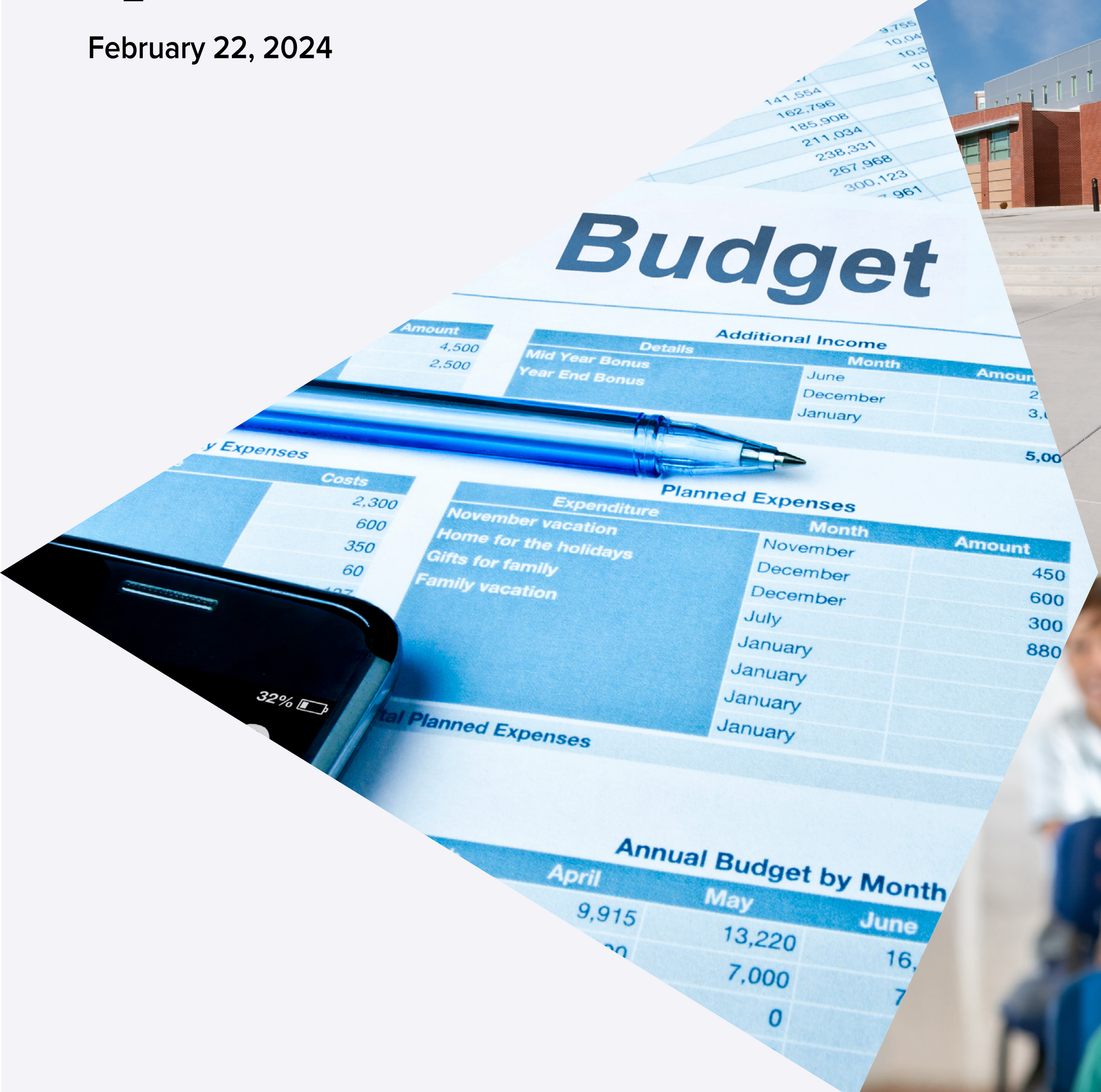
FCMAT

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

Special Education Review

February 22, 2024



Ventura Unified School District

Michael H. Fine
Chief Executive Officer

FCMAT FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

February 22, 2024

Antonio Castro, Ed.D., Superintendent
Ventura Unified School District
255 W. Stanley Ave.
Ventura, CA 93001

Dear Superintendent Castro:

In May 2023, the Ventura 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. 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.
6. 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.
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 Ventura Unified School District and extends its thanks to all the staff for their assistance during fieldwork.

Sincerely,

Michael H. Fine
Chief Executive Officer

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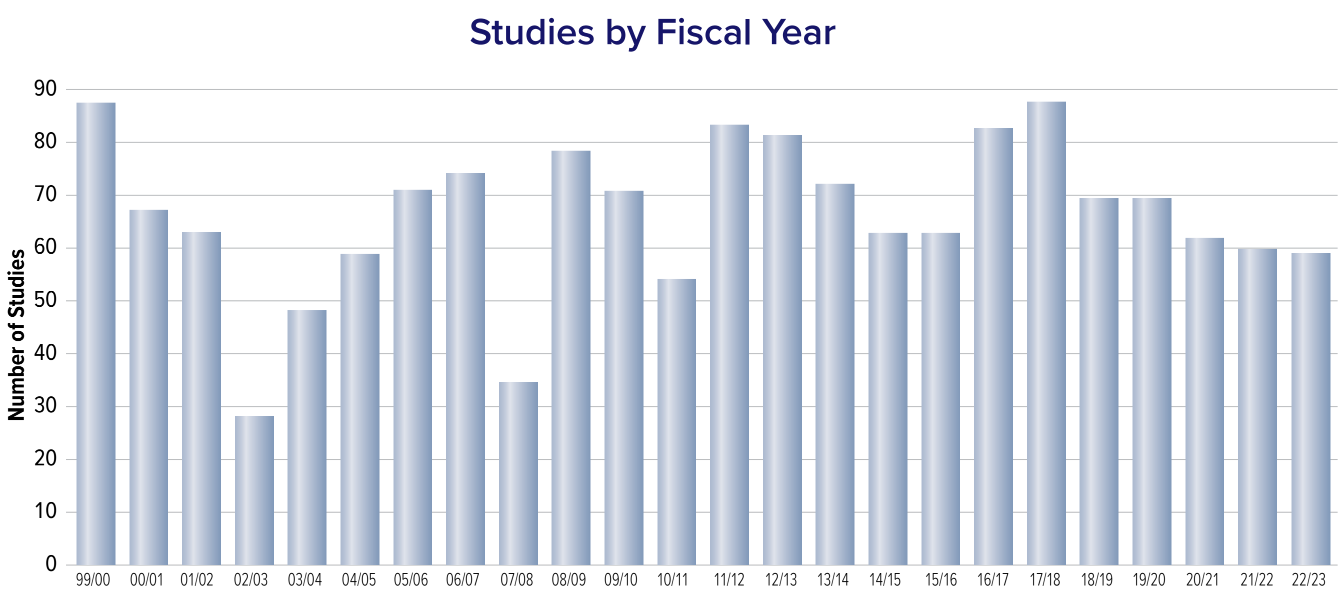
About FCMAT

FCMAT's primary mission is to assist California's transitional kindergarten through grade 12 (TK-12) local educational agencies (LEAs) and community college districts 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 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 district, county office of education, the state superintendent of public instruction, or the state Legislature.

When a request or assignment is received, FCMAT assembles a study team that works closely with the LEA to define the scope of work, conduct on-site fieldwork and provide a written report with findings and recommendations to help resolve issues, overcome challenges and plan for the future.



FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of TK-12 LEAs and community college districts 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 (CDE) with the implementation of the California Longitudinal Pupil Achievement Data System (CALPADS). CSIS also hosts and maintains the Ed-Data website and provides technical expertise to the Ed-Data partnership: the CDE, 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 Ventura County, the Ventura Unified School District is governed by a five-member board and serves students residing in the city of Ventura. According to DataQuest, the district enrolled a total of 14,980 students from kindergarten through grade 12 (K-12) during the 2022-23 academic year. The district operates 14 elementary schools, four middle schools, three K-8 schools, five high schools and one adult school. It is a member of the Ventura County Special Education Local Plan Area (SELPA), which is a regional service delivery model for special education. In 2022-23, 13.00% of the district's K-12 students were identified as requiring special education, which was below the statewide noncharter school average of 13.23.%.

In May 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 October 5 and 6, 2023 to conduct interviews with district administrators, school administrators, special education teachers, related service providers, and a group of parents with students receiving special education services. Following fieldwork, FCMAT reviewed and analyzed data and documents and conducted follow-up interviews via video conferencing through November 6, 2023. 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

Mike Rea
FCMAT Consultant

Cassady Clifton
FCMAT Technical Writer

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

Access for Students with Disabilities to the Least Restrictive Environment

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). The district did not meet four of the six indicators for LRE on its most recent local level annual performance report. Consequently, the district's highest priority should be to increase the number of school-age students with disabilities served in general education settings for more than 80% of their school day.

Many districts across the state have reduced or phased out self-contained special day class (SDC) programs for students with mild-to-moderate support needs to maximize their access to general education settings. However, Ventura Unified continues to have a relatively high number of students enrolled in these programs. To address this, the district should prioritize the expansion and support of its coteaching program. Doing so will help reduce the number of students with mild-to-moderate support needs enrolled in SDCs and allow them better access to general education settings.

Parents and many staff interviewed reported that most students with moderate-to-severe support needs who are enrolled in SDCs have limited access to the general education classroom and grade-level or schoolwide activities. The district should use universal design for learning (UDL) as a lens to proactively consider and address the needs of these students while planning grade-level or schoolwide field trips, assemblies, events, and activities to ensure that all students can participate and benefit from these important learning opportunities.

The district did not meet two of the three indicators for preschool LRE in the 2021-22 local level annual performance report and is addressing this by expanding enrollment opportunities for students with disabilities in the Jumpstart State Preschool program. This expansion of inclusive opportunities for preschool-age students with disabilities is positive and strongly aligned with the 2015 report on One System (see the next section of this report for more information on One System).

To increase access for students with disabilities to the LRE and improve their academic achievement and engagement, the district has prioritized support for these students in its 2023-24 Local Control Accountability Plan (LCAP). The 2015 report on One System recommends that districts focus on coherence, inclusive practices, and integrated systems to support positive outcomes for all students, including those with disabilities.

To develop well-integrated models of support for students with disabilities, the 2015 report on One System advises against isolating special education as a separate system. Consequently, the district should consider including the executive director, special education position in the executive cabinet. Doing so will create regular opportunities for integration, collaboration, and coordination, ensuring that students with disabilities are actively considered in all district planning, evaluation, and decision-making processes.

In addition, the district would benefit from collaborating with staff to identify and understand barriers preventing inclusive opportunities for students with disabilities in general education settings and provide training to address them. Furthermore, offering ongoing training on the UDL framework will assist teachers in creating learning spaces that accommodate individual learning differences.

District Special Education Continuum of Services

FCMAT analyzed the district's special education continuum of services and the special education program's alignment with the 2015 report on One System. In addition to serving more students with disabilities in the LRE, those in the deaf and hard of hearing program would benefit from receiving services through a learning center model. This would maximize their access to general education settings while allowing them to report to the learning center for additional support and specialized instruction as needed.

Special Education Enrollment

Over the period from 2018-19 to 2022-23, the district's enrollment declined by 1,373 students according to DataQuest. However, its special education enrollment increased by 285 students, contributing to higher-than-industry-standard caseloads for some of the district's special education teachers leading mild-to-moderate SDCs. Thirteen percent of the district's K-12 students are enrolled in special education, a percentage point increase of 2.83% between 2018-19 and 2022-23, including an increase of 1.09% percentage points in the last year.

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

Special Education Staffing

FCMAT analyzed special education staffing for special education teachers using statewide guidelines and industry standards. Districtwide resource specialist program (RSP) teacher caseloads fall below the Education Code (EC) 56362(c) maximum of 28, and the districtwide moderate-to-severe SDC transitional kindergarten through grade 12 (TK-12) teacher caseload average of 10.08 students per SDC teacher aligns with the industry standard. The district's contract with the Ventura Unified Education Association (VUEA) outlines SDC caseload guidelines that do not fully align with industry standards. Additionally, in practice, several mild-to-moderate SDC classes are not staffed according to industry standards. The districtwide mild-to-moderate transitional kindergarten through grade 12 (TK-12) noncategorical SDC caseload average exceeds the industry standard by 3.31 students, aligning only at the elementary school level. At the middle and high school levels, the caseload averages exceed the industry standard by 3.33 and 5.92 students, respectively. The district needs review mild-to-moderate TK-12 noncategorical SDC caseload numbers and student needs to determine if any staffing changes are necessary.

The district does not use industry standard base staffing to assign special education paraeducators to mild-to-moderate and moderate-to-severe SDCs. As a result, many of the SDCs seem to be either understaffed or overstaffed in comparison to industry standards. The district needs to evaluate whether it can reassign paraeducators from SDCs where staffing is over the industry standard to those where staffing falls below. Doing so will help to better meet student needs and ensure alignment with industry standard special education paraeducator-to-student ratios.

Unrestricted General Fund Contribution to Special Education

According to the district's 2022-23 adjusted unaudited actuals, its unrestricted general fund contribution to special education was $28,456,024, or 60.5%, of total special education costs. This figure falls below the 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 $1,369,685 for school transportation. The Budget Act of 2022 increased school transportation funding to the equivalent of 60% 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 $1,687,503 in additional school transportation funding in 2023-24. To optimize its transportation funding, the district should begin reporting expenses for licensed vocational nurses (LVNs) and aides who ride on school buses, as well as nonpublic school transportation costs, under transportation expenditures in Function 3600.

In the 2023-24 fiscal year, the district is projected to spend $4,334 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 20% of the district's special education students are provided 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 evaluate the use of its transportation decision tree (a tree-like model of decisions and their possible consequences) and provide training where necessary. Staff reported that 302 students, or about 12% of students enrolled in special education, use special education transportation. This percentage aligns with FCMAT's statewide observations.

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 outlining 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).

Describing the prevailing climate at the time of the task force's convention, the CDE's 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 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.

However, the CDE noted that this approach contradicts current research, explaining that recent studies have found:

> 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.

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 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, continuum of service options, and practices, and to inform current recommendations for improvement.

District Organization and Central Office Special Education Staffing

The organizational structure of a district 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 executive director, special education reports to the assistant superintendent, educational services, which is a typical structure of similar-size districts.

Simplified District Organizational Chart, 2023-24

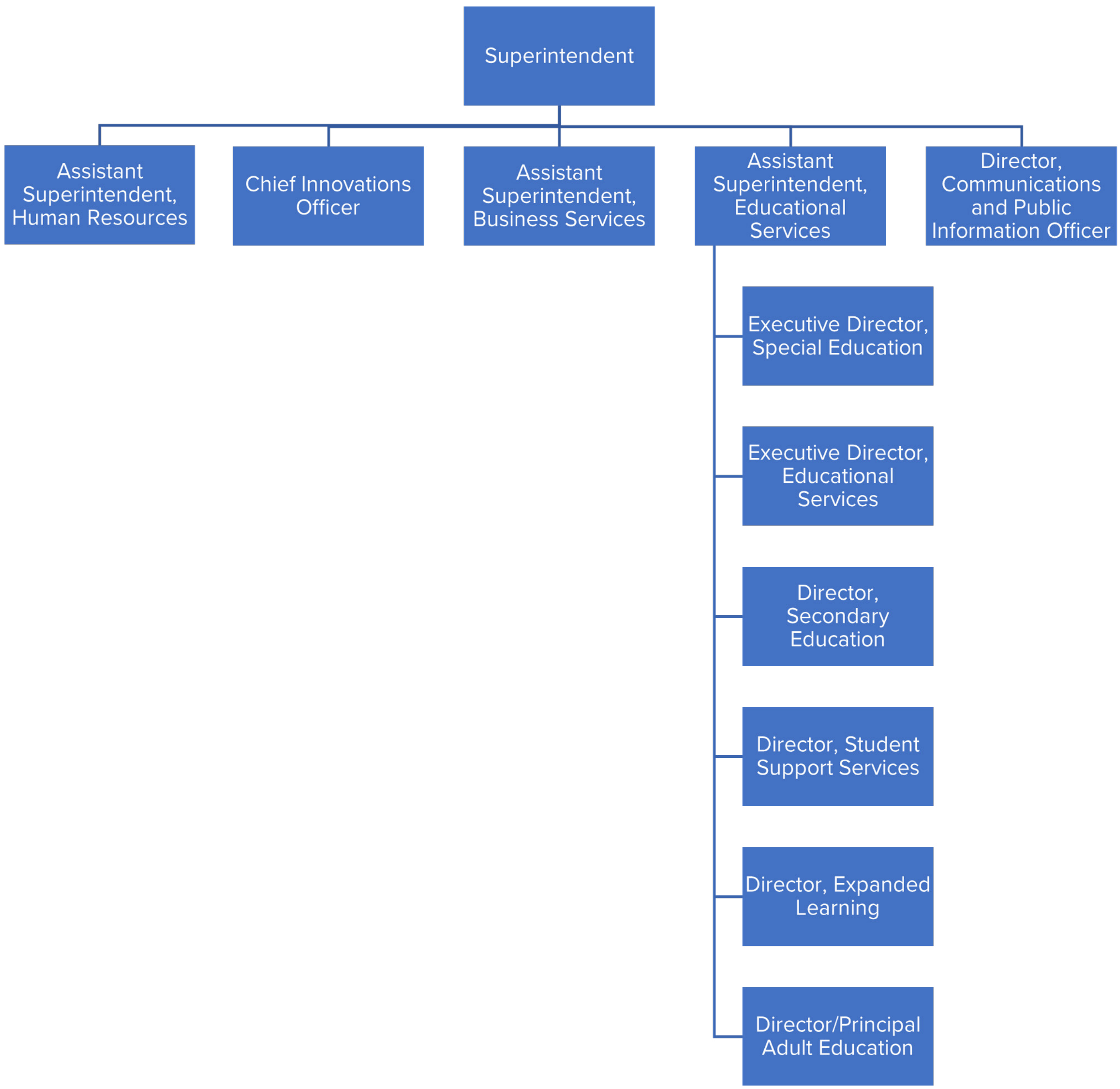


Figure 1. A simplified version of the district's organizational chart that shows major departments and the leadership of the educational services division.

Source: Created from district-provided data.

The district's executive cabinet includes the superintendent, assistant superintendents of business services, human resources, and educational services, and the director of classified human resources. At the time of FCMAT's study, the executive director, special education did not participate in executive cabinet meetings.

District Priorities

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.

In its 2023-24 LCAP, the district has prioritized support for students receiving special education services. This is, in part, due to the achievement gap between its students with disabilities and those without disabilities, as indicated by the district's 2022 California Assessment of Student Performance and Progress (CAASPP) scores in English language arts, mathematics, and science. Additionally, the CDE identified the district for Additional Targeted Support and Improvement (ATSI) in pupil achievement and engagement for students with disabilities.

The CDE's Compliance Intervention Monitoring (CIM) process further identified a need for "improvement in students with disabilities placements conforming to Least Restrictive Environment (LRE)." In response, the district has prioritized improving access for students with disabilities to general education environments, general education teachers, general education curriculums, and interactions with neurotypical peers. 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.

The 2015 report on One System recommends that districts focus on coherence, inclusive practices, and integrated systems to support positive outcomes for students with disabilities. To develop well-integrated models of support for students with disabilities, the 2015 report on One System cautions districts to avoid isolating special education as a separate system.

Historically, special education has been isolated from general education and treated as a separate system in California. Perhaps as a result, WestEd's 2020 report, California Special Education Funding System Study, indicates that California provides students with disabilities less access to general education settings than the rest of the nation. Moreover, before the 2015 report on One System, there was no consistent understanding statewide regarding the benefits of and how to implement inclusive practices and well-integrated systems for students with disabilities.

As discussed earlier in this report, the district's executive director, special education does not participate in executive cabinet meetings. The exclusion of the executive director, special education from these meetings represents a missed opportunity for integration, collaboration, and coordination among general education and special education administrators. Including the executive director, special education in these meetings would ensure that the needs of students with disabilities are actively considered in all district planning, evaluation, and decision-making processes.

Special Education Central Office Staffing

Central Office Administrator/Leadership Positions

The Special Education Department has 8.00 full-time equivalent (FTE) administrator and leadership positions in the central office, as shown in Table 1 on the following page.

Table 1. Administrator and leadership positions in the district's Special Education Department within the central office in 2023-24.

Position Title	Number of Positions	Total FTE
Executive Director	1	1.00
Deputy Director	1	1.00
Program Specialist	5	5.00
Early Intervention Center (EIC) Coordinator	1	1.00
Total	**8**	**8.00**

Source: District-provided data.

Central Office Administrative Support Positions

The Special Education Department has 5.00 FTE administrative support staff, as shown in the table below.

Table 2. Administrative support staff positions in the district's Special Education Department in 2023-24.

Position Title	Number of Positions	Total FTE
Senior Administrative Specialist	1	1.00
Senior Office Assistant	3	3.00
Data Specialist I	1	1.00
Total	**5**	**5.00**

Source: District-provided data.

Note: A special education department translator position was excluded from the total number of positions and total FTE because only certain districts have departments managing such positions, while other districts manage these positions at the district level.

Special Education Central Office Staffing Comparison

FCMAT conducted an informal survey among unified school districts in California that share student enrollment and unduplicated pupil percentages (UPPs) similar to Ventura 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 positions such as directors, assistant directors, coordinators, program specialists, and teachers on special assignment (TOSAs). These positions do not need to require an administrative credential.
2. Central office administrative support positions, including positions such as secretaries, administrative assistants, filing clerks, and data technicians.

Table 3 on the following page compares Ventura Unified's Special Education Department central office staffing to the responses from the six 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 9.00; Ventura Unified has 8.00 FTE in this category. For special education administrative support positions in the central office, the average among the comparison districts is 3.87 FTE, whereas Ventura Unified reports a slightly higher figure of 5.00 FTE.

Table 3. Comparison of number of administrator, leadership, and administrative support positions within Special Education departments of districts with similar census day enrollment and unduplicated pupil percentages.

District	County	2021-22 Census Day Enrollment	2021-22 Census Day UPP%	2023-24 Administrator/ Leadership Position FTE	2023-24 Administrative Support Position FTE
Alhambra Unified	Los Angeles	15,262	63.01%	11.00	5.00
Antioch Unified	Contra Costa	16,181	69.66%	13.00	3.00
Apple Valley Unified	San Bernardino	14,762	67.57%	4.00	4.00
Central Unified	Fresno	15,729	64.57%	9.00	3.00
Napa Valley Unified	Napa	16,793	56.15%	9.00	5.20
Porterville Unified	Tulare	14,471	80.82%	8.00	3.00
Average FTE				**9.00**	**3.87**
Ventura Unified	Ventura	15,359	56.55%	8.00	5.00

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

Notes: Ventura 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.

Compared to districts of similar size, Ventura Unified has 1.0 FTE fewer administrator/leadership positions directly supporting special education in the central office. FCMAT does not recommend making any changes to education administrator/leadership staffing within the Special Education Department.

Ventura Unified has 1.13 FTE more administrative support staff in its Special Education Department than the comparison districts. Current staffing levels are supporting the growing workload caused by the district's expanding enrollment in special education and the implementation of new California Longitudinal Pupil Achievement Data System (CALPADS) data reporting requirements.

Recommendation

The district should:

1. Consider including the executive director, special education in the executive cabinet to create regular opportunities for collaboration and coordination and to ensure that there are well-integrated models of support for students with disabilities.

Continuum of Service Options for Students in Special Education

The 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 ensures the availability of a FAPE for any child with a disability in need of 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)]).

District Special Education 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 program brochures reflect an ideological alignment with the 2015 report on One System report, explicitly stating:

> Special Education is an integral part of the total public education system and provides education in a manner that promotes maximum interaction between children or youth with disabilities and children or youth who are not disabled, in a manner that is appropriate to the needs of both.

Moreover, the district's emotional disturbance program brochure expresses a similar commitment, stating that "it is the goal of all staff to help the students learn the skills needed to be able to return to a less restrictive setting."

These statements support the inclusion of students with disabilities in general education settings to the maximum extent possible and prioritize interactions between neurotypical and neurodivergent students. However, most staff interviewed indicated that these statements are goals and that the district is still working toward fully realizing them. For example, most staff reported that students in special education with moderate-to-severe support needs have limited access to general education settings and schoolwide activities, resulting in constrained opportunities to interact with their neurotypical peers.

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

Continuum of Services for Students Ages Three to Five

The district offers self-contained classes for preschool-age students with mild-to-moderate or moderate-to-severe support needs in one or more of the following areas: communication, movement, preacademic/cognitive, social/emotional, and self-help skills. These classes are noncategorical, meaning they serve students with a variety of disabilities, including those with speech and language impairments, autism, and intellectual disabilities.

Children who are enrolled in self-contained classes lack inclusive opportunities within general education settings and are not afforded the opportunity to interact with neurotypical peers through the district's educational program. Preschool-age students who do not require placement in a self-contained class may receive speech and language therapy at one of two EIC sites.

The district provides an inclusive special education preschool opportunity for certain students in their Jumpstart State Preschool. Through a contract with the CDE, the district operates 16 half-day Jumpstart State Preschool general education classes designed for children aged 2.9 to 4 years. The district has designated one of these Jumpstart State Preschool classes as an inclusion class and enrolls certain students with disabilities so that they have access to a general education classroom, general education teacher, and neurotypical peers.

Students with disabilities enrolled in the Jumpstart State Preschool can access specialized instruction and related services as designated in their IEP. The district is expanding enrollment opportunities for students with disabilities in the Jumpstart State Preschool program across seven classes and will be hiring an itinerant inclusion teacher to provide additional support. This expansion of inclusive opportunities for preschool-age students with disabilities is positive and strongly aligned with the 2015 report on One System.

Continuum of Services for School-Age Students with Mild-to-Moderate Support Needs

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

Students with mild-to-moderate support needs can access specialized academic instruction at all school sites, and each elementary school provides a resource program. While many districts across the state have reduced or phased out self-contained SDC programs for students with mild-to-moderate support needs to maximize access to general education settings, the district continues to offer this type of SDC.

Districts that have reduced enrollment in SDCs for students with mild-to-moderate support needs often do so by implementing coteaching programs. Coteaching, an instructional delivery method, offers targeted support for students with disabilities within inclusive general education settings. Empirical studies of inclusive classrooms, where general education and special education teachers collaborate in instruction, indicate improved learning outcomes for students with learning disabilities. These findings are discussed in the 2010 report, Co-Teaching in Urban Secondary School Districts to Meet the Needs of All Teachers and Learners.

District staff reported that a small number of staff have received coteaching training, and limited coteaching is occurring at certain secondary sites. The broader adoption of coteaching may be hindered by a lack of training across the district. Additionally, staff reported that certain district educators believe students with disabilities enrolled in SDCs for students with mild-to-moderate support needs are best served in these programs. However, this belief contradicts the findings in 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. Prioritizing teacher training and subsequently expanding and supporting the coteaching program could reduce enrollment in SDCs for students with mild-to-moderate support needs, offering more inclusive opportunities for students with disabilities in general education settings.

Continuum of Services for School-Age Students with Moderate-to-Severe Support Needs

District students with moderate-to-severe support needs have access to noncategorical self-contained SDCs that provide an alternate curriculum, alternate state testing, behavior supports, and a functional skills curriculum. This curriculum focuses on self-help skills, independent living, prevocational training, and community-based instruction.

District Deaf and Hard of Hearing Program

It is best practice to implement a learning center model to support students who are deaf or hard of hearing. In this model, students receive core instruction in the general education program and rotate into the learning center as needed for specialized instruction and support. This approach maximizes students' access to general education settings and teachers while still providing the appropriate level of support.

However, the district's deaf and hard of hearing program resembles an SDC model, where students receive some or all core academic instruction in self-contained classes. Previous special education leadership's lack of familiarity with various instructional models for supporting students who are deaf or hard of hearing may have led the district to continue using the SDC model. The district's current special education leadership recognizes that the deaf and hard of hearing program's SDC model limits students' access to general education settings and teachers, potentially limiting student performance and outcomes.

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%	44.89%	≥60.00%	No
5b	LRE Rate: In Regular Class Less than 40%	17.59%	<18.00%	Yes
5c	LRE Rate: Separate Schools	6.00%	<3.20%	No

Source: Local Level Annual Performance Report 2021-22 (CDE).

Although the district did not meet two of the three indicators for school-age LRE in 2021-22, it did make progress. Specifically, the district improved its performance on indicator 5a, as the rate of students in regular classes for more than 80% of their school day increased from 42.39% in 2020-21 to 44.89% in 2021-22. Moreover, the district successfully met the target for indicator 5b, with the percentage of students in regular class for less than 40% of their day decreasing from 21.51% in 2020-21 to 17.59% in 2021-22. The district needs to sustain this momentum. Indicator 5a's rate should progressively increase each year as more students access their LRE, and indicator 5b's rate should progressively decrease as more students remain in their LRE.

In contrast, the district's performance on indicator 5c declined in 2021-22. While the district had previously met indicator 5c's target in 2020-21, with 1.32% of students in special education attending a separate school, the percentage increased to 6.00% in 2021-22.

The district is not meeting school-age student LRE targets for at least two reasons. First, the district's coteaching program is relatively small and lacks the capacity to adequately support enough students with disabilities in general education settings. Expanding the program and providing additional coteaching training for staff could help support more students with disabilities in general education settings. Second, there may be reluctance among staff who believe that students with disabilities who have mild-to-moderate support needs are best served in SDCs, potentially hindering the inclusion of additional students with disabilities in general education settings. As discussed in the 2015 report on One System, such practices limit the performance and outcomes of certain students with disabilities who are not accessing their LRE.

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	10.92%	≥41.00%	No
6b	Preschool LRE: Separate Class	33.61%	<31.00%	No
6c	Preschool LRE: Home	3.36%	<3.50%	Yes

Source: Local Level Annual Performance Report 2021-22 (CDE).

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 improve access for preschool-age students with disabilities to their LRE, the district has outlined plans to expand inclusion in the Jumpstart State Preschool program.

Parent Input Regarding the Least Restrictive Environment

It is best practice to ensure that students with moderate-to-severe support needs who are enrolled in SDCs have as much access as possible to general education settings and grade-level or schoolwide activities. Access to grade-level or schoolwide field trips, assemblies, events, and activities should be consistent across schools and independent of the relationship between general education and special education teachers. The term "schoolwide" should truly encompass all aspects, with active planning and encouragement for the needs and inclusion of students enrolled in SDCs.

Parents interviewed expressed concerns about the limited access their children, enrolled in SDCs with moderate-to-severe support needs, have to general education settings and grade-level or schoolwide activities. For example, a third-grade student in an SDC might join a general education field trip only if an individual special education and a general education teacher have a relationship, rather than as part of a broader schoolwide effort to include SDC students in grade-level and schoolwide activities. Consequently, parents noted that a fifth-grade student in that same SDC might not receive an invitation to the fifth-grade general education field trip. Additionally, parents reported variations among principals, with some actively encouraging the inclusion of students in SDCs in grade-level or schoolwide activities more than others.

Many staff affirmed that schools throughout the district do not consistently plan for the inclusion of students enrolled in SDCs in grade-level or schoolwide activities. Staff reported that there is a prevailing culture in certain schools in which staff tend to address the inclusion of students enrolled in SDCs only after an event has been organized, rather than proactively designing activities during planning to meet the needs of every student. This might be attributed to the executive cabinet not having set the expectation that inclusion is a high priority. It may also be due to reported gaps in training, with some staff indicating that they have not received adequate instruction on actively planning for and considering the needs of students with disabilities.

The district's current practices run counter to the principles outlined in the 2015 report on One System. As previously discussed, this report underscores the importance of creating a coherent system of education in which all children, including those with disabilities, are considered general education students first. It also emphasizes the collective responsibility of all educators to ensure that every child receives the education and necessary supports required for their development. When certain students with disabilities are excluded from grade-level and schoolwide field trips, assemblies, events, and activities, they are deprived of educational opportunities that every student should have access to.

Accordingly, the needs of students enrolled in SDCs should be proactively considered and addressed when planning activities to ensure they can be included. Adopting a UDL approach could benefit the district in the inclusion of students enrolled in SDCs in grade-level and schoolwide activities. UDL, as a framework, guides the design of learning experiences to proactively meet the needs of all students. It is traditionally used in classrooms to:

- Stimulate interest and motivation to learn (engagement).
- Present information and content in different ways (representation).
- Differentiate the way students can express what they know (action and expression).

A UDL approach operates on the premise that barriers to learning are in the design of the environment, rather than the capabilities of the student. Consequently, UDL lessons are intentionally designed to meet the needs of all students, including those with disabilities, thereby serving those students enrolled in special education as general education students first. Moreover, plans for grade-level and schoolwide activities can also be similarly developed to accommodate the diverse needs of every student. In this manner, UDL serves as a way for educators to thoughtfully plan for the comprehensive needs of all students in the district, including those enrolled in SDCs.

Conclusion – District Special Education Continuum of Services

Overall, the district offers a full continuum of special education options and services. However, the district 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.

Ensuring 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 must continue to prioritize the LRE and better support its continuum of service options to facilitate access to general education settings for those students with disabilities. Emphasizing high expectations for students with disabilities, fostering staff collaboration, and promoting access to general education for students with disabilities should be key priorities for the district. It should particularly focus on supporting and expanding its coteaching program, providing ongoing professional development for both general and special education teachers, special education paraeducators, related service providers, administrators, and other staff. This approach should be aligned with the evidence-based practices identified in the 2015 report on One System, as described in the "District Professional Development Plan" section of this report.

Recommendations

The district should:

1. Consider prioritizing teacher training and then expanding and supporting the coteaching program so that more students with disabilities can be served in general education settings.

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

3. Evaluate the SDC model used in the deaf and hard of hearing program and consider whether implementing a learning center model would provide better service to students.

4. Use UDL to proactively plan for and address the needs of students with disabilities in SDCs while planning grade-level and schoolwide field trips, assemblies, events, and activities to ensure that all students can participate and benefit from these important learning opportunities.

District Professional Development Plan

A district's professional development plan should align with evidence-based practices, such as UDL and a multitiered system of supports (MTSS), as outlined in the 2015 report on One System. This alignment is essential for better supporting all students, including those with disabilities. However, most staff reported that the district lacks both a districtwide MTSS and common academic and behavioral interventions across schools.

Conversely, some staff stated that district elementary schools have a dedicated curriculum for tiered interventions, while secondary schools offer intervention courses in English language arts and mathematics. Staff familiar with elementary-level interventions reported that they have clear entry and exit criteria, and students are placed in secondary-level intervention courses based on multiple measures.

However, many of the interviewed staff were unaware of these interventions. This lack of awareness may stem from either a need for additional training on the district's vision and implementation of MTSS or inconsistencies in MTSS implementation across district schools. This may result in inconsistent access to intervention opportunities, potentially leaving certain students without differentiated support based on their needs.

Both staff and the 2023-24 LCAP reported the district's commitment to prioritizing MTSS development in the upcoming academic year. The 2023-24 LCAP allocates funds to support the collaborative development of school MTSS plans. Staff stated that the district has provided limited training on UDL, with most training having occurred before the onset of the COVID-19 pandemic. The district may not have revisited its UDL work because of more urgent training and support needs following the post-pandemic return of students.

As the district and schools work to develop their MTSS plans, they need to be trained to use UDL as both a framework and a lens. This approach is crucial for supporting best first instruction, which are Tier 1 instructional strategies that are directly linked to higher levels of student learning. Effectively serving students with disabilities as general education students first requires active consideration and planning for their needs during the designing of lesson plans by general education teachers.

Supporting Inclusive Practices

It is a best practice to address the critical changes in thinking required to achieve a more inclusive education system for students with disabilities. During interviews, many staff reported that not all educators within the district hold the belief that students with disabilities are general education students first. There is a need for a collective understanding that all staff share the responsibility to support the success of every student.

Interviewed staff members acknowledged that certain teachers are hesitant to discuss the inclusion of students with disabilities in general education. They speculated that this reluctance might stem from a sense of being unprepared to address the diverse needs of many students with disabilities or a lack of personal experience as either students or educators in inclusive school settings. Consequently, this hesitancy may contribute both to the district's culture and the perception among many staff members that students with disabilities, whether they have mild-to-moderate and moderate-to-severe service needs, are best served in SDCs rather than general education settings.

To foster a more inclusive educational environment, district administrators must set an expectation of inclusion and address barriers hindering such opportunities for students with disabilities. Ongoing training initiatives need to be implemented so educators can effectively dismantle these barriers.

Professional Development for Special Education Paraeducators

Best practice dictates that special education paraeducators should 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. However, most staff members indicated that special education paraeducators have not been trained in crucial areas such as disability awareness, positive behavior supports, positive communication, and differentiation strategies.

This training gap is exacerbated by a lack of dedicated, paid training time for special education paraeducators. A lack of training not only creates potential liabilities for the district but may also result in less effective support for students. The district's 2023-24 LCAP identified a need to expand professional learning opportunities for classified staff, including special education paraeducators. Consequently, two additional days of training time were added, starting in the 2023-24 academic year.

Recommendations

The district should:

1. Use the 2015 report on One System as a guide for professional development planning that prioritizes UDL and MTSS and encourages positive student outcomes for all students.
2. Consider assessing the implementation of its MTSS across schools, and identify the training and support instructional staff need to understand its key components and ensure consistent implementation of interventions and supports at every school.
3. Consider evaluating the professional learning and additional resources required by staff to effectively support a greater number of students with disabilities, particularly those with mild-to-moderate support needs, in general education settings for more of their school day.
4. Continue to allocate dedicated time for ongoing mandatory training for special education paraeducators on topics such as disability awareness, positive behavior support, positive communication, and differentiation strategies.

Special Education Student Identification

In addition to considering the district's organizational structure, district office staffing, continuum of service options for students in special education, and the district professional development plan, it is important for the district to evaluate whether students are properly identified for special education.

District Special Education Identification Rate

Between 2018-19 and 2022-23, the district's K-12 census day enrollment decreased by 1,373 students, as shown Figure 2 below.

District's Kindergarten through Grade 12 Census Day Enrollment, 2018-19 — 2022-23

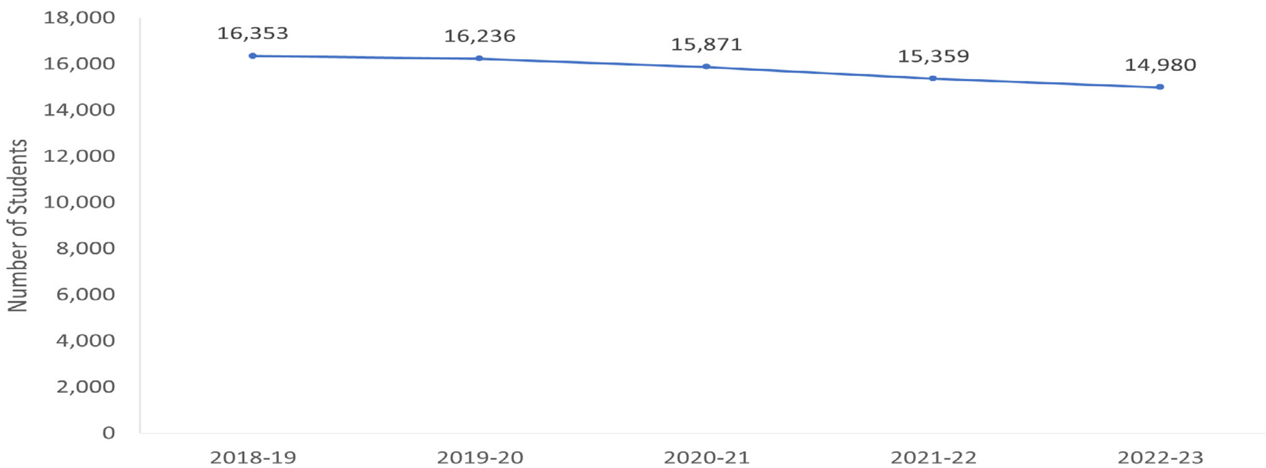


Figure 2. District's K-12 census day enrollment from 2018-19 to 2022-23.

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

The district's special education enrollment increased by 285 students between 2018-19 and 2022-23, as shown in Figure 3 below.

District's Kindergarten through Grade 12 Special Education Enrollment, 2018-19 — 2022-23

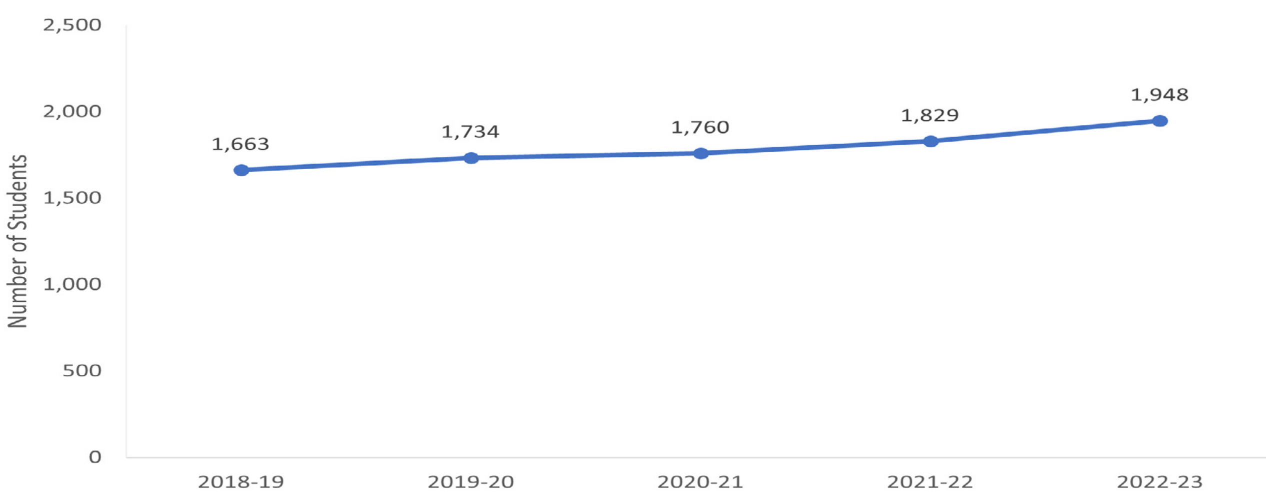


Figure 3. District's K-12 special education enrollment from 2018-19 to 2022-23.

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

Despite constituting 51% of the overall student population within the district, students who identify as male account for 64% of students in special education. This percentage is slightly below the statewide average of 67%, as calculated from DataQuest. Students who identify as male experience higher identification rates for special education, influenced by factors like referral bias (where boys are more likely to be referred due to poor grades or behavior support needs) and differences in how teachers perceive student behavior (with boys often drawing more negative attention in school). Consequently, it is important for districts to analyze special education referrals rates by gender and provide professional development as necessary to address these disparities.

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." In other words, it is the under- or overrepresentation of racial or ethnic 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.

Possible Overidentification of English Learners and Students Who Identify as Hispanic/Latino in Special Education

In 2022-23, 14.87% of all district K-12 students were identified as English learners. Of the district's 1,948 K-12 students in special education, 490, or 25.15%, were identified as English learners, as shown in Figure 4 below.

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

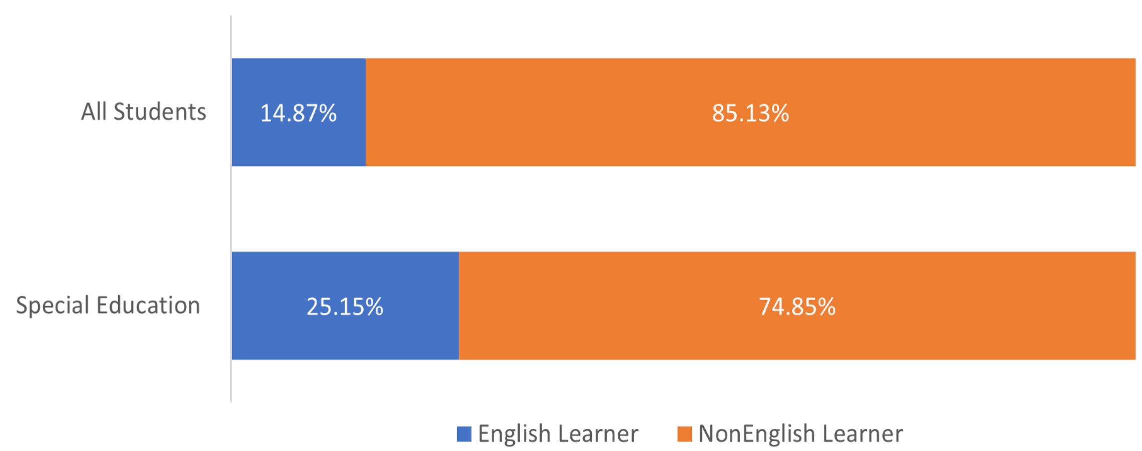


Figure 4. Percentage of district students identified as English learners in special education compared to the district's total student population in 2022-23.

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

English learners are commonly overidentified for special education, a trend that may be reflected within the district, given the higher percentage of English learners within special education compared to the district as a whole. The district needs to review its data to determine possible causes of higher-than-expected identification of English learners in special education.

In 2022-23, 64.37% of the district's special education students identified as Hispanic or Latino, compared to 55.81% of all K-12 students in the district, as shown in Figure 5 below.

Percentage of District's Hispanic or Latino Students in Special Education Compared to the District's Total Student Population, 2022-23

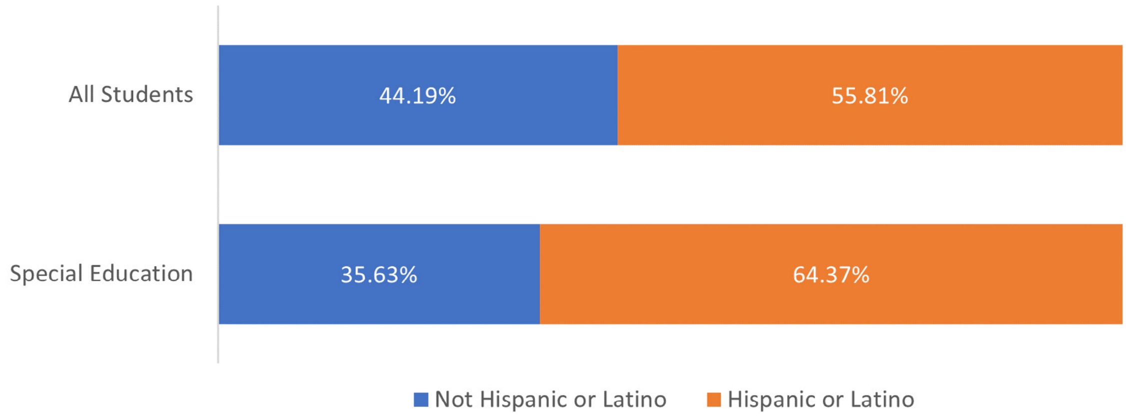


Figure 5. Percentage of district students who identify as Hispanic or Latino in special education compared to the district's total student population in 2022-23.

Source: Enrollment by Ethnicity for Charter and Non-Charter Schools - Ventura Unified (CDE).

District students who identify as Hispanic or Latino are overrepresented in special education. Districts that identify a disproportionate number of English learners for special education may do so because of a range of factors, including insufficient staff training, a shortage of bilingual staff to conduct bilingual assessments, or inadequate support for bilingual students in general education. Staff reported that the district has a few bilingual psychologists and speech language pathologists and places a priority on hiring bilingual staff whenever possible. In cases where a bilingual assessment is necessary, staff stated that a bilingual staff member or a translator conducts the assessment. The district needs to thoroughly investigate whether these assessment practices are used consistently districtwide to help avoid the possible overidentification of English learners for special education.

During interviews, some staff reported the districtwide implementation of embedded strategies (individualized and explicit instruction within the general education classroom) to support English learners. They also stated that schools have access to the district-adopted English Language Development (ELD) curriculum. However, staff accounts varied regarding the implementation of this curriculum. Some explained that designated ELD time is built into the elementary school schedule, while others indicated that this practice is inconsistent across the district. The district needs to evaluate whether its embedded and designated ELD time are being used as expected.

Although the reason behind the district's higher-than-expected identification of English learners in special education is unclear, it is imperative that the district identifies only qualifying students with disabilities for special education. This is necessary for at least two reasons. First, even the most efficient special education programs do not receive sufficient funding to support their programs, so it is critical that these finite resources are used exclusively for qualifying students with disabilities. Second, while special education services are vital for supporting students with disabilities, those identified for special education may experience stigma, reduced expectations, and less access to the general education curriculum and teachers. These factors can limit their academic achievement and outcomes.

The district needs to evaluate whether it overidentifies Hispanic and Latino students for special education because: (1) Hispanic and Latino students are commonly overidentified for special education; (2) 95.10% of the district's special education students identify as Hispanic or Latino; and (3) Spanish is the predominate language of the district's English learners. The Association of California School Administrators (ACSA) recently published a brief, *The Disproportionality of Latinx Students in Special Education*, which discusses common causes of disproportionality of Hispanic and Latino students in special education and provides recommendations on how to address each of them. The district should review this brief and use it to investigate its possible overidentification of Hispanic and Latino students in special education.

Special Education Enrollment by Disability Category

It is a best practice to monitor special education enrollment annually by disability category to ensure students are being 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).
- Hard 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 2022-23, the district reported to CALPADS that 2,566 students from prekindergarten through grade 12 were enrolled in special education. Of those, 921, or 36%, were identified as having an SLD, as shown in Figure 6 on the following page. In line with statewide trends, the disability categories of SLI and AUT represented the next largest categories in the district, accounting for 24% and 15% of students, respectively.

District's Special Education Enrollment by Disability Category, 2022-23

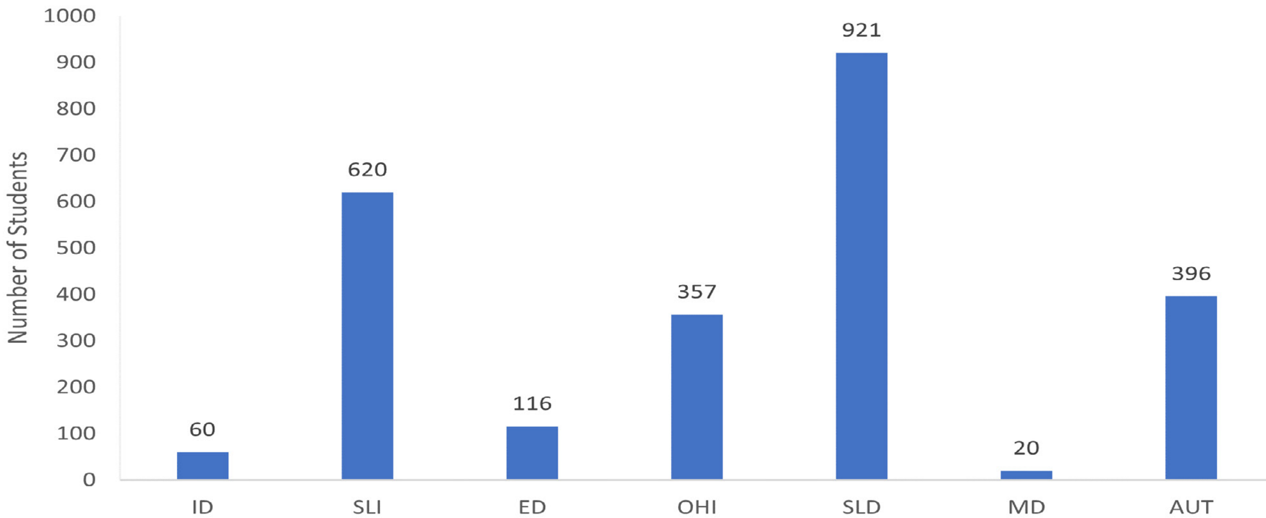


Figure 6. Number of district students in each disability category in 2022-23.

Source: District's CALPADS report 16.1.

Note: In addition to those shown in the chart, the district also had students in the following disability categories during the 2022-23 academic year: HH, 24; HI, 19; VI, 16; OI, 13; TBI, 3; EMD, 1.

An analysis of the district's rising special education enrollment by disability category found a large increase in the percentage of students in certain categories, as shown in Figure 7 below. From 2020-21 to 2022-23, the OHI category saw a surge from 263 to 357 students (a 35.74% increase), SLI increased from 523 to 620 students (a 18.55% increase), AUT increased from 337 to 396 students (a 17.51% increase), and SLD increased from 806 to 921 (a 14.27% increase). While the percentage changes in the HI, VI, OI, EMD, MD, and TBI categories were relatively large, further analysis is unnecessary because of the small number of students in these categories. For example, the EMD category experienced an 85.71% decrease between 2020-21 and 2022-23, but this was a decrease of only six students (from seven students to one student).

Percentage Change in District's Special Education Enrollment by Disability Category, 2020-21 — 2022-23

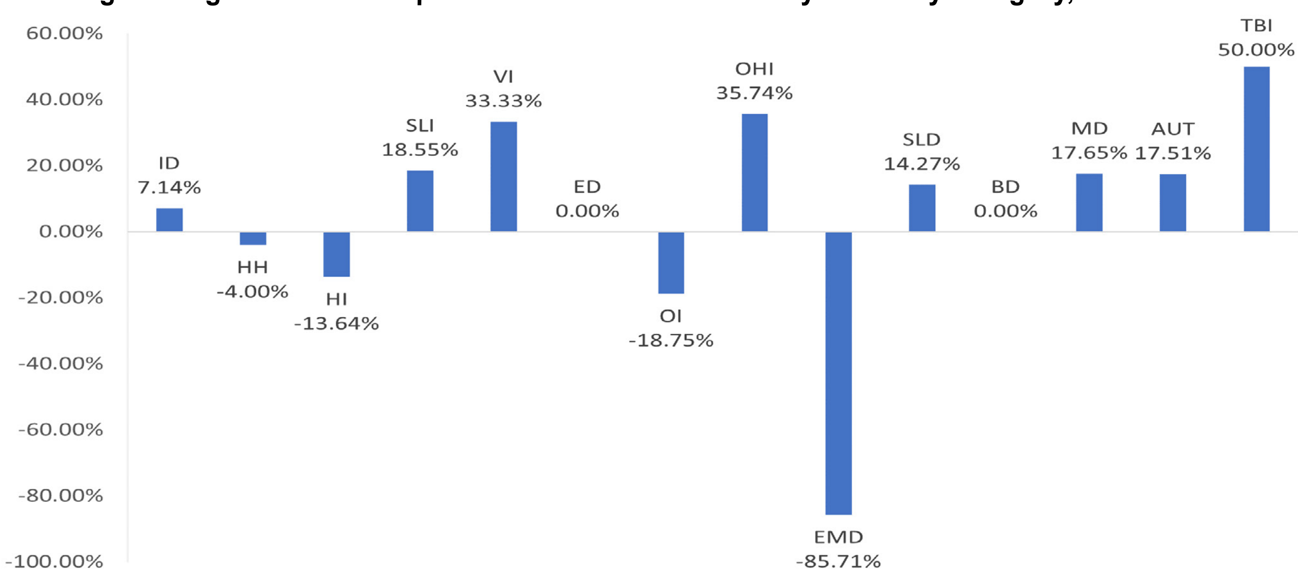


Figure 7. Percentage change in district's special education enrollment by disability category from 2020-21 to 2022-23.

Source: District's CALPADS report 16.1.

Percentage of Students Enrolled in Special Education

The percentage of the district's K-12 students in special education increased by 2.83% percentage points between 2018-19 and 2022-23, including an increase of 1.09% percentage points in the last year, as shown below in Figure 8.

Percentage of Kindergarten through Grade 12 District Students Enrolled in Special Education, 2018-19 — 2022-23

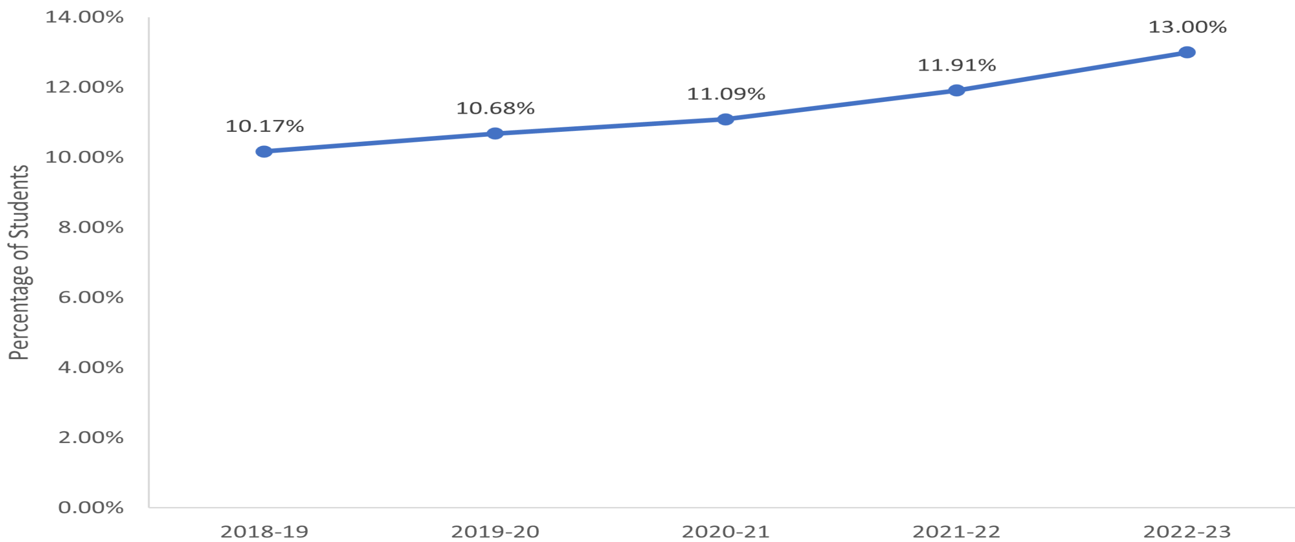


Figure 8. The percentage of K-12 district students enrolled in special education from 2018-19 to 2022-23.

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

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

Table 6. Comparison of total and special education kindergarten through grade 12 enrollment for noncharter schools in Ventura Unified, Ventura County, and California in 2022-23.

2022-23	Ventura Unified	Ventura County	California
K-12 Noncharter School Enrollment	14,980	121,715	5,166,991
K-12 Noncharter School Special Education Enrollment	1,948	17,023	683,646
Percentage	13.00%	13.99%	13.23%

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

Note: Only noncharter school enrollment data was used for this comparison because the district does not have any charter schools.

In 2022-23, 13% of the district's K-12 students were identified as requiring special education. Despite the district's increased enrollment in its special education program, this percentage remains below both the countywide and statewide averages for K-12 students.

Factors that may be contributing to the district's rising percentage of students in special education include the district's implementation of MTSS and student study team (SST) practices and prereferral interventions. 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 higher-than-expected identification of English learners and Hispanic or Latino students in special education. Consider using ACSA's brief, *The Disproportionality of Latinx Students in Special Education*, as a guide.

2. Consider investigating whether its bilingual assessment practices and embedded and designated ELD time are being used as expected across the district to explore the possible overidentification of students who are English learners in special education.

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 the identification of students for special education, as necessary.

Student Study Teams and Multitiered Systems of Support

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 test, which requires that they: (1) meet the definition of one of the 14 disability categories in the IDEA; and (2) require 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 under the IDEA to a FAPE. This can impede the student's learning and may obligate the district to pay for compensatory educational services.

Therefore, it is crucial that the district identifies only qualifying students with disabilities for special education. This process is significantly influenced by the district's implementation of SSTs and an MTSS.

Student Study Teams

Education Code 56303 states that "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 an SST. This team-oriented 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 facing challenges within 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 lacks a districtwide, data-driven SST process and SST forms are not used uniformly across district schools. Moreover, staff reported that the district has not identified or provided training on instructional strategies and interventions to address common academic, speech and language, behavioral and social-emotional student needs within the general education program.

Staff members explained that the absence of a districtwide SST process is a deliberate decision by the district, intended to grant schools autonomy in developing their own processes and prereferral interventions. However, it may result in students at certain schools being deprived of access to tiered interventions within general education. Furthermore, many staff members described the SST processes at certain schools as a pathway leading to a special education assessment.

The district reported that it is assessing and identifying commonalities among SST processes in its elementary schools. The district should build on this work by establishing an interdepartmental committee to develop a data-driven SST process that focuses on maximizing student achievement in general education. This committee could also be responsible for developing flowcharts, checklists for teachers, lists of pre-SST strategies addressing academic, speech and language, behavioral and social-emotional needs, as well as referral forms to support the SST process. Once complete, the district must provide training on its SST process and proactively monitor and support its implementation.

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 (RtI^2) and positive behavioral interventions and supports (PBIS).

Response to Instruction and Intervention

Response to instruction and intervention is a nationwide approach targeting individual students who are struggling academically. This approach uses 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 term RtI^2 to define a general education approach of high-quality, culturally responsive differentiated instruction and early intervention, prevention, and behavioral strategies. RtI^2 uses universal screening and data analysis of all students' progress in the general education classroom.

A comprehensive districtwide RtI^2 system not only prevents the inappropriate identification of students for special education but also ensures the delivery of services within students' LREs. An RtI^2 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

Staff reported that the district lacks a districtwide MTSS. Before the onset of the COVID-19 pandemic disrupted the district's efforts to build an MTSS, the district completed the Fidelity Integrity Assessment (FIA). This self-assessment tool is used to examine the implementation status of various research- and equity-based inclusive practices across the district. The FIA can be used to determine the district's needs and assess the implementation of its MTSS.

Staff reports regarding the implementation of RtI^2 across the district were inconsistent. Some staff members indicated that school leaders rely on their personal experiences to implement certain RtI^2 components rather than using districtwide processes. Conversely, other staff members reported that the district has dedicated curriculum and tiered interventions at the elementary school level, along with intervention courses in English language arts and mathematics at the high school level. These efforts to address students' academic performance are supported by at least one full-time intervention teacher at each elementary school and by two full-time credit recovery teachers at each high school.

Staff conveyed that district schools have received training and are in the process of implementing PBIS components. However, because the district has yet to formalize standard, tiered academic, behavioral, and social-emotional pre-referral supports and interventions across schools, certain students may lack access to intervention and support opportunities within the general education program. Implementing these supports and interventions districtwide could decrease need for special education services.

Both staff and the district's 2023-24 LCAP reported the district's commitment to prioritizing MTSS and SST processes for academic and behavioral interventions. Specifically, the 2023-24 LCAP allocates funds to support the collaborative development of MTSS plans at the school level. In addition, the district's executive director, special education has commissioned an interdisciplinary MTSS task force, which has met once. MTSS implementation needs to be coordinated at the district level. Doing so will help to ensure common standards for tiered academic, behavioral, and social-emotional pre-referral supports and interventions across all district schools.

Recommendations

The district should:

1. Consider creating an interdepartmental committee to develop a data-driven SST process that focuses on maximizing student achievement in general education.
2. Consider having the interdepartmental committee create flowcharts, checklists for teachers, lists of pre-SST strategies to address academic, speech and language, behavioral and social-emotional needs, and referral forms to support the district's SST process.
3. Consider providing districtwide training on the district's SST process and proactively monitor and support its implementation.
4. Consider developing a comprehensive districtwide MTSS that includes common high-impact instructional practices and an RtI^2 program to address student academic, behavioral, and social-emotional needs.
5. Consider coordinating schools' MTSS implementation efforts at the district level to ensure alignment with the districtwide MTSS.

Special Education Staffing Allocation

FCMAT analyzed special education staff positions for special education teachers, special education paraeducators, and related service providers using statewide guidelines and industry standards.

Special Education Teacher Staffing

The district's Special Education Department has 115.38 FTE teacher positions. This count excludes the district's staffing of a 1.0 FTE adapted physical education teacher and 2.0 FTE vision specialists, which is analyzed in the "Related Service Provider Staffing and Caseloads" section of this report. Additionally, the figure excludes the 1.0 FTE home/hospital instructor, given their fluctuating caseload because of students entering and leaving the home/hospital program.

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 31 of the district's contract with VUEA specifies a resource specialist caseload of 28 students per specialist and a middle school specialized academic instruction teacher caseload of 25 students per teacher.

In the 2023-24 fiscal year, the district has 43.78 FTE TK-12 RSP teacher positions. Based on caseload estimates provided by the district, RSP teachers manage the cases of 1,031 students, averaging 23.6 students per teacher, as shown in the table below.

Table 7. District's resource specialist staffing, resource specialists' total student and average caseloads, and district resource specialist program staffing comparison to the Education Code standard by grade span in 2023-24.

School Level	Total RSP Teacher FTE	Total RSP Student Caseload	Average RSP Teacher Caseload	RSP Staffing Above (+) or Below (-) EC Standard
Elementary and K-8	17.90	387	21.62	+4.08
Middle	9.36	231	24.68	+1.11
High	16.52	413	25.00	+1.77
Total	**43.78**	**1,031**	**23.55**	**+6.96**

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

Districtwide RSP teacher caseloads are below the Education Code maximum.

The 28 student caseload maximum outlined in EC 56362(c) is higher than the statewide caseload average observed in districts with RSPs resembling an inclusive model. While 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 an inclusive model, specialized academic instruction is delivered either within the general education classroom or through a pull-out service, which involves removing students from the general education class setting for a portion of the school day to focus on specific skill-building activities, 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.

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. FCMAT believes the district's current RSP staffing will be required to support this effort.

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

District Staffing Guidelines and Industry Standard Caseloads by Special Education Programs

The district operates self-contained noncategorical classes for students with mild-to-moderate and moderate-to-severe support needs at the preschool, elementary, middle, and high school levels. The district also operates specialized SDCs focused on supporting students with autism, an emotional disturbance, and who are deaf and hard of hearing.

Article 31 of the district's contract with VUEA specifies class sizes for each SDC and states:

> Class Size: Whenever administratively practicable, while prioritizing student needs, and in consideration of certain factors, including but not limited to: LCFF, federal, state and local revenue sources; staffing allocation, master schedule considerations, credentialing; facilities, notwithstanding unforeseen circumstances, the following class sizes shall be maintained.

These class sizes are shown in Table 8 under the "District Staffing Guideline" column. In addition, though the Education Code does not specify maximum caseloads for SDC teachers, industry standards are included where applicable.

Table 8. District staffing guidelines and industry standard caseload ranges by special education program in 2023-24.

<table>
<tr><th>School Level</th><th>SDC Support Level</th><th>SDC Focus</th><th>Grade</th><th>District Staffing Guideline</th><th>Industry Standard Caseload Range</th></tr>
<tr><td>Preschool</td><td>Mild-to-Moderate</td><td>Noncategorical</td><td>Preschool</td><td>12 students per teacher</td><td>14 students per teacher</td></tr>
<tr><td rowspan="4">TK-12</td><td rowspan="4">Mild-to-Moderate</td><td rowspan="4">Noncategorical</td><td>TK-3</td><td>12 students per teacher</td><td rowspan="4">12-15 students per teacher</td></tr>
<tr><td>4-5</td><td>14 students per teacher</td></tr>
<tr><td>6-8</td><td>16 students per teacher</td></tr>
<tr><td>9-12</td><td>20 students per teacher</td></tr>
<tr><td rowspan="3">TK-12</td><td rowspan="3">Mild-to-Moderate</td><td rowspan="3">Autism</td><td>TK-1</td><td>10 students per teacher</td><td rowspan="3">Not Applicable (N/A)</td></tr>
<tr><td>2-5</td><td>12 students per teacher</td></tr>
<tr><td>6-12</td><td>14 students per teacher</td></tr>
<tr><td rowspan="3">TK-12</td><td rowspan="3">Mild-to-Moderate</td><td rowspan="3">Emotional Disturbance</td><td>TK-3</td><td>10 students per teacher</td><td rowspan="3">N/A</td></tr>
<tr><td>4-8</td><td>12 students per teacher</td></tr>
<tr><td>9-12</td><td>14 students per teacher</td></tr>
<tr><td>Preschool</td><td>Moderate-to-Severe</td><td>Noncategorical</td><td>Preschool</td><td>12 students per teacher</td><td>10 students per teacher</td></tr>
</table>

School Level	SDC Support Level	SDC Focus	Grade	District Staffing Guideline	Industry Standard Caseload Range
TK-Age 22	Moderate-to-Severe	Noncategorical	TK-5	10 students per teacher	10-12 students per teacher
			6-8	12 students per teacher	
			9-12	14 students per teacher	
TK-12	Moderate-to-Severe	Autism	TK-5	10 students per teacher	8-10 students per teacher
			6	10-12 students per teacher	
			7-8	12 students per teacher	
			9-12	12-14 students per teacher	

Sources: District-provided data and Article 31 of the district's contract with VUEA.

Note: There is no industry standard for mild-to-moderate SDCs designed for students with autism or those with an emotional disturbance.

The district's SDC staffing guidelines deviate from industry standards in the following instances:

- The staffing guideline for the mild-to-moderate SDC – noncategorical – preschool is lower than the industry standard:
- The staffing guidelines for the: (1) mild-to-moderate SDC – noncategorical – grades six through 12; (2) moderate-to-severe SDC – noncategorical - preschool and high school; and (3) moderate-to-severe SDC – autism focus – grades six through 12 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, especially those programs with staffing guidelines exceeding industry standards.

TK-12 Mild-to-Moderate Special Day Class Program

In the 2023-24 fiscal year, the district has 44.0 FTE mild-to-moderate TK-12 SDC teachers. Among these teachers, 26.0 FTE lead noncategorical classes, while 8.0 FTE lead classes for students with autism, 5.0 FTE lead classes for students with an emotional disturbance, and 5.0 FTE lead classes for students who are deaf or hard of hearing. Because there is no industry standard for mild-to-moderate SDCs catering to students with autism, an emotional disturbance, or those who are deaf or hard of hearing, these 18.0 FTE were excluded from the totals shown in Table 9. Based on caseload estimates provided by the district, the 26.0 FTE mild-to-moderate TK-12 noncategorical SDC teachers manage the cases of 476 students, averaging 18.31 students per teacher, as shown in Table 9 on the following page.

Table 9. District's mild-to-moderate special day class program total teacher staffing, teachers' total and average caseloads, and industry standard caseload ranges by school level in 2023-24.

School Level	SDC Support Level	SDC Focus	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry Standard Caseload Range
Elementary	Mild-to-Moderate	Noncategorical	8.00	109	13.63	12-15 students per teacher
Middle	Mild-to-Moderate	Noncategorical	6.00	116	19.33	12-15 students per teacher
High	Mild-to-Moderate	Noncategorical	12.00	251	20.92	12-15 students per teacher
Total			**26.00**	**476**	**18.31**	**12-15 students per teacher**
Elementary, Middle and High	Mild-to-Moderate	Autism	8.00	111	13.88	N/A
Middle and High	Mild-to-Moderate	Emotional Disturbance	5.00	38	7.60	N/A
Elementary and Middle	Mild-to-Moderate	Deaf and Hard of Hearing	5.00	24	4.80	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 autism, with an emotional disturbance, or those who are deaf or hard of hearing.

The districtwide mild-to-moderate TK-12 noncategorical SDC caseload average of 18.31 students per SDC teacher exceeds the high end of the industry standard range by 3.31 students. It is only within the industry standard at the elementary school level. At the middle and high school levels, the caseload averages exceed the industry standards by 3.33 and 5.92 students, respectively. The district needs to review mild-to-moderate TK-12 noncategorical SDC caseload numbers and student needs to determine if any staffing changes are necessary.

Factors such as increased special education enrollment and growing student needs following the COVID-19 pandemic have contributed to high mild-to-moderate noncategorical SDC caseload averages. High caseloads can prevent teachers from providing students with adequate supervision and support. Therefore, to align its staffing with industry standards, the district needs to review mild-to-moderate TK-12 noncategorical SDC teacher caseload projections for 2024-25 and current student needs to determine if staffing adjustments are necessary at any school level either in the current academic year or the next.

TK-12 Moderate-to-severe Special Day Class Program

Noncategorical Special Day Classes

In the 2023-24 fiscal year, the district has 12.0 FTE teachers for noncategorical TK-12 moderate-to-severe SDCs. Based on caseload estimates provided by the district, moderate-to-severe SDC teachers manage the cases of 121 students, averaging 10.08 students per teacher, as shown in Table 10 on the following page.

Table 10. District's moderate-to-severe special day class program total teacher staffing, their total and average caseloads, and industry standard caseload ranges by grade level in 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	4.00	45	11.25	10-12 students per teacher
Middle	Moderate-to-Severe	Noncategorical	3.00	30	10.00	10-12 students per teacher
High	Moderate-to-Severe	Noncategorical	5.00	46	9.20	10-12 students per teacher
Total			**12.00**	**121**	**10.08**	**10-12 students per teacher**

Sources: District-provided data and industry standards.

Note: The total teacher FTE for elementary school noncategorical SDCs includes a 1.0 FTE teacher who is out on maternity leave.

The districtwide moderate-to-severe noncategorical SDC TK-12 teacher caseload average of 10.08 students per SDC teacher is within the industry standard range. The district needs to review moderate-to-severe SDC noncategorical TK-12 caseload projections and student needs annually to determine if staffing adjustments are necessary at any school level.

Moderate-to-severe Special Day Classes – Autism

In the 2023-24 fiscal year, the district has 4.0 FTE teachers responsible for leading moderate-to-severe SDCs with an autism focus. Based on caseload estimates provided by the district, these teachers manage the cases of 36 elementary school-level students, averaging 9 students per teacher, as shown in the table below.

Table 11. District's moderate-to-severe autism special day class program total teacher staffing, their total and average caseloads, and industry standard caseload ranges at the elementary school level in 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	Autism	4.0	36	9.00	8-10 students per teacher

Sources: District-provided data and industry standards.

The districtwide elementary moderate-to-severe autism SDC teacher caseload average is within the industry standard range. The district must annually review moderate-to-severe autism SDC teacher caseload projections and student need to determine if staffing changes are necessary.

Preschool Special Day Class Program

In the 2023-24 fiscal year, the district has 11.60 FTE SDC preschool teachers. Among these, 1.0 FTE is dedicated to the preschool assessment team, 1.0 FTE is vacant, and the remaining 9.6 FTE lead noncategorical SDCs. Staff members stated that the district's preschool SDCs do not have separate classes for students with mild-to-moderate versus moderate-to-severe support needs. Consequently, FCMAT used a blended industry standard for the analysis shown in the table on the following pae. Based on caseload estimates provided by the district, the 9.6 FTE preschool teachers support 75 students, averaging 7.81 students per teacher.

Table 12. District's mild-to-moderate and moderate-to-severe noncategorical special day class program total teacher staffing, total number of students, teachers' average caseloads, and industry standard caseload ranges at the preschool level in 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	9.60	75	7.81	12 students per teacher

Sources: District-provided data and industry standards.

Notes: The number of FTE and related calculations excludes the 1.0 FTE preschool teacher who serves as part of the multidisciplinary preschool assessment team and does not lead an SDC, and the 1.0 FTE unfilled preschool position that will be serving the Jumpstart preschool program.

A blended industry standard teacher-to-student ratio of 1-to-12 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 mild-to-moderate and moderate-to-severe noncategorical SDC teacher caseload average is significantly below the blended industry standard and equates to the district having 3.35 FTE more preschool SDC teachers than the industry standard. While the reasons for this increased staffing are unclear, the district's focus on integrating additional preschool-age students with disabilities in the JumpStart preschool program, rather than serving them in an SDC, may be contributing to this trend.

The district's preschool teachers are not being allocated to best support student needs and placements. The district needs to determine if reallocating 2.0 FTE or more of its preschool staffing allocation to provide itinerant support for students with disabilities in the JumpStart preschool program would be more effective.

Recommendations

The district should:

1. Annually review RSP caseload projections and student needs to determine whether RSP teacher staffing needs to be adjusted at any school level.
2. Consider evaluating whether aligning its SDC caseload guidelines with industry standards would allow it to better serve students.
3. Consider reviewing mild-to-moderate TK-12 noncategorical SDC teacher caseload projections for 2024-25 and current student needs to determine if it needs to increase teacher staffing at any school level either in the current academic year or the next to align with industry standards.
4. Annually review moderate-to-severe TK-12 noncategorical SDC teacher caseload projections and student needs to determine if it needs to change teacher staffing to align with industry standards.
5. Review preschool caseload projections and student needs for 2024-25 and consider whether reallocating 2.0 FTE or more of its preschool staffing allocation would be more effective in providing itinerant support for students with disabilities within the JumpStart preschool program.

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 has created a career pathway for paraeducators, offering three positions: special education paraeducator I, II, and III, each of which has a distinct job description. However, all three job descriptions state the following core responsibilities:

> Under the immediate supervision of an assigned supervisor and general direction of a classroom teacher, specialist or therapist, assists in providing academic, behavior and social-emotional supports to individual or small groups of students to enhance learning. Monitors and reports student progress according to state standards, classroom objectives and the individualized education program (IEP), including health and/or behavioral plans. Assists students in developing various self-help skills, including hygiene, toileting, eating, social, community and leisure/recreational skills. Provides non-intrusive medical health assistance and/or emergency specialized medical support.

The district job features of each district paraeducator position's job description are outlined below:

- **Paraeducator I** – These paraeducators may be allocated across "various general education and special education programs within the District, including intervention and resource services."
- **Paraeducator II** – These paraeducators may be allocated across "various general education and special education programs within the District, including mild-to-moderate classroom environments."
- **Paraeducator III** – These paraeducators may be allocated across "various special education programs within the District, including moderate-to-severe classroom environments, students with significant medical conditions requiring ongoing support and administration of specialized medical procedures, and/or requiring intense behavior supports."

The district also has paraeducators under the job description of paraeducator-speech and language. The primary duties outlined in this job description include, "Travel to assigned schools to assist Speech/Language Pathologists with assessing and remediating speech and language handicapped students according to an established schedule." However, it is not an industry standard for speech and language pathologists (SLPs) to have a paraeducator. In other districts, speech and language paraeducators may be used to support students receiving virtual speech and language therapy by providing adult supervision and technology support. That said, the district's paraeducators do not provide a virtual support role because only in-person speech and language therapy is offered in the district.

The district reported that the paraeducator-speech and language position serves as a pathway for staff to become speech and language pathology assistants (SLPAs) or SLPs. The district needs to evaluate whether individuals in the speech and language paraeducator role are using this pathway to transition to SLPA or SLP roles. While creating such a pathway is a creative approach to address the shortage of SLPs, it is increasing the district's expenses. If the district finds that this pathway is not being used as intended, FCMAT would recommend that the district eliminate these positions because they are not being used to support virtual speech and language therapy.

1-to-1 Student Support

There is no industry standard for special education aides providing 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 descriptive title as special circumstance instructional assistance (SCIA).

The district uses a special circumstances educational support (SCES) assessment to determine the need for 1-to-1 student support. Depending on the student's identified support needs, a school nurse, a behaviorist and/or a school psychologist work together to complete this assessment. Staff reported that the SCES assessment is used consistently to evaluate the need for 1-to-1 student support across the district.

Another critical aspect of effective use of 1-to-1 paraeducator support involves the development of annual goals for independence. 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 identified area of deficit (need). This practice may be attributed to the staff's perception that goals for independence are not required, coupled with a lack of training on how to write such 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 in determining whether adjustments can and should be made in the level of service. Moreover, this approach helps the IEP team move away from the concept of assigning one adult to one student, leaving the method of goal implementation up to the district. It also allows the district to consider the benefits of having one special education paraeducator supporting several students when appropriate.

The ongoing monitoring and reporting of student progress, just as with 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 1-to-1 paraeducator support, except for medically necessary support, should include goals for independence and a plan to reduce the need for 1-to-1 paraeducator support over time.

Special Education Paraeducator Staffing

Most of the district's special education paraeducators are 0.72 FTE and work 28.75 hours per week. Staff reported that certain positions have a higher FTE and hours to meet student needs. The district reported that it has 41 vacant special education paraeducator positions that are being filled through a contract with a nonpublic agency. To address this, staff reported that the district has taken several measures to recruit and retain paraeducators. These actions include allowing paraeducator candidates to retake the district's paraeducator basic skills test, expanding professional development opportunities for paraeducators, and increasing salaries based on the findings of a recent comparison study.

Paraeducator Staffing for Special Day Classes

The industry standard for SDC base staffing involves one paraeducator for every teacher in both mild-to-moderate and moderate-to-severe SDCs. 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 a special education paraeducator-to-student ratio, as shown in Table 13 on the following page.

Table 13. Industry standard special education paraeducator staffing and paraeducator-to-student ratios by type of support.

SDC Support Level	SDC Focus	Industry Standard Special Education Paraeducator Staffing	Paraeducator-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 paraeducator-to-student ratio.

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

Assigning more paraeducator support than necessary is costly and may limit the opportunities of students with disabilities to gain independence. Balancing the level of support to meet individual needs without hindering independence is a critical consideration in fostering inclusive education.

FCMAT conducted a districtwide comparison of staffing in mild-to-moderate and moderate-to-severe SDCs, as shown in the table below.

Table 14. District's special day class types, enrollment, paraeducator staffing, comparison of paraeducator staffing to industry standards, and number of additional 1-to-1 paraeducators by school in 2023-24.

School	SDC Support Level	SDC Focus	SDC Enrollment	SDC Classroom Support Paraeducator Staffing	Paraeducator Staffing Above (+) or Below (-) Industry Standard	Number of Additional TK-12 1-to-1 Special Education Paraeducators
Anacapa Middle	Mild-to-Moderate	Emotional Disturbance	6	1	N/A	1
Anacapa Middle	Moderate-to-Severe	Noncategorical	18	1	−1	0
Balboa Middle	Moderate-to-Severe	Noncategorical	10	2	+1	5
Balboa Middle	Moderate-to-Severe	Noncategorical	9	2	+1	4
Balboa Middle	Mild-to-Moderate	Autism	17	2	N/A	2
Balboa Middle	Mild-to-Moderate	Autism	17	2	N/A	1
Buena High	Moderate-to-Severe	Noncategorical	10	4	+3	1
Buena High	Mild-to-Moderate	Autism	16	2	N/A	2
Buena High	Mild-to-Moderate	Emotional Disturbance	13	2	N/A	1
Buena High	Moderate-to-Severe	Noncategorical	10	3	+2	0

School	SDC Support Level	SDC Focus	SDC Enrollment	SDC Classroom Support Paraeducator Staffing	Paraeducator Staffing Above (+) or Below (-) Industry Standard	Number of Additional TK-12 1-to-1 Special Education Paraeducators
Buena High	Mild-to-Moderate	Noncategorical	16	1	−1	1
Buena High	Mild-to-Moderate	Noncategorical	16	1	−1	1
Buena High	Mild-to-Moderate	Autism	17	1	N/A	0
Buena High	Mild-to-Moderate	Noncategorical	16	1	−1	0
Cabrillo Middle	Mild-to-Moderate	Emotional Disturbance	7	1	N/A	1
Cabrillo Middle	Mild-to-Moderate	Noncategorical	23	1	−2	1
Cabrillo Middle	Mild-to-Moderate	Noncategorical	23	0	−3	1
DATA Middle	Moderate-to-Severe	Noncategorical	11	2	At Industry Standard	1
DATA Middle	Mild-to-Moderate	Autism	12	2	N/A	1
DATA Middle	Mild-to-Moderate	Noncategorical	16	1	−1	1
DATA Middle	Mild-to-Moderate	Noncategorical	17	1	−1	1
Elmhurst Elementary	Moderate-to-Severe	Noncategorical	12	3	+1	2
Elmhurst Elementary	Moderate-to-Severe	Noncategorical	33	4	Not Calculated	0
Elmhurst Elementary	Moderate-to-Severe	Noncategorical	12	2	At Industry Standard	2
Elmhurst Elementary	Moderate-to-Severe	Noncategorical	0	3	Not Calculated	0
Junipero Serra Elementary	Mild-to-Moderate	Noncategorical	10	2	+1	1
Junipero Serra Elementary	Mild-to-Moderate	Emotional Disturbance	3	2	N/A	0
Juanamaria Elementary	Mild-to-Moderate	Noncategorical	11	2	+1	1
Juanamaria Elementary	Mild-to-Moderate	Noncategorical	14	2	+1	0
Juanamaria Elementary	Mild-to-Moderate	Noncategorical	11	2	+1	0
Juanamaria Elementary	Mild-to-Moderate	Noncategorical	13	2	+1	0
Lemon Grove Elementary	Mild-to-Moderate	Noncategorical	10	2	+1	3
Lemon Grove Elementary	Mild-to-Moderate	Noncategorical	13	2	+1	2
Lemon Grove Elementary	Mild-to-Moderate	Noncategorical	10	2	+1	0
Mound Elementary	Mild-to-Moderate	Autism	10	3	N/A	3
Mound Elementary	Mild-to-Moderate	Autism	6	2	N/A	0

School	SDC Support Level	SDC Focus	SDC Enrollment	SDC Classroom Support Paraeducator Staffing	Paraeducator Staffing Above (+) or Below (-) Industry Standard	Number of Additional TK-12 1-to-1 Special Education Paraeducators
Mound Elementary	Moderate-to-Severe	Autism	9	2	N/A	0
Mound Elementary	Moderate-to-Severe	Autism	8	2	At Industry Standard	0
Poinsettia Elementary	Mild-to-Moderate	Noncategorical	11	2	+1	1
Poinsettia Elementary	Mild-to-Moderate	Autism	10	2	N/A	0
Poinsettia Elementary	Mild-to-Moderate	Autism	12	2	N/A	0
Ventura High	Moderate-to-Severe	Noncategorical	8	2	+1	4
Ventura High	Moderate-to-Severe	Noncategorical	8	2	+1	3
Ventura High	Mild-to-Moderate	Noncategorical	31	1	−3	1
Ventura High	Mild-to-Moderate	Emotional Disturbance	9	1	N/A	0
Ventura High	Mild-to-Moderate	Noncategorical	24	1	−2	0
Ventura High	Mild-to-Moderate	Noncategorical	23	1	−2	0
Ventura High	Mild-to-Moderate	Noncategorical	27	1	−2	0
Ventura High	Mild-to-Moderate	Noncategorical	22	1	−2	0
Ventura High	Mild-to-Moderate	Noncategorical	27	1	-2	0
Ventura High	Mild-to-Moderate	Noncategorical	7	1	At Industry Standard	0
Total			**671**	**90**	**−5**	**49**

Sources: District-provided data and industry standards.

Notes: The number of positions and related calculations excludes those positions listed as vacant and those not assigned to a student or program.

There is no industry standard for mild-to-moderate SDCs designed for students with autism or those with an emotional disturbance.

In the absence of two Elmhurst Elementary School teachers who are on leave, other onsite SDC teachers are overseeing and managing their caseloads.

A paraeducator staffing comparison was not calculated for the two Elmhurst Elementary School teachers who are on leave.

The district's data shows that it does not use industry-standard SDC base staffing or a paraeducator-to-student ratio for the assignment of paraeducators in mild-to-moderate and moderate-to-severe SDCs. In addition, a high number of 1-to-1 paraeducators are supporting students in these SDCs, exceeding the figures commonly observed by FCMAT across the state. Several classes in the district have almost as many adults as students. The increase in special education enrollment, 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 across the district.

The district needs to evaluate whether it can reassign paraeducators from SDCs where staffing exceeds the industry standard to those falling below it, to better meet student needs and align with industry standard paraeducator-to-student ratios. In doing so, the district must also consider potential adjustments in SDC teacher staffing, given that many of its SDC caseloads exceed industry standards. If the district adds a new SDC, it needs to determine whether existing SDC paraprofessional positions can be reallocated to meet industry standard paraeducator-to-student ratios and adequately address student need.

Recommendations

The district should:

1. Consider eliminating the four speech and language paraeducator positions because they are not being used to support virtual speech and language therapy.
2. Continue to consistently use the SCES assessment to determine whether a student requires 1-to-1 student support from a paraeducator.
3. Consider ensuring that each IEP with 1-to-1 student support from a paraeducator contains goals for independence and a fade plan, except for those with medically necessary support.
4. Consider using the industry-standard SDC base staffing and a special education paraeducator-to-student ratio (as noted in Table 13 on page 36 of this report) to assign paraeducators to mild-to-moderate and moderate-to-severe SDCs.
5. Consider determining if classroom special education paraeducators supporting mild-to-moderate and moderate-to-severe SDCs can be reassigned to better align classes with industry standards and meet student needs.

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 psychological services, speech and language therapy, APE, and occupational therapy.

FCMAT analyzed staffing ratios for the district's APE teachers, occupational therapists, school nurses, school psychologists, SLPs, and vision teachers. Staffing ratios for physical therapists were not included in the analysis because the district contracts with the Ventura County Office of Education for these services. The industry standards for related service providers are listed in Table 15 on the following page.

Table 15. 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.

Adapted Physical Education

The district's contract with VUEA does not specify a teacher-to-student staffing ratio for APE teachers. In the 2023-24 fiscal year, the district has a 1.0 FTE APE teacher position managing a caseload of 14 students receiving direct services, as shown in the table below.

Table 16. District's number of full-time equivalent adapted physical education teachers, their total and average caseloads, the industry standard adapted physical education teacher-to-student ratio, and comparison of district's staffing to the industry standard.

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard Teacher-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
APE Teacher	1.0	14	14	1-to-45-55	+0.69

Sources: District-provided data and industry standards.

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

FCMAT applied an industry standard of 1-to-45 because the district's APE teacher provides both direct and consultation services.

The district is staffed at 0.69 FTE above the industry standard for APE teachers. The district needs to annually review APE teacher caseload projections, the assessment load, and direct and consultation service minutes to determine if staffing changes are necessary. Doing so will help ensure alignment with industry standards and adequate support for the direct service and consultation needs of students.

Occupational Therapy

The district's contract with VUEA does not specify an occupational therapist-to-student staffing ratio. In the 2023-24 fiscal year, the district has 6.0 FTE occupational therapist positions, each managing an average caseload of 41.17 students receiving direct services, as shown in Table 17 on the following page. Additionally, the district has 2.0 FTE certified occupational therapist assistants.

Table 17. District's number of full-time equivalent occupational therapists, their total and average caseloads, the industry standard occupational therapist-to-student ratio, and a comparison of the district's staffing to the industry standard.

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard Therapist-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
Occupational Therapist	6.0	247	41.17	1-to-45-55	+0.51

Sources: District-provided data and industry standards.

Notes: Only students receiving 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 2.0 FTE certified occupational therapist assistants.

FCMAT applied an industry standard therapist-to-student ratio of 1-to-45 because the district's occupational therapists provide direct and consultation services.

The district is staffed at 0.51 FTE above the industry standard for occupational therapists. The district needs to annually review occupational therapist caseload projections, the assessment load, and direct and consultation service minutes to determine if staffing changes are necessary. Doing so will help ensure alignment with industry standards and adequate support for the direct service and consultation needs of students.

School Nurses

The district's contract with VUEA does not specify a caseload size for school nurses. In the 2023-24 fiscal year, the district has 7.10 FTE school nurses, each managing an average caseload of 2,110 students, as shown in Table 18 below. The district also has 1.76 FTE classified licensed vocational nurses, who were excluded from the table.

Table 18. District's number of full-time equivalent school nurses, their total and average caseloads, the industry standard school nurse-to-student ratio, and a comparison of the district's staffing to the industry standard.

Provider	Number of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard Nurse-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
School Nurses	7.10	14,980	2,110	1-to-2,274	+0.51

Sources: District-provided data, industry standards, Pupil Services Staff by Type - California (CDE) and Enrollment for Charter and Non-Charter Schools - Ventura Unified (CDE).

Note: The number of FTE and related calculations exclude the district's 1.76 FTE classified licensed vocational nurses.

The district is staffed at 0.51 FTE above the industry standard for school nurses. The district needs to review district enrollment and school nurse duties annually to determine if staffing changes are necessary. Doing so will help ensure alignment with industry standards and adequate support for student needs.

School Psychologists

School psychologists are not part of VUEA's bargaining unit. In the 2023-24 fiscal year, the district has 20.90 FTE TK-12 school psychologists, each managing an average caseload of 717 students, as shown in Table 19 on the following page. The district also has 2.0 FTE school psychologists supporting the EIC program.

Table 19. District's number of full-time equivalent transitional kindergarten through grade 12 psychologists, their total and average caseloads, the industry standard psychologist-to-student ratio, and a comparison of the district's staffing to the industry standard.

Provider	Number of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard Psychologist-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
Psychologist	20.90	14,980	717	1-to-977	+5.57

Sources: District-provided data, industry standards, Pupil Services Staff by Type - California (CDE), and Enrollment for Charter and Non-Charter Schools - Ventura Unified (CDE).

Note: The number of FTE and related calculations exclude the 2.0 FTE school psychologists who support the EIC program.

The district is staffed at 5.57 FTE above the industry standard for psychologists.

The district needs to annually review the number of initial assessments in the previous year, number of annual and triennial assessments expected in the current year, number of early reassessments expected in the current year, number of specialized programs in the district, total student enrollment, special education enrollment, individual site needs, etc., to determine if staffing changes are necessary. Doing so will help ensure alignment with industry standards and adequate support for student needs.

It is best practice to engage school psychologists in determining the allocation of school psychologist FTE for each district school from the total available FTE. However, staff members indicated that they have not been afforded an opportunity to provide such input, limiting special education administrators' access to information from primary sources, such as individual school needs, which change over time. The high turnover of special education administrators and school psychologists in the district may be a factor contributing to this practice.

Speech and Language Pathologists

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

Article 31 of the VUEA contract with the district includes the following maximum SLP-to-student ratios:

- Preschool-age students: 1-to-4.
- School-age students: 1-to-55.

Preschool Speech and Language Pathologist Staffing

Staff reported that the preschool-age student-to-SLP contract ratio of 1-to-4 is not reported correctly in Article 31 of the VUEA contract with the district. They indicated that it should align with the EC 56441.7(a) preschool maximum caseload of 40 students. The reason for this discrepancy is unclear, but it could create confusion regarding appropriate staffing ratios.

In the 2023-24 fiscal year, the district has 4.3 FTE preschool SLPs, each managing an average caseload of 32.56 students receiving direct services, as shown in Table 20 on the following page The district also has a 1.0 FTE SLP position who serves on the preschool assessment team.

Table 20. District's number of full-time equivalent preschool speech and language pathologists, their total and average caseloads, the industry standard speech and language pathologist-to-student ratio, and a comparison of the district's staffing to the industry standard.

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard SLP-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
Preschool SLP	4.3	140	32.56	1-to-40	+0.80

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

Notes: The number of FTE and related calculations exclude the 1.0 FTE SLP who serves on the preschool assessment team.

Only preschool-age students receiving direct services from an SLP were included in the caseload average.

The district is staffed at 0.80 FTE above the industry standard for preschool SLPs. The district needs to review preschool-age SLP caseload projections annually to determine if staffing changes are necessary. Doing so will ensure alignment with 56441.7(a) and adequate support for student needs.

School-Age Speech and Language Pathologist Staffing

In the 2023-24 fiscal year, the district has 23.5 FTE TK-12 SLPs, each managing an average caseload of 49.32 students receiving a direct service, as shown in Table 21 below.

Table 21. District's number of full-time equivalent transitional kindergarten through grade 12 speech and language pathologists, their total and average caseloads, the industry standard speech and language pathologist-to-student ratio, and a comparison of the district's staffing to the industry standard.

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard SLP-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
TK-12 SLP	23.5	1,159	49.32	1-to-55	+2.43

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 2.43 FTE above the industry standard for TK-12 SLPs. The district needs to review school-age SLP caseload projections annually to determine if staffing changes are necessary. Doing so will ensure alignment with EC 56363.3 and adequate support for student needs.

Vision Teachers

The district's contract with VUEA does not specify a student-to-teacher staffing ratio for vision teachers. In the 2023-24 fiscal year, the district has 2.0 FTE itinerant vision teachers, each managing an average case-load of 15 students, as shown in Table 22 on the following page.

Table 22. District's number of full-time equivalent vision teachers, their total and average caseloads, the industry standard vision teacher-to-student ratio, and a comparison of the district's staffing to the industry standard.

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard Teacher-to-Student Ratio	Staffing Above (+) or Below (-) Industry Standard
Vision Teacher	2.0	30	15	1-to-10-30	Within Range

Sources: District-provided data and industry standards.

Notes: Only students receiving direct services from an itinerant vision teacher were included in the total caseload.

An industry standard comparison was not calculated because of the wide teacher-to-student ratio of 1-to-10-30. However, the district's average caseload falls within the lower end of this industry standard range.

An industry standard comparison was not calculated because of the wide range; however, the district's average caseload of one vision teacher per 15 students is at the lower end of the industry standard range. The district needs to review school vision teacher caseload projections annually to determine if staffing changes are necessary. Doing so will help ensure alignment with industry standards and meet student needs.

Recommendations

The district should:

1. Consider having school psychologists provide input into the amount of school psychologist FTE each school in the district is allocated from the total available FTE.
2. Review Article 31 of the VUEA contract with the district and update the preschool-age student-to-SLP ratio to align with EC 56441.7(a) which establishes a preschool maximum caseload of 40 students.
3. Regularly analyze whether all related service provider staffing ratios are aligned with current laws and industry standards and are adequate to meet student needs.

Unrestricted General Fund Contribution to Special Education

Fiscal Considerations

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. As discussed earlier in this report, Ventura Unified is served by the Ventura County Special Education Local Plan Area, which has 21 members (20 school districts and the county office).

In addition to AB 602 state funding, districts receive a small amount of federal funds. These funds are designed to supplement general education, not to support a stand-alone program. The combined state and federal financial resources are insufficient to cover 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. These contributions are 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 there are exceptions to this rule, districts seeking to decrease their total general fund contribution to special education must follow the guidelines specified in Section 1413(a)(2)(B) of Title 20 of the United States Code (20 USC 1413(a)(2)(B)). This code permits districts to reduce the amount of state and local funds allocated to special education only when such reductions can be attributed to:

i. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education personnel;

ii. A decrease in the enrollment of children with disabilities;

iii. The termination of the obligation of the agency, consistent with this subchapter, 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—

    I. Has left the jurisdiction of the agency;

    II. Has reached the age at which the obligation of the agency to provide a free appropriate public education (FAPE) to the child has terminated; or

    III. No longer needs the program of special education; or

iv. 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 costs related to transportation, legal and/or settlements, while others exclude them. Moreover, there are differences in how SELPAs allocate special education funds. Consequently, 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 seems excessive compared to others or is growing disproportionately in comparison to other costs. For these reasons, several special education expenses were added into the district's final Standardized Account Code Structure (SACS) accounting software data files.

Building Comparable Data

To build comparable expenditure data for calculating an unrestricted general fund contribution amount that can be compared to statewide averages, only ongoing income and expenses were used from the district's SACS data. The following district expenses were added because they are typically considered special education expenditures:

- **Excess special education costs billed from the county office,** budgeted at $4,992,798 in the 2023-24 adopted budget. According to The California School Accounting manual, county office excess costs should be reported as a special education expenditure. The reason behind the district's historical omission of reporting county office excess costs as a special education expenditure is unclear because of staff turnover in the Business Department. However, without incorporating these costs, the true cost of the special education program cannot be determined.
- **Full indirect costs for special education programs** for all years using the CDE's approved rates for the district, which were 6.03% in 2019-20, 6.12% in 2020-21, 7.19% in 2021-22, 6.61% in 2022-23 and 5.12% in 2023-24. Indirect costs of $2,450,844 were added to the 2023-24 adopted budget. It is best practice to consistently charge the full indirect rate to special education programs. However, because of staff turnover in the Business Department, it is unclear why the district has not done so in the past. The true cost of the special education program cannot be determined unless full indirect costs are consistently charged to special education.
- **Approximately $6.2 million in certificated salaries and benefits,** which had been moved out of the special education expenditures during the 2022-23 closing process.
- **Adjustments to the 2023-24 adopted budget** that staff reported the district plans to make in the first interim report. It is a best practice to use position control information in budget development. However, staff reported that the district did not use this information to develop its 2023-24 special education budget, and as a result, needs to make several budget adjustments in its first interim report. Staff turnover in the Business and Special Education departments may have contributed to this practice, which increases the risk of over- or underbudgeting for staff.
- **School nurse salaries** were added to the 2023-24 special education expenses and are included in the unrestricted general fund contribution for financial projection purposes. It is a best practice to split fund positions, such as school nurses and school psychologists, between special education and general education resources in proportion to the student populations they serve. Staff indicated that special education expenses for school nurses are being charged to one-time funds, which are available for obligation through September 30, 2024.

District Unrestricted General Fund Contribution

FCMAT conducted an analysis of the district's special education income and expenditures, exclusively using ongoing income (excluding one-time 2021-22 or 2022-23 income/expenses) from the fiscal years 2019-20 to 2022-23, as shown in the table below.

Table 23. Comparison of special education expenses using only ongoing income and the average historical rate from 2019-20 to 2022-23.

Income/Expense Category	Actual 2019-20	Actual 2020-21	Actual 2021-22	Actual-Adjusted 2022-23	Average Historical Rate
Increase in Special Education Students	0.50%	0.40%	0.80%	1.10%	0.70%
Increase/Decrease in Ongoing Income	−9.90%	20.60%	9.50%	9.40%	7.40%
Increase in Certificated Salaries	−3.90%	10.00%	13.20%	15.30%	8.70%
Increase in Classified Salaries	−10.00%	9.90%	9.80%	38.40%	12.10%
Increase in Benefits	−1.70%	17.50%	12.30%	21.00%	12.30%
Increase/Decrease in Books and Supplies	−24.50%	49.50%	19.00%	−20.70%	5.80%
Increase/Decrease in Services	−33.80%	−1.30%	−60.20%	474.50%	94.80%
Tuition Excess Costs/Indirect Costs	−21.30%	−4.50%	37.50%	−20.40%	−2.20%
Increase in Adjusted General Fund Contribution	**−6.50%**	**4.70%**	**9.50%**	**29.30%**	**9.30%**
Adjusted Dollar Amount of Contribution	**$19,199,144**	**$20,097,356**	**$22,007,491**	**$28,456,024**	**N/A**
Adjusted Dollar Amount of Special Education Expenses	**$30,659,959**	**$33,179,008**	**$36,466,482**	**$47,058,464**	**N/A**

Sources: Official SACS data, copies of 2022-23 closing entries, 2023-24 proposed first interim SACS entries, and salaries and benefits for school nurses charged to one-time funding.

Notes: The 2022-23 actual adjusted expenditures were increased to account for the certificated salaries and benefits that were reclassified during the 2022-23 closing process.

The "Tuition Excess Costs/Indirect Costs" income/expense category includes expenses that the district traditionally has not charged to special education, such as county office excess costs and full indirect costs.

The "Increase in Adjusted General Fund Contribution," "Adjusted Dollar Amount of Contribution," and "Adjusted Dollar Amount of Special Education Expenses" income/expense categories were adjusted to match footnoted entries in the district's budget.

Over the past four years, there has been an average annual increase in ongoing funding of 7.4%. However, all expenses, except for supplies and excess costs paid to the county office, experienced a higher rate of increase. After various programs were transferred to SELPA member districts in 2020-21, the excess cost rates were reduced by 20.4% in 2022-23. The fluctuations in expenses observed between 2019-20 and 2020-21 were associated with declines during periods when students were generally not in attendance because of the COVID-19 pandemic.

In 2022-23, special education enrollment grew by less than 1.1%, while expenses surged by 29.0%. This increase was primarily driven by salary and fringe benefit increases of approximately 12.0%. Between 2018-19 and 2022-23, there was an average annual addition of 2.8% more certificated staff services and 5% more classified staff services, accompanied by negotiated payroll increases. Furthermore, an extra $2.5 million in contracted services funded through ongoing resources were included, primarily because of procuring more services from the Ventura County SELPA.

The district's ongoing expenses continue to outpace funding, resulting in an increase in its unrestricted general fund contribution to special education. The table below shows the district's adjusted unrestricted general fund contributions, including expenditures charged to other resources.

Table 24. District's adjusted unrestricted general fund contributions to special education from 2019-20 to 2022-23.

	2019-20	2020-21	2021-22	2022-23
Unrestricted General Fund Contribution	$19,199,144	$20,097,356	$22,007,491	$28,456,024
Percentage of Total Special Education Costs	62.6%	60.6%	60.3%	60.5%

Source: Official SACS unaudited actuals data.

Note: Expenditures were adjusted to account for the certificated salaries and benefits that were reclassified during the 2022-23 closing process. They were also adjusted to include expenses that the district traditionally has not charged to special education, such as county office excess costs and full indirect costs.

In the 2022-23 fiscal year, the district's adjusted unrestricted general fund contribution to special education was $28,456,024, constituting 60.5% of total special education costs. This figure was lower than the 2021-22 statewide average of 64.3%, as calculated by School Services of California. The district's projected adjusted unrestricted general fund contribution as a percentage of total special education costs is budgeted to increase in 2023-24, reaching 64.2%.

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 the identification, assessment, educational placement, or the provision of a FAPE at the lowest level. Special education is a highly litigated area, with the primary basis of litigation centered on disputes over providing a FAPE.

In the district, 84% of the Office of Administration Hearings (OAH) complaints over the past three years pertain to FAPE issues, while 14% involve assessments. The district prevailed in 33% of cases, students prevailed in 14%, and the remaining cases were split, often resulting in remedies such as compensatory education or additional services.

Staff reported 42 informal complaints and nine OAH complaints as of June 2022. At the time of FCMAT's interviews, only two OAH complaints remained open, consisting of one new complaint and one under appeal. No complaints were served in 2022-23.

Legal costs have varied considerably over the last three years, as shown in Figure 9 on the following page.

District's Special Education Legal Costs, 2020-21 — 2022-23

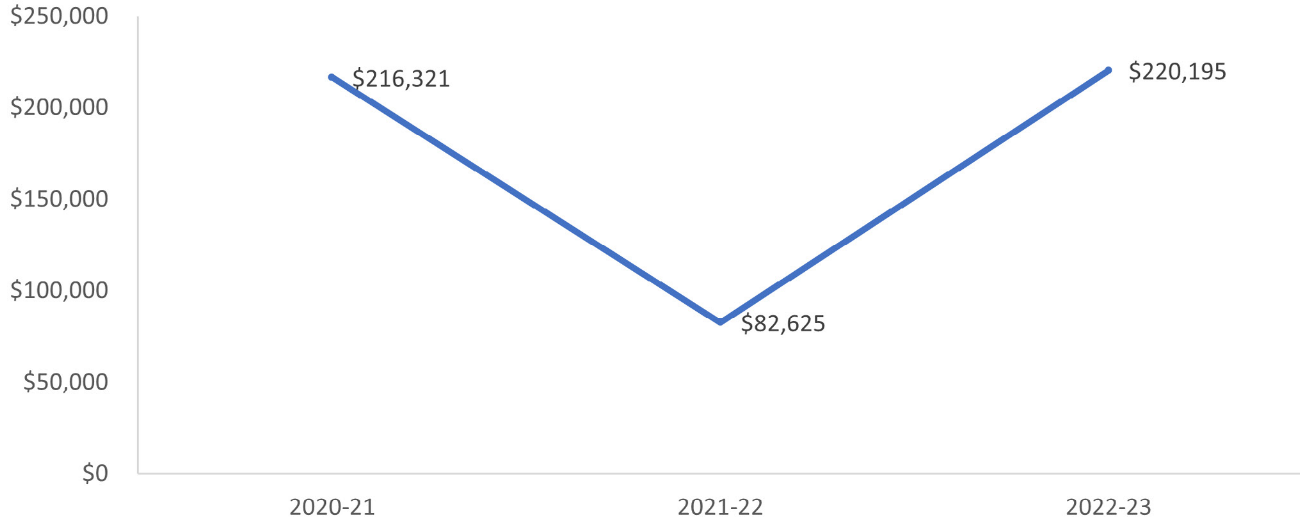


Figure 9. District's special education legal costs from 2020-21 to 2022-23.

Source: District-provided data.

Staff reported that for the 2023-24 fiscal year, approximately $213,500 has been budgeted for parent reimbursements from settlements in prior years. Staff indicated that funds have not been budgeted for future settlements.

Recommendations

The district should:

1. Use position control information in budget development for special education salaries and benefits.
2. Properly report special education instructional salaries and benefits and county office excess costs as special education expenditures according to the California School Accounting Manual.
3. Consider charging full indirect costs to special education programs.
4. Consider funding positions that serve both special education and general education students (e.g., school nurses, school psychologists) in proportion to the respective student populations they serve.
5. Continue to monitor and control its unrestricted general fund contribution to special education.

School Transportation

Context – School Transportation Funding

Historically, school transportation has been one of the most poorly funded areas within 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 particular year.

Between 1982-83 and 2012-13, costs rose significantly, cost-of-living adjustments (COLAs) were only occasionally granted, demographics underwent changes, and the demand for special education transportation surged 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.

District School Transportation Funding

Since the inception of the LCFF, the district has received $1,369,685 for school transportation. Its 2021-22 unaudited actuals financial report indicates that the district spent $6,090,943 for school transportation. Of this amount, capital expenses totaled $995,630, constituting a deduction, and leaving a net expenditure of $5,095,313 for school transportation. Sixty percent of the latter amount is $3,057,188. Consequently, the district will receive an additional $1,687,503 in school transportation funding for the 2023-24 fiscal year, which is a significant funding boost for the district.

The state used transportation expenses reported in the 2021-22 fiscal year to determine funding for 2022-23, and the advance principal apportionment for transportation for 2023-24 is currently based on that same amount. However, the district's 2023-24 transportation funding should exceed this amount because the district's transportation expenditures increased between 2021-22 and 2022-23.

District School Transportation Costs

Transportation Cost Per Route

The district projects that it will spend $5,517,277 on school transportation in 2023-24, which is $149,115 per route. This is a relatively high per-route cost compared to the figures commonly observed by FCMAT across the state.

Transportation Cost Per Student

The district will spend $4,334 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 students. Before the implementation of the LCFF, the CDE collected and published 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 $4,334 per student is a blended amount, FCMAT believes that the district's per student transportation cost is 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.

Bus Aides and Licensed Vocational Nurses

Certain students require a bus aide or licensed vocational nurse (LVN) as a service written into their IEP to facilitate access to school transportation. Bus aides are typically special education paraprofessionals. Expenses associated with bus aides and LVNs need to be reported as transportation expenses. This reporting is crucial because these expenses contribute towards the district's expenditures in Function 3600, which is the basis for the district's transportation funding.

The district is not reporting expenses associated with bus aides and LVNs as transportation expenses. This oversight may stem from staff members' lack of awareness that such reporting directly increases the amount of transportation funding the district is eligible to receive.

Fuel for District Vehicles

The district's Transportation Department has an 8,000-gallon diesel fuel tank used to fuel buses. However, some Transportation Department vehicles obtain their fuel from a local card-lock fuel station or commercial gas stations. Staff reported that an administrative specialist within the Transportation Department reviews fuel bills. At least one anomaly has been identified that seemed to indicate multiple vehicles were fueled at the same time with a single card. While it is difficult to determine if a district fuel card was used to fuel a private vehicle, the district needs to be aware of the potential for fuel theft, which increases when fuel prices are high.

School districts are exempt from federal and state excise taxes for diesel fuel, while gasoline is exempt from federal excise taxes. FCMAT reviewed recent fuel invoices from Silvas Fuel Company and verified that the district was not charged excise taxes for fuel. Moreover, school districts are exempt from federal excise taxes on vehicle tires. FCMAT confirmed that the district has not been charged for these excise taxes either.

Recommendations

The district should:

1. Consider reporting the salary expense of LVNs and bus aides who ride on school buses as a transportation expense.
2. Be aware of the potential and monitor for fuel theft at card lock and commercial fueling stations.

Routing and Scheduling

School Bus Routing Software

The Transportation Department uses the Traversa school bus routing program, which includes a tablet for drivers to perform their daily pre-trip bus inspection and manage field trip and vehicle maintenance. Staff reported that the Transportation Department receives many calls from parents regarding school bus arrival times. Traversa has a parent application with this information, in addition to a global positioning system (GPS) for real-time bus location tracking and historical pathway records. Providing training to parents on the use of this application could reduce the volume of telephone calls to the Transportation Department. The Transportation Department also has a two-way radio system that includes a GPS feature.

School Schedules and Routes

Before the 2022-23 academic year, the Transportation Department operated under a three-tier bell system that maximized bus use. During this period, the district's middle schools started at 9 a.m., while the elementary and high schools started classes around 8 a.m. The high school students were dropped off at 7:30 a.m.

However, beginning in the 2022-23 academic year, new legislation required high schools to start classes no earlier than 8:30 a.m., and middle schools starting no earlier than 8 a.m. Staff reported that there was little coordination between the Transportation Department and other departments or schools regarding these adjusted start times.

When the high school start times shifted to 8:30 a.m., other schools retained their previous start times. High school students continued to be dropped off at 7:30 a.m. because the district did not introduce additional general education bus routes. Moreover, the later start time at the high schools necessitated a later dismissal time of 3:30 p.m. for those students. Staff reported that middle school students are transported home at 3:30 p.m., and then buses return to the high schools at 4 p.m. or later to transport high school students.

The district reported providing transportation to approximately 1,000 general education students across 13 routes. Staff members reported that pickup and drop-off times for high school students are inconvenient and that very few general education high school students use school transportation. To address this, the Transportation Department needs to evaluate its general education ridership and determine if the routes could be consolidated to reduce operational costs.

While changes in the high school schedule did not result in additional expenses for general education transportation, the district added five new special education bus routes to provide service closer to the high school bell times. With an average cost of approximately $50,000 per route for staff salaries and operational costs, this change contributed to an approximate $250,000 increase in Transportation Department expenditures.

In addition, staff reported that various schools have different early dismissal days for academic planning. The reason for the limited collaboration between the Educational Services and Transportation departments regarding school schedules is unclear, but this lack of coordination has resulted in increased costs for the Transportation Department.

District Transportation for Field Trips and Athletics

The Transportation Department reported providing transportation for approximately 2,500 field trips and athletic events annually. Schools and teams are billed at a rate of $39.27 per hour for trips that do not conflict with regular bus route times and $58.91 per hour for those that do. They are also charged $3.06 per mile. The department also offers two field trip buses with more comfortable seating and full air conditioning, priced at $73.00 per hour with the same mileage charge. These rates seem reasonable based on the department's costs. Furthermore, the department rents nonschool bus vans for small group transportation by teachers or coaches, with a fee of $97.38 per day and an additional charge of 66 cents per mile to cover their operational and capital expenses.

In the 2022-23 fiscal year, staff reported a vacant dispatcher position, leading to the director of transportation taking on the duties of booking and assigning field trips. With the recent hiring of a second dispatcher, the department needs to determine whether these field trip duties can be assigned to the new dispatcher. Alternatively, given the availability of drivers who perform nondriving duties for two or more hours per day, it would benefit the district to explore whether one of these employees can manage the booking and assignment of field trips. This approach would enable the director of transportation to refocus on their own key responsibilities.

Recommendations

The district should:

1. Consider encouraging and training parents to use the parent application to determine school bus pickup and drop-off times.
2. Facilitate coordination between the Transportation and Educational Services departments relative to school schedules to maximize the efficiency of bus routes wherever possible.
3. Evaluate whether general education high school bus routes can be consolidated.
4. Consider delegating field trip booking and assignment duties to the new dispatcher or a school bus driver.

Transportation of Students in Special Education

Students Receiving Transportation and the Assignment of Services

Approximately 20% of district students enrolled in special education are offered school transportation. This is a relatively high percentage that may suggest the liberal assignment of transportation services within the IEP process. It is a best practice to use a transportation decision tree when assessing a student's need for school transportation as a related service. Staff members reported using such a decision tree to evaluate the need for special education transportation.

Given the relatively high assignment of special education transportation services, the Special Education Department needs to reevaluate the use of the transportation decision tree and provide training, as necessary. Staff reported that out of the 483 special education students offered transportation, 302 use it. Of these students, 273 are served on district buses across 24 routes, 15 with county office buses, and 14 by

NPS vans. This translates to about 12% of students enrolled in special education using special education transportation, a reasonable number when compared to figures observed by FCMAT statewide.

Before the beginning of each school year and extended school year (ESY), a Special Education Department clerk creates a spreadsheet of students who require special education transportation. When a student is first offered special education transportation, a Transportation Request Form is used. Although this form requests all the information required by the Transportation Department, staff reported that the information is often incorrect or incomplete, which can result in relatively poor transportation service for a student.

It is a best practice to foster regular collaboration between departments. However, staff reported that the Special Education and Transportation departments do not conduct regular meetings to address concerns, needs, and build this critical relationship. It is unclear why regular interdepartmental collaboration has not occurred. The failure to host these meetings represents a missed opportunity for staff to proactively address and prevent miscommunications, cooperatively plan, problem solve and evaluate the program more effectively.

Special Education Transportation Routes

Out of the 24 special education routes, 22 are conducted using school buses, while the remaining two are served with nonschool bus vehicles driven by Transportation Department aides. The special education bus routes are relatively efficient with 11.4 students per route.

Staff reported that there used to be a higher number of students on special education bus routes, but the efficiency was impacted by the high school's schedule change. A typical school bus route consists of multiple "runs," and many of the special education bus routes provide service on two runs in the morning and two runs in the afternoon. However, these routes are less efficient because of the additional time required for morning student pickups and afternoon drop-offs.

Additionally, many of the special education bus routes have midday routes to transport certain students home before the standard afternoon release time.

Other Modes Used to Transport Students Enrolled in Special Education

In addition to district-provided transportation, staff reported that certain students enrolled in special education are transported by other modes, as outlined in the following subsections of this report.

Ventura County Office of Education

The county office provides transportation for 76 district students enrolled in regional county office special education programs at an estimated cost of $721,805 for the 2023-24 fiscal year. The county office receives transportation revenue, and this revenue is deducted from their total transportation expenses before districts are billed.

Participating districts within the county pay a percentage of county office transportation expenses based on a formula that considers mileage and the number of runs. In the 2022-23 fiscal year, the district was charged 10.85% of the county office's transportation expenses, which equated to $2,718 per student. This cost is less than the district's own blended transportation cost of $4,334 per student.

Nonpublic Schools

Two NPSs provide transportation for 14 district students at an estimated cost of $147,402.00 for the 2023-24 fiscal year. This estimate is based on final billing for 2022-23 and translates to $10,528.00 per student for a 180-day school year.

Breaking down the cost structure, one NPS charges $68.00 per day for transportation, along with an additional $34 per day when a student is absent. The district is charged an additional $33.00 per hour if a student requires a transportation aide. The other NPS charges $55.90 per day, with an additional $41.86 per hour for a transportation aide if needed.

Nonpublic school transportation costs need to be reported as transportation expenses, but the district did not seem to be doing so at the time of FCMAT's review. As discussed earlier in this report, this reporting is crucial because these expenses contribute towards the district's expenditures in Function 3600, which is the basis for the district's transportation funding.

Other Modes

Staff reported that at the time of FCMAT's fieldwork, the district was not reimbursing parents for mileage expenses related to transporting their children in lieu of receiving district-provided special education transportation. However, the family of one student is being reimbursed for transportation to a school in Utah at an estimated cost of $7,000 per year. Staff also noted that in previous years, the district used a ride-share company called HopSkipDrive to help with some special education student transportation.

Parent Transportation Handbook

It is best practice to provide a special education 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 members, 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. Evaluate the transportation decision tree and process that IEP teams use to determine the need for special education transportation, and provide training as needed.
2. Ensure the Special Education and Transportation departments meet regularly.
3. Consider determining whether the district or the county office can transport the district's students enrolled in NPSs.
4. Ensure NPS transportation costs are charged to the transportation function code 3600.
5. Consider developing a special education transportation handbook for parents.

Transportation Department Staffing

In the 2023-24 fiscal year, the district's Transportation Department has 8.00 FTE and 37 part-time employees, as shown in Table 25 below.

Table 25. District's Transportation Department positions and full-time equivalent or number of staff in 2023-24.

Position	FTE or Number of Staff
Director of Transportation	1.00 FTE
Shop Supervisor	1.00 FTE
Administrative Specialist	1.00 FTE
Driver Instructor	1.00 FTE
Dispatcher	2.00 FTE
Mechanic II	1.00 FTE
Mechanic I	2.00 FTE
Bus Driver	35 Part-Time Employees
Non-School Bus Vehicle Driver - Bus Aide	2 Part-Time Employees

Source: District-provided data.

Notes: Staff reported that the current staffing for the mechanic I position is 1.00 FTE, and the district is actively working to fill an additional position, which will result in an increase to 2.00 FTE.

Bus drivers work 10 months of the year for up to eight hours per day.

Bus aides who drive nonschool bus vehicles work approximately four hours per day.

At the time of FCMAT's visit, the district had just started the recruitment process for an additional 1.0 FTE mechanic I position. Once this position is filled, FCMAT believes that the Transportation Department's staffing levels will be adequate, based on factors such as the department's size, the overall maintenance requirements for the fleet, and the number of routes, buses and vehicles.

Bus Driver Staffing and Schedules

The recruitment and retention of school bus drivers has become increasingly difficult, both on a local and national scale. Consequently, many districts have adopted various strategies, including offering full-time pay and other incentives, to address this issue. In alignment with this trend and starting in the 2022-23 fiscal year, the district extended an option to all bus drivers to work eight hours per day.

Given that most bus route schedules typically range from five to six hours per day, drivers seeking eight hours of pay take on additional duties to fulfill the extended workday. Staff members reported that bus drivers are often assigned grounds work, involving tasks such as picking up trash at their assigned schools.

Many districts find it difficult to manage the extra duties assigned to bus drivers to meet the requirement of an eight-hour workday. However, staff members reported that the district's bus drivers take their extra duties seriously and perform them as assigned. District bus drivers working an eight-hour day receive full family health and welfare benefits. Staff reported that expanded hours for school bus drivers was an administrative offer and has not yet been formalized in their collective bargaining agreement.

Since it began offering higher salaries and better benefits compared to two local school bus contractors, staff reported that the district has been able to maintain adequate bus driver staffing. Additionally, staff noted that the eight-hour workday guarantee and the provision of full family health and welfare benefits have helped with recruiting new drivers.

Staff indicated that at the time of FCMAT's fieldwork, the district lacked substitute school bus drivers, except for the mechanic I position, which is responsible for driving a school bus approximately two days per week. Additionally, the two dispatchers and the driver instructor are licensed school bus drivers and fill in as substitutes on bus routes as needed. Staff reported that the new hire for the second mechanic I position, which was under recruitment at the time of fieldwork, will be granted six months to obtain a license to drive a school bus.

Transportation Department Policies and Procedures, and Staff Meetings

The Transportation Department has a well-developed policies and procedures manual that articulates employee requirements and department practices. Bus drivers wear a uniform shirt identifying them as a school district employee, and most other department staff wear uniform shirts as well.

Staff members reported that the director of transportation meets regularly with the department's office staff. The Transportation Department needs to continue holding regularly scheduled office staff meetings to improve communication, build relationships, and discuss opportunities and challenges.

Recommendation

The district should:

1. Continue holding regular Transportation Department office staff meetings.

Vehicle Maintenance, Fleet and Facilities

The Transportation Department performs maintenance for all district vehicles except those from the Maintenance, Operations and Grounds Department. Staff reported that the Transportation Department invoices other departments for the parts and labor costs associated with performing maintenance and repairs on their vehicles.

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 the “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 June 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 these deficiencies and 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 board and the superintendent. Given the district’s long history of earning 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 program for its school buses, which is aligned with the manufacturer’s preventive maintenance recommendations for each vehicle. This is an outstanding practice and likely influences the district’s satisfactory CHP terminal grades.

The Transportation Department ensures that mechanics have access to hand tools, specialty tools, and electronic diagnostic equipment, and the shop seems to be well-equipped. The mechanics reported receiving training as available through special programs or from equipment and vehicle manufacturers. However, they also stated that they have not received training on the new electric vehicles. This issue is not unique to this district; it is a common challenge faced by school districts that have adopted electric school buses and vehicles. Many districts report a lack of necessary training for maintenance personnel in dealing with these new systems.

The district uses several vans and vehicles designed to transport small groups of students. According to California Vehicle Code, vehicles intended for nine passengers and one driver (totaling 10) are permitted to transport no more than that specified number of students. Because these vehicles are used to transport students, they must adhere to the same maintenance standards as those for school buses. District staff reported that they recently adopted a monthly inspection and maintenance schedule for these nonschool bus vehicles involved in student transportation. This proactive approach is beneficial for minimizing the district's liability exposure and ensuring the safety of its students.

Safety Meetings

The Division of Occupational Safety and Health, commonly known as Cal/OSHA, mandates regular tailgate safety meetings for industrial, maintenance and construction employees. These meetings can cover various crucial topics, including forklift training, shop safety, placarding (safety signage), and hazardous materials, and tool use. However, staff reported that the Transportation Department does not hold such meetings for shop employees. Failure to do so increases the risk of accidents and creates a potential liability for the district.

Transportation Department Fleet

The Transportation Department owns and operates 23 coach-type buses used for 13 general education bus routes and various field trips. In addition, the fleet includes 25 special education buses, although three were not in service at the time of FCMAT's fieldwork. The district operates 22 special education buses for 22 routes. 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 special education buses. Some special education bus routes are serviced by coach-type general education buses, which is less than ideal because they are not as maneuverable as smaller special education buses.

FCMAT recommends that the Transportation Department maintain a fleet of at least 25 operational special education buses, while limiting the number of general education and field trip buses to no more than 18. However, the district should 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. Considering upcoming legislation requiring all new school buses in California to be electric by 2035, it is likely that additional grant funding will support this transition in the future.

In addition to school buses, the district maintains a fleet of 28 vans and other passenger vehicles stationed at various district sites for student transportation.

Vehicle Maintenance

Staff reported that the Transportation Department oversees the maintenance of less than 10 vehicles that are used by other district departments. They also indicated that the Maintenance, Operations and Grounds Department independently maintains approximately 50 vehicles. While many school districts consolidate all vehicle maintenance under the Transportation Department, this is not practical in this district because the Transportation and Maintenance, Operations and Grounds Departments are not located at the same site.

The Transportation Department facility on Crooked Palm Road includes a maintenance shop, fuel storage area, and a large office. It has an 8,000-gallon diesel tank and a 1,000-gallon gasoline tank. The latter has not been used for several years because, according to staff, compliance costs associated with regulatory and permitting rules rendered its maintenance too expensive. The costs associated with restoring this gasoline tank and ongoing compliance are unknown.

Moreover, the facility does not have enough school bus parking for the entire fleet. Some school buses are parked at the district office, while others are parked at a district school. Despite the district office having enough property to house the entire transportation operation, staff members reported that a decision was made to surplus the district office so it could potentially be sold.

Housing the Transportation Department across multiple sites creates several issues. First, it can be difficult to supervise employees at separate locations. Second, there are additional costs related to maintaining buses at various locations. This includes expenses for transporting buses to the Crooked Palm Road facility for maintenance and for fueling certain buses at cardlock fueling stations, which allow staff to use a fleet card to purchase fuel. The ideal solution would be to move all Transportation Department employees to a single location and park all buses at one facility.

The district could explore the possibility of purchasing a vacant industrial facility adjacent to the Crooked Palm Road site to expand bus parking. Moreover, the city of Ventura has several old and vacant industrial facilities that could be considered for this purpose. Evaluating the sale of the Crooked Palm Road site and acquiring a vacant industrial facility could help the district to establish a unified transportation facility. While there are several options to consolidate district transportation operations, creating a unified transportation facility is the most ideal solution.

FCMAT found that the transportation facility on Crooked Palm Road appears to be following general environmental rules applicable to industrial facilities.

Recommendations

The district should:

1. Consider sending district mechanics to electric bus and vehicle training programs.
2. Schedule and hold regular shop safety meetings according to Cal/OSHA rules.
3. Consider replacing aging coach-type buses with new special education buses.
4. Consider pursuing a unified transportation facility, rather than having satellite bus parking locations.

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 also be administered by a 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.

FCMAT conducted an audit of the district's driver training records and found them to be well organized and in compliance with relevant laws and regulations. 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 new driver trainer.

Moreover, the driver trainer holds Red Cross certification as a first aid and cardiopulmonary resuscitation (CPR) instructor and regularly provides such trainings for bus drivers. Additionally, the Transportation Department has a certified behind-the-wheel trainer who drives routes and provides training on request for which they are paid separately. Having a behind-the-wheel instructor on staff is a positive practice, and this individual is a prime candidate for future school bus driver instructor certification.

Title 13, Section 1229 of the California Code of Regulations mandates that every commercial driver must demonstrate proficiency for each type of vehicle before operating it on the road without supervision. The Transportation Department maintains records for each of its commercial drivers to demonstrate its compliance with this requirement. Furthermore, during the COVID-19 pandemic, the department updated and renewed the proficiency of each driver.

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 upon any moving violation, citation, or accident. The district's driver instructor registers school bus drivers and the two aides who drive students in vans for this program. However, staff reported that teachers, coaches, and other staff members who drive students in district vans or operate other district vehicles are not enrolled in the program. To maintain student safety and limit its liability, the district needs to enroll all employees operating any district vehicle, as well as volunteers driving students, in the DMV-EPN program.

The district's risk management director 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. Staff members described undergoing testing and receiving appropriate training to detect and report instances of 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 (VC) 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 the district's van drivers do not receive such training. A lack of training increases the risk of accidents and creates a potential liability for the district. It would benefit the district if the Transportation Department's driver trainer were to develop a training program on defensive driving and the district's practices for these vans. Every teacher or coach responsible for driving students must receive this training.

It is best practice to provide specialized training for bus drivers responsible for transporting students with disabilities. However, staff reported that drivers with special education routes receive standard driver training and minimal 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.

Although the Special Education Department allows school bus drivers to attend Crisis Prevention Institute training, it should be supplemented with comprehensive training in disability awareness. This should include an understanding of the behaviors that may arise from various disabilities, along with strategies to effectively manage these behaviors on a bus, thus ensuring the safety of both students and drivers. Failing to provide adequate training in these key areas heightens the risk of accidents, jeopardizing student safety, and potentially exposing the district to liability.

District Transportation Safety Plan

The district has adopted a Transportation Safety Plan that is largely in compliance with EC 39831.3. However, there are two areas that need updating. First, 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 district practices concerning checking buses for any remaining students. While the district's plan references this new law, it does not describe the bus checking procedures and needs to be updated accordingly.

Second, the plan articulates a requirement for districts to establish a policy granting bus drivers discretionary authority to cease operation of their vehicle when visibility is less than 200 feet, in alignment with VC 34501.6. However, the district should include more specific instructions detailing the actions bus drivers should take when visibility is limited. District Administrative Regulation 3543 already includes a limited visibility policy that complies with VC 34501.6.

Furthermore, 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 grades 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 scheduled the required drills to meet the annual requirement for 2023-24 in the coming weeks.

Safety Information for Parents

Education Code 39831.5 requires that requires that transitional kindergarten 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 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.

Education Code 39831.5 also requires that the district maintain the address of every student who plans to use bus transportation. The district is complying with this requirement, which is important because of the potential need to physically escort these students across the street.

The Transportation Department registers each student riding on general education routes for transportation and assigns them a bus pass.

Recommendations

The district should:

1. Consider developing a training program for special education school bus and van drivers to assist them in understanding the needs of students with different disabilities and providing positive behavior supports for students.
2. Enroll district van drivers in a similar, but separate non-DOT drug and alcohol testing program.
3. Update its Transportation Safety Plan with procedures to check buses for any remaining students after each route or run.

Appendix

Appendix A – Study Agreement

Appendix A — Study Agreement

FCMAT

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
REVISED STUDY AGREEMENT
May 5, 2023

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Ventura 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 teams, response to intervention, and multitiered 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, occupational and physical therapists, behavior specialists, adaptive physical education teachers, and other staff who may be related service providers, and make recommendations for improvement, if any.

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5. 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.

6. 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.

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.

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, including input from the Special Education District Advisory Committee.

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.

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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:

To be determined	*FCMAT Staff*
To be determined	*FCMAT Consultant*
To be determined	*FCMAT Consultant*
To be determined	*FCMAT Consultant*

4. **PROJECT COSTS**

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

A. $800 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 $42,600.**

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:

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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

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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 Ventura 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.

12. 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.

13. CONTACT PERSON

Name: Neil Virani, Executive Director, Special Education
Telephone: [redacted]
E-mail: neil.virani@venturausd.org

5/11/2023

Dr. Antonio Castro, Superintendent
Ventura Unified School District

Date

5/11/23

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

Date

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