FCMAT
FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

Sierra Unified School District

Special Education Review

May 11, 2010

Joel D. Montero
Chief Executive Officer

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

May 11, 2010

Michael D. Gardner, Ph.D., Superintendent
Sierra Unified School District
29143 Auberry Road
Prather, CA 93651

Dear Superintendent Gardner:

In January 2010 the Sierra Unified School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement to provide a review of the district's special education programs and services. Specifically, the agreement states that FCMAT will perform the following:

1. Evaluate the effectiveness of the assignment process for certificated staff and classroom aides including class size ratios and provide recommendations, if needed.
2. Evaluate the range of program options for students with disabilities to ensure that students are receiving a free appropriate public education in the least restrictive environment in accordance with state and federal law. Provide recommendations for improvement, if needed.

The attached report contains the study team's findings and recommendations. FCMAT appreciates the opportunity to serve the Sierra Unified School District and extends our thanks to all the staff for their cooperation and assistance during fieldwork.

Sincerely,

Joel D. Montero
Chief Executive Officer

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Table of Contents

Foreword iii

Introduction 1

Study Guidelines 1

Executive Summary 3

Findings and Recommendations 5

Certificated and Classified Staffing *5*

Programs and Services *9*

Appendices 19

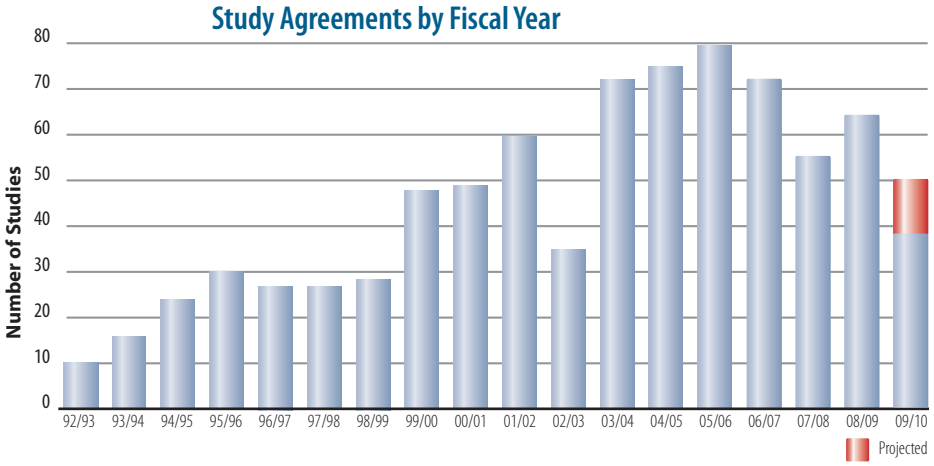
Foreword - FCMAT Background

The Fiscal Crisis and Management Assistance Team (FCMAT) was created by legislation in accordance with Assembly Bill 1200 in 1992 as a service to assist local educational agencies (LEAs) in complying with fiscal accountability standards.

AB 1200 was established from a need to ensure that LEAs throughout California were adequately prepared to meet and sustain their financial obligations. AB 1200 is also a statewide plan for county offices of education and school districts to work together on a local level to improve fiscal procedures and accountability standards. The legislation expanded the role of the county office in monitoring school districts under certain fiscal constraints to ensure these districts could meet their financial commitments on a multiyear basis. AB 2756 provides specific responsibilities to FCMAT with regard to districts that have received emergency state loans. These include comprehensive assessments in five major operational areas and periodic reports that identify the district's progress on the improvement plans.

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

Since 1992, FCMAT has been engaged to perform nearly 750 reviews for local educational agencies, including school districts, county offices of education, charter schools and community colleges. Services range from fiscal crisis intervention to management review and assistance. FCMAT also provides professional development training. The Kern County Superintendent of Schools is the administrative agent for FCMAT. The agency is guided under the leadership of Joel D. Montero, Chief Executive Officer, with funding derived through appropriations in the state budget and a modest fee schedule for charges to requesting agencies.



Total Number of Studies..... 743
Total Number of Districts in CA.....1,050

Management Assistance..... 705 (94.886%)
Fiscal Crisis/Emergency 38 (5.114%)

Note: Some districts had multiple studies.
Eight (8) districts have received emergency loans from the state.
(Rev. 12/8/09)

Introduction

Background

The Sierra Unified School District is located in the foothills of California's Sierra Nevada mountains and serves approximately 2,000 students in a geographic area covering 3,000 square miles in Fresno County. Sierra School was originally established in 1855 and Sierra High School was established in 1921. Today the district has two K-3 elementary schools, one grade 4-8 middle school and one comprehensive high school.

The district's students have a high level of academic achievement. All of its schools have academic performance index (API) scores greater than 800, and its schools have received California Distinguished School awards for the past two years.

Approximately 14% of the district's students receive special education programs and services. Because of state budget reductions and increasing operating costs for special education, the district's general fund contribution to special education continues to increase each fiscal year.

In October 2009, the Sierra Unified School District requested that FCMAT assist the district by reviewing the district's special education programs and services to evaluate the efficiency of special education staffing and to ensure that the district offers programs and services at the appropriate level in accord with state and federal requirements. The study agreement specifies that FCMAT will perform the following.

1. Evaluate the effectiveness of the assignment process for certificated staff and classroom aides including class size ratios and provide recommendations, if needed.
2. Evaluate the range of program options for students with disabilities to ensure that students are receiving a free appropriate public education in the least restrictive environment in accordance with state and federal law. Provide recommendations for improvement, if needed.

Study Guidelines

FCMAT visited the district on February 8, 2010 to conduct interviews, collect data and review documents. This report is the result of those activities and is divided into the following sections:

- Executive Summary
- Certificated and Classified Staffing
- Programs and Services
- Appendices

Study Team

The study team was composed of the following members:

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

Executive Summary

The Sierra Unified District's general fund contribution for the special education program continues to increase each fiscal year. The district has maximized most special education staffing with the exception of resource specialist positions serving K-12 students in special education that have caseloads below the requirements in the Education Code. The district should reduce staffing levels for this component of the program by 1.0 full time equivalent position (FTE) for a projected annual savings of $82,671.

The district has no policies or procedures for assigning, supporting or discontinuing instructional aide, one-to-one aide or special circumstances aide services. The district should develop and implement guidelines for the use of instructional aides.

The district meets but does not exceed the level of services and programs mandated by state and federal law; however, the district is overidentifying students for special education. The statewide average identification rate for special education is 10.1% of the general education population, and the average identification rate in the Fresno County Special Education Local Plan Area (SELPA) is 8.4%. However, the average rate in the Sierra Unified School District is 14%. The cost of serving such a high percentage of students in special education will have a negative fiscal impact on the district.

The district's overidentification of students as needing special education programs and services is the result of a lack of procedural consistency regarding eligibility requirements in three disability categories: specific learning disability (SLD), other health impaired (OHI), and speech and language. The district lacks consistency in the development of a districtwide Response to Intervention (RtI) model; some schools have developed their own processes while others are not using the model at all.

The Fresno County SELPA has resources to assist the district in implementing a successful RtI model. The SELPA also has the capacity to help the district reduce its overidentification of students for special education. The district should continue its efforts to maximize staffing resources and reduce the number of students in special education. This may take one or two years to fully implement but will assist in containing special education costs in the long term.

Findings and Recommendations

Certificated and Classified Staffing

Certificated Staffing

Because of state budget reductions and increasing operating costs, the district's unrestricted general fund contribution to special education continues to increase each fiscal year. FCMAT reviewed the district's special education staffing and caseloads to ensure that class sizes and caseloads are maximized.

The district has no formal process for assigning either certificated or classified positions in special education. Special education staff reported that resources are provided on a case-by-case basis in accord with the students' needs as outlined in the Individualized Education Program (IEP).

FCMAT reviewed caseloads and class sizes using the requirements outlined in the California Education Code (EC) and statewide guidelines used by School Services of California, Inc. (SSC) as of 2008. SSC is recognized as one of the premier management and advocacy resources for educational agencies in California. The district operates six resource specialist programs (RSP) serving students in Kindergarten through grade 12, as well as two alternative education RSPs for students in grades K-6 and 8-12, respectively. The district's average caseload for resource specialists at the K-12 level is 27 students; however, the average caseload for resource specialists in alternative education is 7.5 students.

Education Code section 56362 states that resource specialists' caseloads should not exceed 28 students. To achieve maximum efficiency, the district should operate all RSP classes at a caseload of 26-28 students. The district should reevaluate the use of resources in RSP and consider reducing staff by 1.0 FTE resource specialist position for an annual savings of $82,671.

The district also operates three intensive RSP classes, which provide a self-contained setting for students with mild to moderate disabilities. The average class size is 12 students. The SSC guidelines recommend class sizes of 12-15 for this population. Thus the district is operating these classes within the recommended guideline.

The district employs 2.4 FTE speech and language specialist positions. Two therapists serve the K-12 population and have an average caseload of 55. This is consistent with the education code requirement for a SELPA-wide average caseload of 55 students for speech and language specialists serving students in grades K-12 (EC 56363.3).

The Education Code specifies a maximum caseload of 40 students for speech and language specialists serving preschool age children (EC 56441.7). The district employs one part-time (0.4 FTE) speech and language therapist to work with an average of 20 preschool students.

The district operates one special day class for students with moderate to severe disabilities; this class has an average of 12 students. The SSC guidelines recommend a class size of eight to 10 students for this population. The district has maximized the class size in this area with additional increases in classroom aide support.

The Fresno County Office of Education provides the following services to the district's students: adaptive physical education; services for the orthopedically impaired; services for the deaf and hard of hearing; services for the visually impaired; and services for emotionally disturbed students.

Because the district has maximized most caseloads in special education, FCMAT is able to identify few potential cost reductions in this area.

Recommendations

The district should:

1. Define staffing formulas to be used to provide special education and related services.
2. Define the data to be used to analyze staffing and caseloads, and perform this analysis monthly.

Instructional Aides

Throughout California, the number of districts using instructional aides, one-to-one aides and special circumstances instructional aides has increased dramatically over the past few years. This staffing increase has put a strain on special education budgets and increased contributions from the unrestricted general fund, especially in situations in which the services are not warranted or monitored to contain costs.

The district has no policies or procedures for assigning, supporting, reducing or discontinuing aide services. This lack of policies and procedures increases the potential for adversarial IEP meetings.

The district does not evaluate the ongoing need for instructional aides assigned to classrooms or to specific students, even when a student moves or is absent for a long time. When an IEP team determines that additional support is warranted, the team does not include a fading (gradual phasing out) plan or exit plan for these services.

One strategy for a district to determine if aide services are appropriate is to establish and implement guidelines, policies and procedures, including strictly enforced monitoring to prevent these services from being granted unnecessarily.

Procedural guidelines can assist the district when parents and advocates challenge the district for such services. Extensive training must follow the development and implemen-

tation of guidelines; administrators and general and special education staff should attend mandatory training regarding their use. Guidelines can help staff determine the following:

1. The need for one-to-one instructional aides.
2. Alternatives to one-on-one instructional aides.
3. Whether existing resources are being used optimally.
4. The degree of continuing need for such services.
5. Whether to add hours to an existing aide's contract.

Rather than the term "one-to-one aide," many school districts use the term "special circumstances instructional aide," because it indicates that the assignment is temporary and should be faded (phased out) after a certain predetermined time. Fading of services is crucial to helping students gain independence and mainstream with the general student population.

Effective policies and procedures will clearly define the role of the special education director, special education staff and school site administrators.

Because the district is small, it has a limited capacity to review the use of aides and analyze student needs. However, the Fresno County SELPA can provide support and assistance with a review of aide use and the development of policies and procedures regarding aides.

Recommendations

The district should:

1. Seek support from the Fresno County SELPA in the use of instructional aides rather than one-to-one aides, and in developing guidelines for the use of instructional aides (see Appendix A).
2. Seek support from the Fresno County SELPA with the development of policies and procedures for assigning, supporting, reducing, and discontinuing aide services.
3. After policies and procedures are in place, review all instructional aide placements with the goal of using these resources more effectively. Identify a specific staff member to be responsible for analyzing instructional aide use and student needs.
5. Ensure that a fading plan for aide support is developed at IEP meetings.

Programs and Services

The Individuals with Disabilities Education Act (IDEA) includes the requirement that schools provide a free and appropriate public education (FAPE) (Title 34, Code of Federal Regulations, 300.101 through 300.120) to each student with a disability in the least restrictive environment (LRE). FAPE is defined as an educational program that is individualized to a specific child, designed to meet the child's unique needs, and from which the child receives educational benefit. LRE ensures that, to the maximum extent appropriate, handicapped students are educated with students who are not handicapped. IDEA further stipulates that a student should be removed from general education only when the severity of the handicap is such that education cannot be achieved satisfactorily in the general education classes with the use of supplementary aids and services. The legislation does permit a student to be placed in a setting outside of the general education environment to ensure that the student's IEP can be implemented.

The Sierra Unified School District offers a full range of programs and services for students with disabilities, in compliance with state and federal law, including the provision of both district-operated and county office-operated programs. However, the district is identifying an unusually high percentage of students (overidentifying) as needing special education programs and services.

School districts statewide identify an average of 10.1% of students as needing special education services. In Fresno county, the countywide average is 8.4%. However, the identification rate in the Sierra Unified School District is 14%. Reducing the district's identification rate so that it is at or near the countywide and statewide averages could result in significant cost reductions.

Table 1: Special education identification rates, K-12

School Year	Sierra Unified	Fresno County SELPA	California
2007-08	16%	8.8%	10%
2008-09	17%	8.4%	10.1%
2009-10	14%	8.4%	10.1%

Source: California Special Education Management Information System (CASEMIS) 2007-2009.

Deficiencies in the identification of students as having specific learning disability (SLD), other health impairment (OHI) or speech and language disabilities contribute significantly to the overidentification indicated in Table 1. Deficiencies in the referral process, determining eligibility and the use of exit data are also contributing factors.

Referral Process

Referrals are a function of state and federal child find mandates. The IDEA permits referrals from any source that suspects a child may be eligible for special education and related services. Such a referral begins the time line and process of evaluation and its culmination in an IEP meeting.

Table 2 Referrals, IEPs, and students who did not qualify for special education

Year	Number of Referrals	Number of IEPs	Number of Students Who Did Not Qualify for Special Education
2006-07	45	44	1
2007-08	46	45	1
2008-09	48	32	16

Source: District data

District special education leaders indicated that in the past year the district has moved to a new electronic IEP system that captures all the data required for the California Special Education Management Information System (CASEMIS). The district first used the electronic system to report special education data for the 2008-09 school year. The number of students referred to special education who do not qualify is now reported in CASEMIS.

The data in Table 2 appears to indicate that the referrals made to special education in 2006-07 and 2007-08 were appropriate because only one student in each year did not qualify for special education services. However, the data may not have been reported accurately. The data collected electronically for 2008-09 shows a significant change in the number of students who did not qualify; during this school year, 33% of the students referred did not qualify for special education services. This indicates that these referrals may not have been appropriate. The district indicates that some of these referrals were for diagnostic purposes, and in some cases alternative interventions were provided after the assessment.

Ongoing analysis of the data will help the district determine what professional development is needed in the area of referrals, eligibility and the student study team process.

Student Study Teams

A student study team (SST) is a school-based problem-solving group whose purpose is to assist teachers in instruction, curriculum, classroom management and behavior management. SSTs organize the resources available at the school site into a system for identifying and solving the problems encountered when teaching children who do not progress at a satisfactory rate or who demonstrate behavioral challenges in the general education program.

Most schools have students who are not eligible for special education but are nonetheless difficult to teach. A support system is needed in the local school to help teachers improve instruction and to ensure that referrals to special education are made when appropriate. Shifting the emphasis from referral, assessment and placement in special education to planned individualized instruction within the general education classroom is the first alternative for dealing with at-risk students.

The rationale for employing a team approach is the belief that, by pooling knowledge and brainstorming together, members of a group can generate many practical solutions to problems and make decisions that are more accurate and effective.

Interviews with the district's special education leaders and staff at school sites revealed that the district has no formal policies specific to SSTs. Staff understand the importance of SSTs. However, the SST is viewed as the first step toward a special education referral rather than a process for problem solving to develop an individualized instruction plan for use in the general education setting. It is likely that this lack of procedures has contributed to the district's overidentification of students as needing special education services and to the number of students who did not qualify for special education services.

Response to Instruction and Intervention

Response to Instruction and Intervention (RtI^2) is a systematic, tiered and data-driven approach to instruction that benefits every student. It provides districts with the means to make education decisions and measure academic growth. California has expanded the notion of response to instruction and intervention: RtI^2 is intended to communicate the full spectrum of instruction, from general core to supplemental or intensive, to meet students' academic and behavioral needs. On November 14, 2008, Superintendent of Public Instruction Jack O'Connell issued a letter outlining the core components of RtI as guidance to California schools. This document is available online at http://www.cde.ca.gov/nr/el/le/yr08ltr1114att.asp.

District special education leaders and school site staff indicated that the district began using RtI at the elementary school in 2005-06 and has adopted a more formal process using RtI^2 at the elementary level during the 2009-10 school year to determine special education eligibility. Elementary school staff report this is a positive process that provides students with interventions and thus decreases the number of students referred to special education; however, data is not yet available.

The district is using an RtI model at the middle school level; however, students who have academic challenges are receiving interventions from instructional assistants with no certificated staff person overseeing or monitoring the program or students' progress.

At the secondary level, staff members indicated that they are aware of RtI^2 but continue to use the discrepancy model to determine special education eligibility. The discrepancy model was used in IDEA prior to 2004 to identify students as SLD. It was based on a severe discrepancy between ability and achievement. District staff confirmed the absence

of a districtwide RtI² process and the lack of consistency in the criteria used to determine eligibility under SLD. This variance between the schools is evidence that each school is developing its own RtI² process. The lack of a districtwide RtI² process may be contributing to the higher than average percentage of students in special education.

General education should always be the first intervention and should take the lead role in implementing RtI². To ensure success, the district and all general and special education staff must join in a collaborative effort to address students' academic and behavioral needs.

The Fresno County SELPA can provide the district with guidance and support in the development of a districtwide RtI² process that will reduce the overidentification of students as needing special education programs and services.

Overidentification

The district is overidentifying students in three disability areas: other health impaired (OHI); speech and language; and specific learning disability (SLD).

Other Health Impaired

OHI is defined in Title 5 of the California Code of Regulations, section 3030(f), as follows:

> . . . limited strength, vitality or alertness, due to chronic or acute health problems, including but not limited to a heart condition, cancer, leukemia, rheumatic fever, chronic kidney disease, cystic fibrosis, severe asthma, epilepsy, lead poisoning, diabetes, tuberculosis and other communicable infectious diseases and hematological disorders such as sickle cell anemia and hemophilia which adversely affects a pupil's educational performance.

Attention deficit disorder can also be classified under these criteria but an adverse effect on educational performance must be demonstrated.

Table 3: Percentage of special education students identified as other health impaired

Sierra USD	Fresno County SELPA	Statewide
10.5%	7%	7%

Source: 2009 CASEMIS data

District staff report that students identified as OHI are frequently referred for special education due to a diagnosis of attention deficient disorder (ADD).

Students receiving services under this handicapping condition must meet the following four criteria, in accord with 20 U.S. Code, Section 1414 (b) (4) (5):

- Child has one or more covered disabilities.

- Child needs special education and related services because of disability.
- Eligibility was determined the appropriate reasons.
- Child is in the eligible age range.

Students who do not meet the criteria are not eligible for special education services with an IEP. Staff must determine how students who do not meet the criteria may be better served. A districtwide RtI^2 process for determining interventions may assist in supporting these students.

Speech and Language

Speech and language specialists indicated that some interventions are provided to students in grades K-2 at the elementary schools using the RtI model. However, there is currently no data to indicate how many of these students are able to avoid being identified for special education as a result of interventions.

Speech and language staff and the district's leadership indicate that a full assessment, monitoring of IEP goals and monitoring of classroom performance are all used when determining whether students are exited from speech and language services. FCMAT found reports documenting the number of students exited because they no longer met eligibility criteria.

Table 4: Percentage of special education students identified as speech or language impaired

Sierra USD	Fresno County SELPA	Statewide
30%	23%	23%

Source: 2009 CASEMIS data

The percentage of students identified as speech or language impaired in the district exceeds both the SELPA and statewide averages. The district should closely examine the criteria used to identify these students as needing special education services.

Specific Learning Disabilities

The district holds monthly staff meetings to keep staff informed and up to date. The agendas for these meetings do not indicate that eligibility criteria are discussed. A review of the eligibility criteria is needed to ensure that all students identified meet the criteria. Students may struggle in some areas but not meet all the criteria for eligibility.

Table 5: Percentage of special education students identified as specific learning disabled

Sierra USD	Fresno County SELPA	Statewide
51%	45%	45%

Source: 2008 CASEMIS data

As indicated in Table 5, the district's identification rate for these students exceeds the SELPA-wide and statewide rates.

Disproportionate Identification of Native Americans

Misidentification of students as disabled and overidentification of minority students for special education was a major concern during the reauthorization of IDEA in 2004. United States Secretary of Education Rod Paige stated:

> For minority students, misclassification or inappropriate placement in special education programs can have significant adverse consequences, particularly when these students are being removed from regular education settings and denied access to the core curriculum.
>
> Source: House of Representatives Report 108-77 pg. 84 (2003)

In 2009 the district received a notice of disproportionality from the California Department of Education (CDE) regarding identification of Native American students as needing special education services.

District data indicates that 26% of the district's 225 Native American students are eligible for special education, and 11% of the district's students identified as having a speech or language impairment are Native Americans. Only three Native American students are identified under other disabilities.

Experts in the area of disproportionate representation have identified numerous conditions that contribute to disproportionality. These include a lack of general education interventions, the nature of the referral process, assessment instruments, and cultural and language barriers.

In a February 3, 2010 presentation given in La Mesa, California and titled *Disproportionate Representation: Causes, Challenges, Solutions,* Dr. Janette Klinger of the University of Colorado at Boulder stated the following:

> "Children are perceived as disabled due to a complex weave of widely varying beliefs, policies, and practices at all levels – family and community, classroom, school, district, state and federal government, and the society at large.

Presentation by Dr. Janette Klinger of the University of Colorado at Boulder, at Spring Valley Elementary School, La Mesa, CA on February 3, 2010, sponsored by the South County SELPA

Dr. Klinger suggest that a solution to this issue lies in a districtwide three-tiered RtI model to address culturally and linguistically diverse schools and meet the needs of students through early intervention.

Exit Data

School site staff reported that there is a district perception that students who become eligible for special education services never stop receiving services. The data in Table 6 provides a baseline for measuring the extent to which students are exiting the special education program. This information is available in the annual June 30 CASEMIS report and is available from the Fresno County SELPA office.

Table 6: Number of students exiting special education, Sierra USD

School Year	No. of students exiting under Code 70*	No. of students exiting under Code 71**	No. of students exiting under Code 72***
2007	8	12	3
2008	23	10	5
2009	25	12	6

Source: CASEMIS data, 2007-2009

*Code 70: Returned to general education; no longer eligible for special education or successful completion of IEP.

**Code 71: Graduated with a high school diploma.

***Code 72: Graduated from high school with a certificate of completion.

The data in Table 6 indicates that students are exiting special education because they are no longer eligible for special education or have successfully graduated from high school with a diploma or certificate of completion. This data indicates that overidentification of students for special education is occurring because of the number of students referred, assessed and identified for special education and not because they do not exit the program.

An analysis of referrals to special education could provide the district's leadership with information that indicates what professional development or support staff and administrators may need regarding instruction or behavior.

Section 504

Both Section 504 of the Rehabilitation Act of 1973 and the IDEA are designed to promote access to public education for students with disabilities, but they do so in fundamentally different ways. Section 504 is a civil rights statute that prohibits discrimination against qualified individuals with disabilities in all programs and activities receiving federal financial assistance (29 U.S.C. 794 (2004)).

Section 504 applies to all students who have mental or physical impairment, a record of a mental or physical impairment, or who are regarded as having a mental or physical

impairment that substantially limits one or more major life activities. The IDEA limits its protection to children who have one of the disabilities listed in the statute and who need special education and related services as a result of that disability.

District leaders described a process for determining a student's 504 eligibility; however, documents provided by district staff did not contain evidence of a districtwide process. In addition, district staff reported that because of changes in staff assignments this function has now been assigned to school sites.

Without data, it is difficult for FCMAT to determine whether any students currently served in accord with an IEP could be provided services through a 504 plan.

Recommendations

The district should:

1. Review district data to determine the number of referrals to special education and analyze the following:
   - The reason for the referral
   - Who is making the referral
   - The number of referrals from each school

   Use the results of this analysis and other district data to help determine the review, professional development and support that staff and administrators need, and provide it. Pay particular attention to the possible need for training in the disability categories of OHI, SLD and speech and language services.
2. Develop a districtwide process for student study teams and train all general and special education staff and administrators in this process to ensure consistency in student study teams, student reviews and progress monitoring.
3. Develop a districtwide RtI^2 process under the direction of the superintendent to ensure a consistent and legally defensible process for implementing interventions, including progress monitoring and movement between intervention tiers, when determining special education eligibility.
4. Review the RtI^2 and special education eligibility process that elementary schools are using for OHI to determine if the eligibility criteria are being applied accurately and effectively.
5. Develop a method for gathering data regarding RtI^2 to determine its effectiveness; monitor the number of students provided with interventions who become eligible for special education services and the number who proceed without the need for these services.
6. Review the process for providing interventions at the middle school level and identify a certificated staff member to oversee monitoring of student progress.

7. Review district data to determine the number of students who are receiving speech and language services for mild articulation errors. Consider using the San Diego Unified School District's speech improvement class model to provide interventions for students who do not require speech and language services on their IEP. See http://slpath.com for additional resources.

Appendices

Appendix A
Sample Guidelines for Special Circumstances Aides

Appendix B
Study Agreement

Appendix A

Sample Guidelines for Special Circumstances Aides

Process for Requesting Special Circumstance Instructional Aides

Guidelines and Forms

Revised 9/1/09

Guidelines for Requesting Special Circumstance Instructional Assistance

Rationale: Special circumstance instructional assistance (SCIA) may be indicated in situations where additional staff support is needed in the classroom or en route to and from school due to 1) pervasive and aggressive student behaviors directed towards self or others, or 2) intensive student needs.

Factors for review and consideration:

The goal for any special needs student is to encourage, promote, and maximize independence. If not carefully monitored, special circumstance instructional assistance can easily and unintentionally foster dependence. A student's total educational program must be carefully evaluated to determine where support is indicated. Natural support and existing staff support should be used whenever possible to promote the least restrictive environment.

Special factors for students residing in the _____:

1. All requests for SCIA shall be submitted to the Director of Special Education. SCIA should not be indicated in individual student IEP's as a service. However, in certain circumstances the need for additional support may need to be indicated in a student's IEP. In those instances, the need shall be indicated in the present levels or meeting notes as "100% supervision."
2. For services requiring additional personnel support as a result of student-related behavioral issues, a positive behavioral support plan or Behavior Intervention Plan should be developed and should include provisions describing how and when the support will be utilized to implement the plan and when the plan will be reviewed and modified, including the fading of SCI Assistance.
3. Observational assessments and team staffings will be conducted on a quarterly basis to evaluate the continued need for SCIA.

Budget coding for additional paraeducator support (classroom and/or transportation):

0100-56400-0-5750-3142-220004-XXXX-XXX
0100-65000-0-5750-1110-210004-XXXX-XXX

The appropriate code must be entered on all status forms and payroll timesheets.
The Special Education Department Accountant shall receive a copy of all SCIA requests and shall be notified routinely of all excess costs.

Process for requesting SCI Assistance:

1. Complete the Request for Special Circumstance Instructional Assistance (for Classroom Support and/or Transportation Support).
2. Complete the Observational Evaluation for SCI Assistance (For Individual Student Support only).

3. Complete the Student Needs for Additional Support Rubric (For Classroom Support , Individual Student Support and Transportation Support).
4. Complete the Class Weighting Worksheet (For Classroom Support only).
5. Attach supporting documentation if pertinent (IEP, Behavior Plan, etc.).
6. Submit all paperwork to the Director of Special Education.
7. Upon approval, complete the Request for Long-term Substitute for classroom support and/or an employee status form for transportation support (regular employee ride along).
8. All forms will be disseminated to the Special Education Accountant, Human Resources Department, Program Specialist and Special Education Director.
9. The Special Education Director will assist the site during each quarter to review the need for on-going SCIA classroom and/or transportation support.

Request for Special Circumstance Instructional Aide

Student-Related: Classroom Support or Individual Student

Please complete all required information and return to the Special Education Department, Director of Special Education. Notification of approval will be provided to the Program Manager, Special Education Accountant, Finance Department, and Human Resources Department.

Program _____ ***Teacher***_____

Program Specialist_____ **Date**_____

Complete 1 or 2:

1. Classroom Support _____Class Location _____

2. Individual Student Support _____Name _____

District of Residence_____ **DOB**_____

All requests for Special Circumstance Instructional Assistance are reviewed quarterly. Please attach required forms and supporting documentation (Refer to SCIA Guidelines).

Requested Start Date _____ ***Anticipated Ending date***_____

Department Approval:

_____ _____

Program Specialist Date

_____ _____

Special Education Director/Administrator Date

Comments:

SCIA Assignment Codes:
0100-56400-0-5750-3142-220004-XXXX-XXX
0100-65000-0-5750-1110-210004-XXXX-XXX

Enter budget code:

FUND	RESOURCE	YEAR	GOAL	FUNCTION	OBJECT	DEPT.	MANAGER

SCIA: rev. 9/10/09

Request for Special Circumstance Instructional Aide

Student-Related/Transportation Support

Please complete all required information and return to the Special Education Department, Director of Special Education. Notification of approval will be provided to the Program Manager, Special Education Accountant, Finance Department, and Human Resources Department.

Program _____ ***Teacher***_____

Program Specialist_____ **Date**_____

Student _____ **DOB**_____

District of Residence_____ **Classroom**_____

Requested Start Date _____ ***Anticipated Ending date***_____

Transportation Provider (check one): _____ **District of Residence** _____ **First Student**

Rationale for ride-along support: (Attach additional information/documentation)

Department Approval:

_____ _____

Program Specialist Date

_____ _____

Special Education Director Date

Comments:

SCIA Assignment Codes:
0100-56400-0-5750-3142-220004-XXXX-XXX
0100-65000-0-5750-1110-210004-XXXX-XXX

Enter budget code:

FUND	RESOURCE	YEAR	GOAL	FUNCTION	OBJECT	DEPT.	MANAGER

SCIA: rev. 9/1/09

Special Education
Class Weighting Worksheet

Program:_____**Teacher:**_____**Site:**_____

Contact phone_____ **Total Number of Students** _____ **Total Number of Paraeducators** _____

	Health/Personal Care	***Behavior***	***Instruction***	***Inclusion/Mainstreaming***	
Student Names	____ A. Specialized health plan ____ B. G-tube ____ C. Medications ____ D. Suctioning ____ E. Food preparation ____ F. Diaper changing ____ G. Feeding-full support ____ H. Seizures weekly ____ I. Other:_____	____ A. Behavior plan in place ____ B. Physically aggressive weekly ____ C. Non-compliant in class ____ D. Non-compliant on campus ____ E. Runs away weekly ____ F. ADHD medication ____ G. Mental health client ____ H. Other:_____	____ A. Discrete Trial/ABA ____ B. Physical prompts 80%+ ____ C. Verbal prompts 80%+ ____ D. Structured teaching ____ E. Assistive technology ____ F. PECs ____ G. Signing 80%+ ____ H. Other:_____	____ A. Direct adult instruction ____ B. Physical support/ positioning ____ C. Safety supervision 80%+ ____ D. Close visual supervision 80%+ ____ E. Other:_____	**Total**

Rating System:

1. Write the "letter" for each of the items that apply to students in the columns above.
2. Tally and enter the number of individual items for all students in the area provided next to the items at the top of the columns. Example: If five students have a "Specialized health plan" in place, mark a "5" on the line next to "A. Specialized health plan" in the first column.
3. Please provide data for each item marked.

Form to be completed by Program Specialist or Psychologist.

Student Needs for Additional Support Rubric

Student Name: _____ DOB: _____ Disability: _____ Date Reviewed: _____

Teacher: _____ Current Program: _____

Select the number that best describes the student in each rubric category that is appropriate.

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

*Attach a copy of documentation indicating frequency and duration over a period of time to determine further consideration of special circumstance instructional assistance. If mostly ratings of 3's & 4's, in two or more areas, continue with needs assessment process.

Observational Evaluation for SCI Assistance

Student: _____ **School:** _____

Teacher: _____ **Date:** _____

Observer's Name/Title: _____**Setting:** _____

Section I: ***Please complete the following review of the visual and physical structure of the classroom, curriculum design, data collection and planning.***

Posted classroom schedule _____ ***Yes*** _____ ***No***

If yes, complete section below:

1. The following elements are included in the classroom schedule:

☐ Times
☐ Students
☐ Staff names
☐ Locations
☐ Activities

2. The schedule is ☐ Daily ☐ Weekly ☐ Other _____

Individual student schedule _____ ***Yes*** _____ ***No***

If yes, complete section below:

1. Student uses the following format for individualized schedule:

☐ Object
☐ Photograph
☐ Picture
☐ Icon
☐ Word

2. Room is arranged with structure to correlate with tasks on schedule:

☐ Area for one-to-one work
☐ Area for group work
☐ Not applicable
☐ Area for independent work
☐ Area for leisure

3. Student ability to follow the schedule:

☐ Independent
☐ Non-verbal with gestural prompt
☐ With indirect verbal prompt
☐ With direct verbal prompt
☐ With physical prompt

☐ Consistent ☐ Inconsistent

4. Student use of the schedule:

☐ Student carries schedule
☐ Student goes to schedule board
☐ Student uses transition cards
☐ Teacher carries and shows the schedule

☐ Consistent ☐ Inconsistent

Attach sample classroom schedule and individual student schedule

Curriculum and instructional planning

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

☐ Communication
☐ Self care
☐ Academics
☐ Motor skills/mobility

- ☐ Domestic
- ☐ Social/behavioral
- ☐ Pre-vocational/vocational
- ☐ Recreation/leisure
- ☐ Other: _____

2. Describe curricular accommodations and/or modifications currently being used:

3. List equipment or devices used /available that may relate to the need for assistance (may be low incidence equipment or assistive technology device):

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

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

Current data systems and collection of data

Has data been collected on student performance? _____ *Yes* _____*No*

If yes, complete section below:

1. Current data on each objective includes:

   - ☐ Date
   - ☐ Task
   - ☐ Level of independence (prompting needed)

2. Data is collected:

   - ☐ Daily
   - ☐ Weekly
   - ☐ Biweekly
   - ☐ Monthly

3. Data is summarized in the following manner:

   - ☐ Graphed
   - ☐ Written narrative
   - ☐ Other_____

Attach sample

Behavior and safety

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

2. Are specific positive behavior supports utilized for the student? _____ Yes _____ No
   Describe:

3. Is there appropriate safety equipment in place? _____ Yes _____ No

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

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

Comments:

6. Describe the student's interactions with peers:

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

8. What activities does the student choose during breaks?

9. What problems are evident?

Planning team meetings

1. Are team meetings held? (formal or informal meetings to problem solve) _____ Yes _____ No

If yes, complete section below:

- ☐ Daily
- ☐ Weekly
- ☐ Need to be schedule
- ☐ Biweekly
- ☐ Monthly

Meetings include the following participants:

Current utilization of assistance

How is existing assistance utilized?

- ☐ Behavior management
- ☐ Curriculum adaptation and preparation
- ☐ Instruction - individual
- ☐ Instruction - group
- ☐ Medical assistance
- ☐ Supervision
- ☐

Other_____

Team Summary/Action Plan

1. Can current conditions be modified to meet the student's goals and objectives and/or personal care needs? If so, how?

2. What other types of assistance are needed? Why?

3. Are there any other issues that need to be addressed?

4. Recommendations:

Techniques to Promote Independence and Fading of Support

1. Watch before assisting. Can the student ask for help from teacher or peer?
2. Can the student problem solve independently?
3. Give the student extra time to process and respond before assisting.
4. Provide consistent classroom schedule (posted, visual, at desk if needed, reinforcement periods included). Teach the student how to use it.
5. Start with the least intrusive prompts to get the student to respond:
   A. Gestural, hand or facial signals
   B. Timer
   C. Verbal
   D. Light physical
   E. Hand over hand
6. Prompt, then back away to allow independent time.
7. Use strengths and weaknesses, likes and dislikes to motivate student participation and interest.
8. Model; guide (watch and assist); check (leave and check back).
9. Teach independence skills (raising hand, asking for help, modeling other students).
10. Praise for independent attempts.
11. Direct the student to answer to the teacher.
12. Prompt the student to listen to the teacher's instructions. Repeat only when necessary.
13. Encourage age appropriate work habits. See what other students are doing.
14. Be aware of proximity. Sit with the student only when necessary.
15. Encourage peer assistance and partnering. Teach peers how to help, not enable.
16. Utilize self-monitoring checklists for student.
17. Color code materials to assist with organization.
18. Use transition objects to help the student anticipate/complete transition (i.e., head phones for listening center).
19. Break big tasks into steps.
20. Use backward chaining (i.e., leave the last portion of a cutting task for the student, then gradually lengthen the task).
21. Assist in encouraging a means for independent communication (i.e., PECS).
22. Provide positive feedback (be specific to the situation).
23. Ask facilitative questions ("What comes next?" "What are other students doing?" "What does the schedule say?" "What did the teacher say?").
24. Give choices.

Appendix B

Study Agreement

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

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
DRAFT STUDY AGREEMENT
January 22, 2010

The FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM (FCMAT), hereinafter referred to as the Team, and the Sierra Unified School District, hereinafter referred to as the District, mutually agree as follows:

1. BASIS OF AGREEMENT

The Team provides a variety of services to school districts and county offices of education upon request. The District has requested that the Team provide for the assignment of professionals to study specific aspects of the Sierra Unified School District operations. These professionals may include staff of the Team, County Offices of Education, the California State Department of Education, school districts, or private contractors. All work shall be performed in accordance with the terms and conditions of this Agreement.

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

The scope and objectives of this study are to:

1) Special Education Review: Due to state budget reductions and increasing operating costs, the district's encroachment from the unrestricted general fund continues to increase each fiscal year. The District requests that the FCMAT Team conduct a comprehensive review of the special education department and delivery methodologies with recommendations to reduce the encroachment while meeting the maintenance of effort requirements. The Team will provide recommendations that if implemented, will enable the district to serve students in a more cost efficient manner.

   a. Evaluate the effectiveness of the assignment process for certificated staff and classroom aides including class size ratios and provide recommendations, if needed.

2) Evaluate the range of program options for students with disabilities to ensure that students are receiving a free and appropriate public education (FAPE) in the least restrictive environment (LRE) in accordance with state and federal law. Provide recommendations for improvement if needed.

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 procedures of the Team and on the purpose and schedule of the study.

2) On-site Review - The Team will conduct an on-site review at the District office and at school sites if necessary.

3) Exit Report - The Team will hold an exit meeting at the conclusion of the on-site review to inform the District of significant findings and recommendations to that point.

4) Exit Letter - The Team will issue an exit letter approximately 10 days after the exit meeting detailing significant findings and recommendations to date and memorializing the topics discussed in the exit meeting.

5) Draft Reports - Sufficient copies of a preliminary draft report will be delivered to the District administration for review and comment.

6) Final Report - Sufficient copies of the final study report will be delivered to the District administration following completion of the review.

7) Follow-Up Support – Six months after the completion of the study, FCMAT will return to the District, if requested, to confirm the District's progress in implementing the recommendations included in the report, at no cost. Status of the recommendations will be documented to the District in a FCMAT Management Letter.

3. PROJECT PERSONNEL

The study team will be supervised by Anthony L. Bridges, Deputy Executive Officer, Fiscal Crisis and Management Assistance Team, Kern County Superintendent of Schools Office. The study team may also include:

A. Bill Gillaspie, FCMAT Chief Management Analyst
B. JoAnn Murphy, FCMAT Consultant
C. Ann Stone, FCMAT Consultant

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

4. PROJECT COSTS

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

A. $500.00 per day for each Team Member while on site, conducting fieldwork at other locations, preparing and presenting reports, or participating in meetings.

B. All out-of-pocket expenses, including travel, meals, lodging, etc. The District will be billed for the daily rate and expenses of the independent consultant, only. Based on the elements noted in section 2 A, the total cost of the study is estimated at $15,500.00. 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 acceptance of the final report by the District.

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

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

5. RESPONSIBILITIES OF THE DISTRICT

A. The District will provide office and conference room space while on-site reviews are in progress.

B. The District will provide the following (if requested):

1) A map of the local area
2) Existing policies, regulations and prior reports addressing the study request
3) Current organizational charts
4) Current and four (4) prior year's audit reports
5) Any documents requested on a supplemental listing

C. The District Administration will review a preliminary draft copy of 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 District 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 key study milestones:

Orientation:	***February/March, 2010 (pending board approval)***
Staff Interviews:	***to be determined***
Exit Interviews:	***to be determined***
Preliminary Report Submitted:	***to be determined***
Final Report Submitted:	***to be determined***
Board Presentation:	***to be determined***
Follow-Up Support:	***If requested***

7. CONTACT PERSON

Please print name of contact person: Janelle Utheim, Director of Fiscal Services

Telephone (559) 855-3622 x 108 FAX

E-Mail jutheim@sierra.k12.ca.us

1/29/10

Michael Gardner, Superintendent — Date
Sierra Unified School District

January 22, 2010

Anthony L. Bridges, Deputy Executive Officer — Date
Fiscal Crisis and Management Assistance Team

In keeping with the provisions of AB1200, the County Superintendent will be notified of this agreement between the District and FCMAT and will receive a copy of the final report.