13 of the California Code of Regulations, Section 1232 (13 CCR 1232). In addition, this code requires that each motor carrier have a written preventive maintenance program for its vehicles. FCMAT audited the district's school bus inspection reports and school bus maintenance records and found that the 45-day, 3,000-mile inspections are performed at the required intervals. The district has a clearly articulated preventive maintenance programs for its school buses, which is aligned with the manufacturer's preventive maintenance program for each vehicle. This is an outstanding practice and likely influences the district's satisfactory terminal grades.

The district uses several vans and vehicles designed to transport small groups of students who are driven by teachers and coaches. In addition, there are three noncertified school bus drivers who transport students in four such vehicles. According to the California Vehicle Code, vehicles intended for nine passengers and the driver (totaling 10) are permitted to transport no more than that specified number of students. Because these vehicles are used to transport students, they should adhere to the same maintenance standards as school buses. This proactive approach is beneficial for minimizing the district's liability exposure and ensuring the safety of its students.

Transportation Department Fleet and Facility

The district owns 70 school buses, with 14 in its out-of-service dispatch report because they are beyond economical repair. The district plans to salvage some of these buses in pursuit of a replacement grant to obtain new buses. The district operates 56 buses, which have an average age of 17 years. Fourteen percent of the district's buses have accumulated over 450,000 miles, with 10 buses exceeding 450,000 miles and two buses exceeding 500,000 miles. Additionally, the district utilizes four passenger vans, also called school transportation vehicles.

In line with trends observed in many California school districts, the district has experienced diminishing demand for general education transportation and an increasing need for special education transportation. Consequently, the Transportation Department has a surplus of general education buses and a shortage of those for special education. Some special education bus routes are served by coach-style general education buses, which is not ideal because they are not as maneuverable as smaller special education buses. The number of smaller special education dedicated buses is barely able to meet the department's need to support 33 special education routes.

The Transportation Department needs to maintain a fleet of at least 36-38 operational special education buses. However, the district need not surplus the excess general education buses. As these buses age, they can help the district qualify for bus replacement grants, which can be used to purchase additional special education buses. In addition, new legislation will require all new school buses in California to be electric by 2035, and additional grant funding will likely support this transition in the future. The district has qualified for several grants, resulting in 60% of its fleet being fueled by low-emission compressed natural gas.

In addition to school buses, the district maintains a fleet of approximately 130 vans and other support vehicles.

The district's transportation facility complies with environment rules applicable to industrial facilities.

Recommendations

The district should:

1. Replace aging coach-type and smaller buses with new special education buses when opportunities arise or when necessary.
2. Continue applying for replacement grants to obtain new buses to reduce the average age of the district's school bus fleet.

Driver Training and Safety

School Bus Driver Training

School bus driver training in California is highly regulated. Pursuant to EC 40080-40089, prospective school bus drivers are required to complete a minimum of 20 hours of classroom training and 20 hours of behind-the-wheel training, using a curriculum developed by the CDE's Office of School Transportation. Typically, classroom training takes approximately 35 hours to cover all the units, and behind-the-wheel training requires a similar amount of time. Furthermore, in accordance with EC 40084.5, school bus drivers must also complete at least 10 hours of annual in-service training.

All annual classroom and behind-the-wheel training sessions must be conducted by a state-certified school bus driver instructor. Additionally, behind-the-wheel training may be administered by a designated behind-the-wheel-instructor, another classification of instructor allowed by law and certified by the CDE's Office of School Transportation. All training must be meticulously recorded. The district has two full time state-certified bus driver instructor positions, one that staff reported has been vacant for a long time. The transportation operations supervisor is also a certified instructor, but this position must devote significant attention to its supervisory responsibilities and has limited capacity for driver instruction. The district also uses a state-certified behind-the-wheel instructor who is a driver with a route to assist the state certified driver instructor when requested. It is a best practice to have a delegated behind-the-wheel instructor on staff, and this individual would be a prime candidate to become a fully certified school bus driver instructor in the future.

Staff reported that the Transportation Department offers multiple opportunities for driver training. These include an orientation and in-service program at the beginning of each school year, along with monthly in-service meetings. Annual classroom training is scheduled as necessary by the district's driver instructor.

Title 13, Section 1229 of the California Code of Regulations mandates that every commercial driver demonstrate proficiency for each type of vehicle before operating it on the road without supervision. The district has a robust safety and training program complies with this requirement.

School Bus Driver Requirements

School bus drivers are required to: (1) undergo a background check and fingerprinting for licensing and employment; (2) submit to drug and alcohol testing in compliance with Federal Department of

Transportation rules; and (3) be enrolled in the California Department of Motor Vehicle's Employer Pull Notice (DMV-EPN) program in compliance with the California Vehicle Code.

The DMV-EPN program provides the district with an annual copy of the driver's record and updates it whenever there is a moving violation, citation, or accident. The district's driver instructor registers school bus drivers for this program, and the district's passenger vehicle operators are also enrolled in this program. However, staff reported that teachers and coaches who drive students in district vans, or who drive other district vehicles, are not enrolled in the program. To maintain student safety and limit its liability, the district needs to enroll all employees who operate any district vehicle, as well as volunteers who drive students, in the DMV-EPN program.

The district's director of human resources enrolls, monitors, and manages the district's compliance with the required drug and alcohol testing for commercial drivers. Enrollment in this district program is required for all school bus and commercial drivers. Federal regulations mandate that drivers undergo drug testing before employment, participate in random drug and/or alcohol testing, be tested after any accidents, and submit to testing when there is reasonable suspicion.

The district's Transportation Department uses Class C drivers who transport students regularly as part of their employment. These drivers must be enrolled in a similar, but separate, non-Department of Transportation (non-DOT) drug and alcohol testing program in compliance with Vehicle Code 34520.3. This requirement does not extend to teachers or coaches because their primary job functions do not involve driving students.

Other Staff Training Needs

The best practice is to provide training for teachers and coaches who use district vans to transport students. Staff reported that these staff do not receive this training, which increases the risk of accidents and creates a potential liability for the district. It would benefit the district to have the Transportation Department's driver trainer develop a training program on defensive driving and the district's practices. The district needs to make sure all teachers and coaches who transport students in district vans receive this training.

It is best practice to provide specialized training for bus drivers responsible for transporting students with disabilities. Staff reported that drivers with special education routes receive some specialized training. While the CDE's curriculum for new school bus drivers includes a unit on special education, the information covered in this unit is minimal.

The district uses the Crisis Prevention Institute (CPI) program, which specializes in person-centered deescalation and positive behavior support. The district provides training and certification in CPI for its driver instructor. Although bus/van drivers receive training in CPI procedures, it needs to be supplemented with comprehensive training in disability awareness. This should include an understanding of behaviors that may arise from various disabilities, along with strategies to effectively manage these behaviors on a bus. Providing training in these areas could help prevent accidents, promote student and driver safety, and reduce the district's liability exposure.

District Transportation Safety Plan

The district has adopted a Transportation Safety Plan that is largely in compliance with EC 39831.3. However, following the state's adoption of rules mandating drivers to check their buses at the end of each route to ensure no students are left unattended, each district was required to amend its Transportation Safety Plan to include these practices. The district's plan references this new law, and the district has a plan in place for drivers to check buses at the end of each route to ensure no students are left unattended.

However, it does not describe these procedures in its Transportation Safety Plan and needs to update its plan accordingly.

Every district is required to keep a copy of its Transportation Safety Plan at each school to allow California Highway Patrol officers to review the plan. Staff reported that they are aware of and in compliance with this requirement.

Safety Drills

Education Code 39831.5 requires districts to conduct school bus emergency evacuation drills annually. Districts must also maintain specific records for students in grade TK-8 who ride school buses. Specific safety information must also be announced before every field trip. Staff reported that the Transportation Department is aware of these regulations and has already conducted the required drills to meet the annual requirement in 2023-24. The district documents its emergency drills on a form generated by the TransTracs software system.

Safety Information for Parents

Education Code 39831.5 requires that TK through sixth-grade students who intend to use bus transportation receive school bus safety information upon registration. However, staff reported that students on special education routes are not provided with this information. It is a best practice to include school transportation safety information in every first-day packet. As previously discussed, the district would benefit from developing a parent transportation handbook for students enrolled in special education that also includes the required safety information.

Recommendations

The district should:

1. Develop a training program for special education school bus and van drivers to help them understand the needs of students with different disabilities and provide positive behavior supports for students.
2. Enroll all staff who operate district vehicles in a similar but separate non-DOT drug and alcohol testing program.
3. Enroll all staff who operate district vehicles, or any volunteer who transports students, in the DMV-EPN program.
4. Update its Transportation Safety Plan with procedures to check buses for remaining students after each route or run.

Appendix

Study Agreement

FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM STUDY AGREEMENT September 5, 2023

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

1. BASIS OF AGREEMENT

The team provides a variety of services to 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 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 success team, 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 allocations of special education paraeducators, per 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 the assignment of paraeducators and determining the need for continued support from year to year (include classroom and 1-to-1 paraeducators).
4. Analyze staffing and caseloads for related service providers, including but not limited to speech pathologists, psychologists, nurses, occupational/physical therapists, behavior specialists, adaptive physical education 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 and countywide averages, and make recommendations that will reduce overidentification, if needed.
6. Analyze whether the district provides a continuum of special education and related services for students from preschool through age 22, including placements in the least restrictive environments, and make recommendations for improvement (which may include instructional models), if any.
7. 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 assignment and overall function are aligned with those of districts of comparable size and structure, and make recommendations for greater efficiencies, if needed.
8. Review the costs of due process, mediations and settlements for the past three years and make recommendations for improvements, if any.
9. Review the district's professional development/training program as it relates to special education, and make recommendations for improvement, if any.
10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.
11. Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost savings measures, if any. The review will include but not be limited to the role of individualized education programs (IEPs), routing, scheduling, operations and staffing.

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 include:

<i>To be determined</i>	<i>FCMAT Staff</i>
<i>To be determined</i>	<i>FCMAT Consultant</i>
<i>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. \$1,100 per day for each staff member while on site, conducting fieldwork at other locations, preparing or 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 \$36,200.

- 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 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 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. Upon the request of the district and the receipt of the signed study agreement, FCMAT shall provide certificates of insurance, with Lake Elsinore Unified School District named as additional insured, indicating applicable insurance coverages.

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 FCMAT's 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 solely from negligent acts or omissions of the district's board, officers, agents and employees undertaken under this agreement.

11. COVID-19 PANDEMIC

Because of the existence of COVID-19 and the resulting shelter-at-home orders, local educational agency closures and other related considerations, at FCMAT's sole discretion, the Scope of Work, Project Costs, Responsibilities of the District (Sections I, IV and V herein) and other provisions herein may be revised. Examples of such revisions may include, but not be limited to, the following:

- A. Orientation and exit meetings, interviews and other information-gathering activities may be conducted remotely via telephone, videoconferencing, etc. References to on-site work or fieldwork shall be interpreted appropriately given the circumstances.
- B. Activities performed remotely that are normally performed in the field shall be billed hourly as provided as if performed in the field (excluding out-of-pocket costs).

C. The district may be relieved of its duty to provide conference and other work area facilities for the team.

2. FORCE MAJEURE

Neither party will be liable for any failure of or delay in the performance of this study agreement due to causes beyond the reasonable control of the party, except for payment obligations by the district.

3. CONTACT PERSON

Name: Kip Meyer
Telephone: (951) 253-7000
E-mail: kip.meyer@leusd.k12.ca.us



Dr. Ryan Lewis, Superintendent
Lake Elsinore Unified School District

10/6/23

Date



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

10/6/23

Date