

Special Education Review

April 24, 2023

Budget

Amount	Details	Month	Amount
4,500	Mid Year Bonus	June	2,000
2,500	Year End Bonus	December	3,000
		January	5,000

Costs	Expenditure	Month	Amount
2,300	November vacation	November	450
600	Home for the holidays	December	600
350	Gifts for family	December	600
60	Family vacation	July	300
		January	880
		January	
		January	
		January	

April	May	June
9,915	13,220	16,000
	7,000	7,000
	0	

Washington Unified School District

Michael H. Fine
Chief Executive Officer

April 24, 2023

Cheryl Hildreth, Ed.D., Superintendent
Washington Unified School District
930 Westacre Road
West Sacramento, CA 95691

Dear Superintendent Hildreth:

In August 2022, the Washington 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 organizational structure and staffing of the special education department in the district's central office to determine support for student outcomes and make recommendations for improvement, if any.
2. Review the special education program's internal control systems, including communication, in relation to data used to monitor the district's accuracy of CALPADS reporting and compliance in offering a free and appropriate public education (FAPE).

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

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

Sincerely,



Michael H. Fine
Chief Executive Officer

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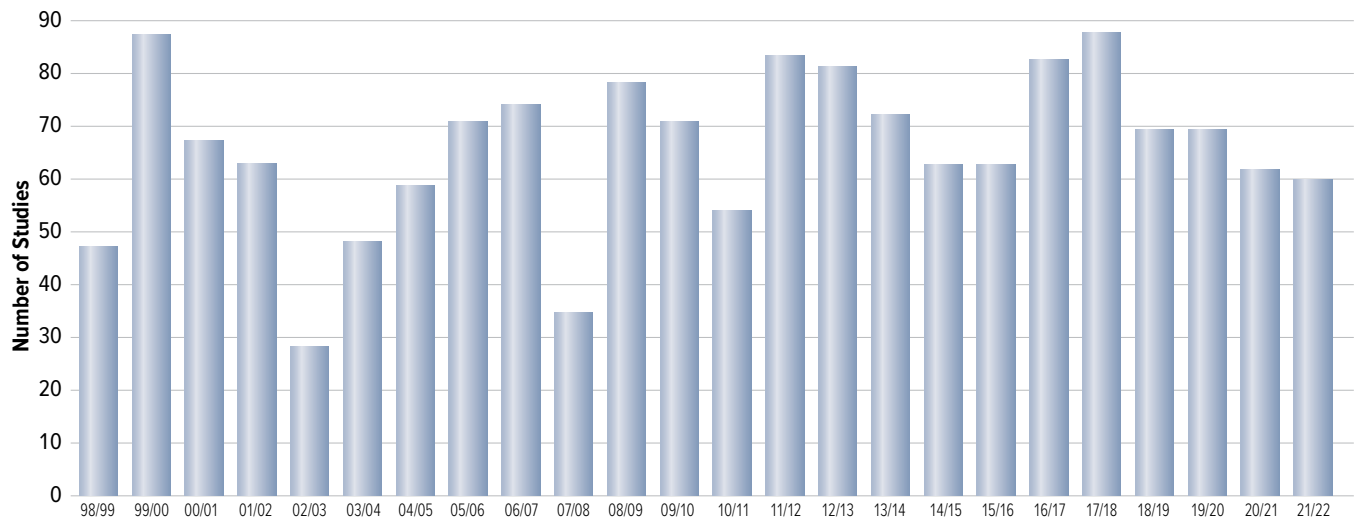
About FCMAT

FCMAT's primary mission is to assist California's local TK-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related school business and data services. FCMAT's fiscal and management assistance services are used not just to help avert fiscal crisis, but to promote sound financial practices, support the training and development of chief business officials and help to create efficient organizational operations. FCMAT's data management services are used to help local educational agencies (LEAs) meet state reporting responsibilities, improve data quality, and inform instructional program decisions.

FCMAT may be requested to provide fiscal crisis or management assistance by a school district, charter school, community college, county office of education, the state superintendent of public instruction, or the Legislature.

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

Studies by Fiscal Year



FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of TK-14 LEAs and the implementation of major educational reforms. FCMAT also develops and provides numerous publications, software tools, workshops and professional learning opportunities to help LEAs operate more effectively and fulfill their fiscal oversight and data management responsibilities. The California School Information Services (CSIS) division of FCMAT assists the California Department of Education with the implementation of the California Longitudinal Pupil Achievement Data System (CALPADS). CSIS also hosts and maintains the Ed-Data website (www.ed-data.org) and provides technical expertise to the Ed-Data partnership: the California Department of Education, EdSource and FCMAT.

FCMAT was created by Assembly Bill (AB) 1200 in 1992 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

The Washington Unified School District serves the community of West Sacramento. According to DataQuest, 7,246 kindergarten through grade 12 (K-12) students were enrolled in noncharter schools in the district in 2021-22. The district is composed of 11 schools: eight transitional kindergarten through grade eight (TK-8) schools and three high schools. It is a member of the Yolo County Special Education Local Plan Area (SELPA), which is a regional service delivery system for special education. In 2021-22, 11.11% of the district's K-12 students were identified as requiring special education, 1.69% below the statewide average of 12.80%.

In August 2022, the Washington 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.

Study and Report Guidelines

FCMAT visited the district on December 19 and 20, 2022, to conduct interviews with district administrators, special education teachers, special education aides, and related service providers. Following fieldwork, FCMAT reviewed and analyzed data and documents.

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

Nelarie Romo
FCMAT Consultant

Cassady Clifton
FCMAT Technical Writer

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

Executive Summary

While Washington Unified's K-12 census day enrollment has declined over the past five years, its special education enrollment has increased by 1.87%. In 2021-22, just over 11% of the district's K-12 students were identified as requiring special education, which was 1.69% below the state average of 12.80%.

FCMAT conducted an informal survey of central office special education department staffing in unified school districts with an enrollment and unduplicated pupil percentage similar to Washington Unified. FCMAT received responses from six districts. The comparison districts have an average of 4.42 full-time equivalent (FTE) administrator positions supporting special education in the central office; Washington Unified has 6.0 FTE. Comparison districts have an average of 2.75 FTE special education administrative support positions in the central office; Washington Unified has 2.0 FTE. FCMAT recommends maintaining current central office staffing levels for special education and filling the vacant coordinator of special education position to support the systems and professional learning needed to improve compliance with the Individuals with Disabilities Education Act's (IDEA's) procedural and substantive requirements.

FCMAT reviewed special education identification rates and the performance and outcomes of students with disabilities, which is a responsibility that should be shared by general and special educators. Most of the district's students with disabilities have been identified as having a specific learning disability. The district needs to monitor the number of students in the "autism" and "other health impairment" special education disability categories, both of which increased by over 30% between 2019-20 and 2022-23. In addition, the district needs to evaluate its possible overidentification of English learners for special education because they are overrepresented in the special education population.

District students in special education performed worse or significantly worse on the 2022 California School Dashboard compared to the population of all district students. The Dashboard showed significantly worse performance on the graduation rate indicator (students with disabilities – very low, versus all students – very high) and indicated that almost half of students with disabilities were chronically absent. The district identified the low graduation rate of students with disabilities as a focus area and included a goal to boost this rate in its Local Control Accountability Plan (LCAP). It would benefit the district to involve general and special educators in using a continuous improvement process to identify the causes of the district's very high chronic absenteeism rate for students with disabilities and to develop a plan to address them.

The IDEA requires that students with disabilities receive a free appropriate public education (FAPE) in the least restrictive environment (LRE), the general education classroom. According to the most recent special education annual performance report, the district is not educating enough special education students in general education classrooms for more than 80% of their school day. Several staff interviewed reported that settings outside of the general education classroom, such as pull-out groups or special day classes, were the best places, or in certain cases, the only places, many students with disabilities should be educated. This belief directly contradicts the *One System: Reforming Education to Serve ALL Students, Report of California's Statewide Task Force on Special Education* report that stipulates special education services are a program under the umbrella of general education, rather than a place where students go to receive more or different services. Consequently, the district should explore and provide the professional learning and resources staff need to support more students with disabilities in general education settings.

As part of guaranteeing students with disabilities a FAPE, the IDEA specifies procedural and substantive protections for those students and their parents. In an alleged violation of these safeguards, the hearing officer must base his or her determination on whether the student received a FAPE. The district needs to focus on strengthening at least the following three areas to improve compliance with offering students a FAPE.

First, the district should develop a plan for all instructional staff to receive ongoing universal design for learning (UDL) training, so all students have opportunities to learn and express their knowledge through differentiated content, processes and product. When students with disabilities are taught by teachers who use UDL practices to plan for their needs, they are better served as general education students. UDL supports educating students with disabilities in the LRE, which helps maximize their development and potential.

Second, the district needs to improve its systems to support individualized education program (IEP) procedural compliance in at least the following areas.

- The district needs to require IEP teams to follow district-provided IEP meeting agendas to ensure meetings are conducted in the proper sequence leading to the district making a legally defensible offer of FAPE to all students.
- General education teachers have a professional responsibility to attend IEP meetings for students enrolled in their class and those who join their class for inclusion time for a portion of the school day. It would benefit the district to obtain an opinion from its legal counsel regarding whether IEP meeting attendance is a general education teacher's professional duty, and if so, to hold staff accountable for attending them. The district needs to encourage general education teachers to attend IEP meetings.
- The district needs to provide professional learning emphasizing the throughline between teachers' participation in IEP meetings and the development of IEPs for the classroom that support students' identified areas of need and result in educational benefits.
- The district needs to provide annual training to staff serving as the administrative designee at IEP meetings on their role and responsibilities, and on the IDEA's procedural and substantive requirements.
- The district needs to update its IEP checklist to monitor IEPs for compliance with IDEA requirements. Case managers could use the checklist as they develop, hold and affirm IEPs, and could then attach it as a cover sheet when the final IEP is submitted to the Special Services Department.
- The district needs to require special education teachers and related service providers to track the delivery of services on students' IEPs in a consistent manner. Special Services Department central office staff should be required to monitor these records.

Third, the district has integrated the Special Education Information System (SEIS) with its student information system, Aeries. The district's SEIS data processing assistant reported checking district data for errors through saved searches in SEIS and requesting staff to make corrections. This positive practice needs to be expanded to include the searches outlined in the "Data Governance Systems" section of this report. In addition, it would benefit the district to develop manuals outlining SEIS data management procedures and cross-train staff on them.

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

The “Statewide Special Education Task Force” project summary stated:

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

It further explained that operating special education as a separate program is contrary to current research that suggests:

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

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

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

Among the areas of focus and many recommendations in the 2015 report on One System was the predominant theme that California’s special education system would improve if one coherent system was designed in which general and special education educators 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 “Statewide Special Education Task Force” project summary identified a need to transform our 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.

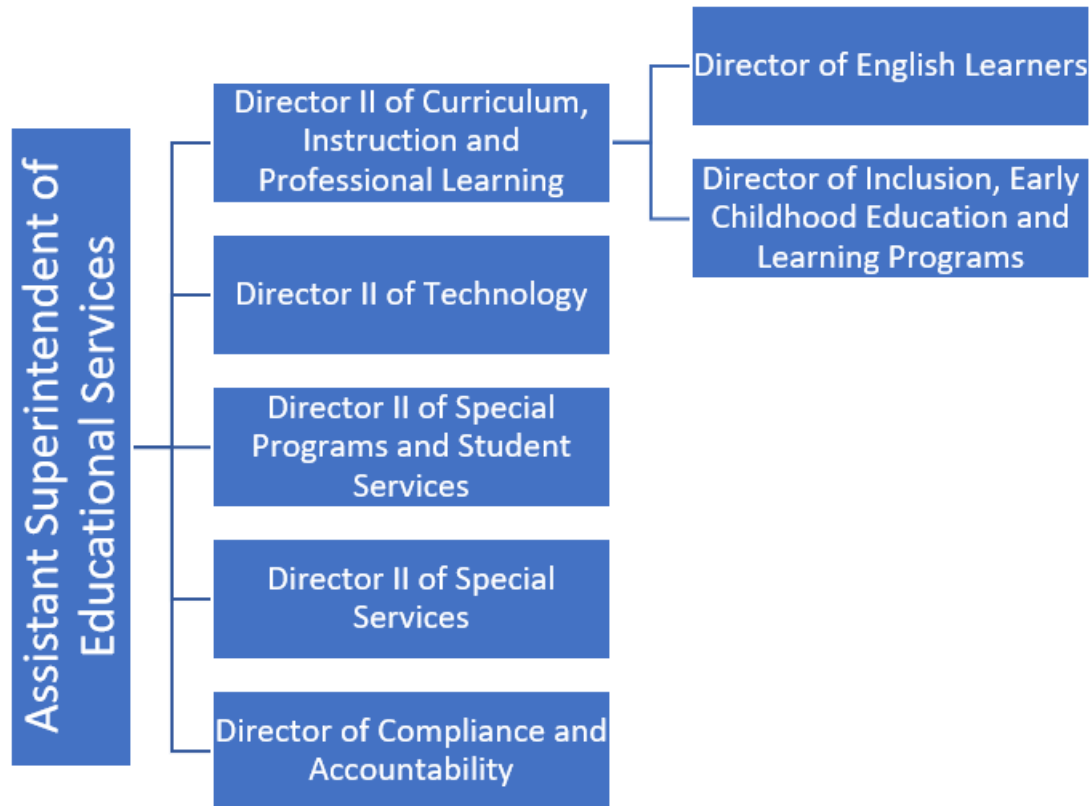
In 2020, the CDE tasked WestEd with reporting on policy and system changes that have affected students with disabilities since the 2015 report on One System. The 2021 WestEd report, *California’s Progress Toward Achieving ONE SYSTEM: Reforming Education to Serve ALL Students*, explains that the 2015 report on One System was intended to create momentum and discourse for California’s efforts to reform special education. To evaluate special education reform efforts, WestEd examined the 2015 report on One System’s seven focus areas and then made additional recommendations in each area. WestEd concludes 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 they must operate with the understanding that special education services are one of the many programs of support under general education, rather than a place where students go to receive more or different services. These tenets will be used throughout this report to analyze the district’s organization, staffing and practices, and to inform recommendations for improvement.

District Organization and Structure to Support Students Receiving Special Education Services

Educational Services Department Structure

The district's Educational Services Department is organized as shown below.



Source: District-provided data.

The district's director II of special services supports the special education program and staff. The Special Services Department is organized as shown below, and all positions listed are 1.0 FTE.



*Educationally Related Mental Health Services.

Source: District-provided data.

According to the district's job description, the director II of special services is responsible for the day-to-day operations of all special education and health programs and services. Interviews and the job description also indicated that this position assists administrators and staff in the development and implementation of 504 plans, which are formal plans outside of special education that schools create to enable access to general education programs for certain students with disabilities. Working under the director II of special services are:

- One coordinator of special education who is required to have an administrative credential. According to the job description, the coordinator of special education provides leadership and support to district administrators and instructional staff for the development, assessment, implementation and evaluation of special education programs throughout the district.
- Four program specialists who are not required to have an administrative credential. The job description is related to curriculum, instruction and professional learning, and lacks any responsibilities related to special education. Program specialists reported having duties such as supporting new teachers, providing professional development, providing case management for students in nonpublic schools, facilitating IEP meetings, and managing the consideration for transfer process (the process in which a student's needs are reviewed to evaluate which educational settings may be appropriate).

The district's director II of special services, new to the position at the beginning of the 2022-23 school year, was previously the district's coordinator of special education. At the time of FCMAT's visit, the coordinator of special education position had not been filled. FCMAT recommends filling the coordinator of special education position with someone who has an administrative credential to meet the department's supervision and evaluation needs.

Special Education Central Office Staffing

The following special education administrators work in the district's central office.

Position Title	Number of Positions	Total FTE
Director II of Special Services	1	1.0
Coordinator of Special Education*	1	1.0
Program Specialist	4	4.0
Total		6.0

*This position was unfilled at the time of FCMAT's visit.

Source: District-provided data.

The following administrative assistants perform special education-related functions in the district's central office.

Position Title	Number of Positions	Total FTE
Administrative Secretary II	1	1.0
SEIS Data Processing Assistant	1	1.0
Total		2.0

Source: District-provided data.

Special Education Staffing Comparison

Similar Districts

FCMAT conducted an informal survey of unified school districts in California with similar enrollment and unduplicated pupil percentage (UPP). FCMAT requested information in two areas:

1. Central office administrator positions, including positions such as directors, assistant directors, coordinators, program specialists and teachers on special assignment (TOSA).
2. Central office administrative support positions, including positions such as secretaries, administrative assistants, filing clerks and data technicians.

Six districts responded to FCMAT's request for information on central office special education department staffing. The comparison districts have an average of 4.42 FTE administrator positions supporting special education in the central office; Washington Unified has 6.0 FTE. Comparison districts have an average of 2.75 FTE special education administrative support positions in the central office; Washington Unified has 2.0 FTE. The table below shows the responses from the unified school districts that replied to FCMAT's request for information on central office special education department staffing.

District	County	2021-22 Census Day Enrollment/ UPP%*	FTE Administrator Positions**	FTE Administrative Support Positions**
Azusa Unified	Los Angeles	7,187/ 85.39%	4.0	4.0
Calexico Unified	Imperial	8,563/ 90.27%	2.5	2.5
Morongo Unified	San Bernardino	7,580/ 71.35%	5.0	3.0
Paso Robles Unified	San Luis Obispo	6,539/ 64.87%	6.0	3.0
San Leandro Unified	Alameda	8,712/ 76.04%	5.0	2.0
Ukiah Unified	Mendocino	6,552/ 72.45%	4.0	2.0
Average FTE***			4.42	2.75
Washington Unified	Yolo	8,194/ 61.08%	6.0	2.0

*EdData - Comparisons (ed-data.org). Enrollment includes charter and noncharter schools.

**Informal FCMAT survey.

***Washington Unified was excluded when calculating average FTE.

Sources: EdData and informal FCMAT survey. TOSAs were included in administrator FTE if they were performing administrator support functions in the central office. Any variances in FTE are due to FCMAT's interpretation of the information shared in its informal survey.

FCMAT recommends maintaining current central office staffing levels for special education. Although the comparison districts employ 1.58 FTE fewer central office administrators on average than Washington Unified, filling the vacant coordinator of special education position is essential for at least two reasons.

First, this position will support professional development that will help improve the achievement and outcomes for students with disabilities, as outlined in the “Special Education Student Identification, Performance and Outcomes” section of this report. Second, this position can develop and enhance systems that support compliance with the IDEA’s procedural and substantive requirements, as outlined in the “Systems to Support Compliance with Offering Students a FAPE” section of this report. And while the district has 0.75 FTE fewer special education administrative support positions in the central office than comparison districts, the average is skewed higher because one comparison district has 4.0 FTE administrative support positions. The other five comparison districts and Washington Unified all have 2.0-3.0 FTE special education administrative support positions. Interviewees did not identify a need for additional special education administrative support in the district’s central office.

Regional Districts

FCMAT surveyed two additional districts located in the same geographic region as Washington Unified. The regional districts have an average of 5.25 FTE administrator positions supporting special education in the central office; Washington Unified has 6.0 FTE. The regional districts have an average of 4.0 FTE special education administrative support positions in the central office; Washington Unified has 2.0 FTE. These regional districts are not comparable to Washington Unified because their enrollment and/or UPP are not similar. The table below summarizes responses from the regional districts.

District	County	2021-22 Census Day Enrollment/ UPP%*	FTE Administrator Positions**	FTE Administrative Support Positions**
Davis Joint Unified	Yolo	8,308/ 22.10%	4.0	4.0
Woodland Joint Unified	Yolo	9,517 72.39%	6.5	4.0
Average***			5.25	4.0
Washington Unified	Yolo	8,194/ 61.08%	6.0	2.0

*EdData - Comparisons (ed-data.org). Enrollment includes charter and noncharter schools.

**Informal FCMAT survey.

***Washington Unified was excluded when calculating average FTE.

Sources: EdData and informal FCMAT survey. TOSAs were included in administrator FTE if they were performing administrator support functions in the central office. Any variances in FTE are due to FCMAT’s interpretation of the information shared in its informal survey.

Recommendations

The district should:

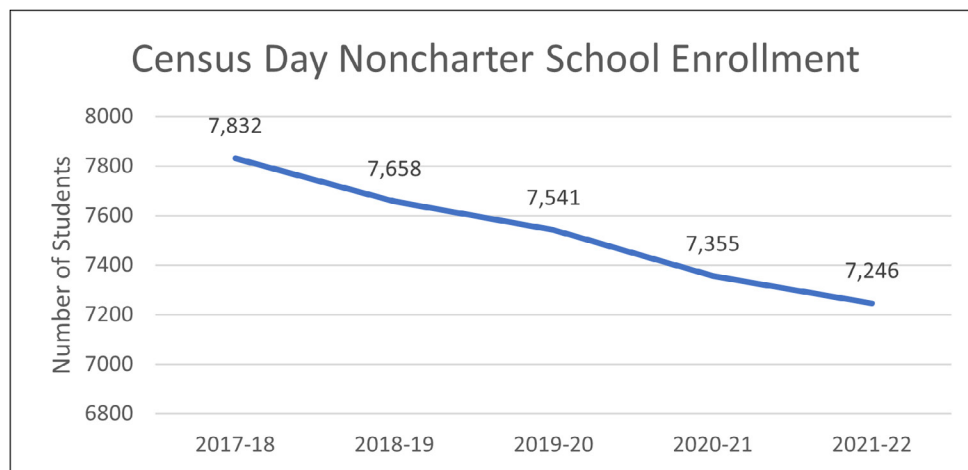
1. Develop a program specialist job description for the Special Services Department reflecting the essential knowledge, duties and responsibilities relevant to special education. Consider whether there is an operational advantage to requiring an administrative credential for the program specialist position.
2. Maintain current central office staffing for special education and prioritize filling the open coordinator of special education position with a candidate who has an administrative credential.

Special Education Student Identification, Performance and Outcomes

In addition to considering central office staffing, it is important for the district to evaluate whether students are being properly identified for special education and what their performance and outcomes are under the district's organization and structure. As emphasized in the 2015 report on One System, the proper identification, performance and outcomes of students in special education is a shared responsibility of general and special educators.

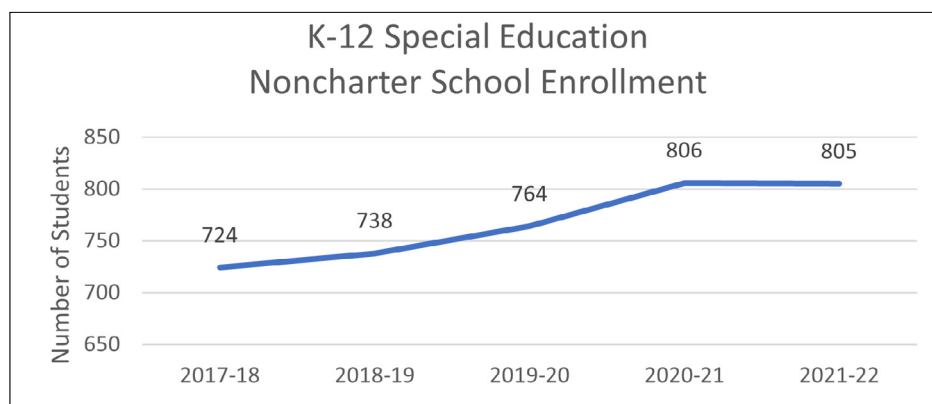
District Special Education Identification Rate

Between 2017-18 and 2021-22, the district's census day enrollment decreased by 586 students.



Source: Enrollment by Subgroup for Charter and Non-Charter Schools - Washington Unified (CDE).

The district's special education enrollment increased by 81 students between 2017-18 and 2021-22. 50% of all district students identify as male, compared to 67% of district students in special education who identify as male, which mirrors the state's rate.



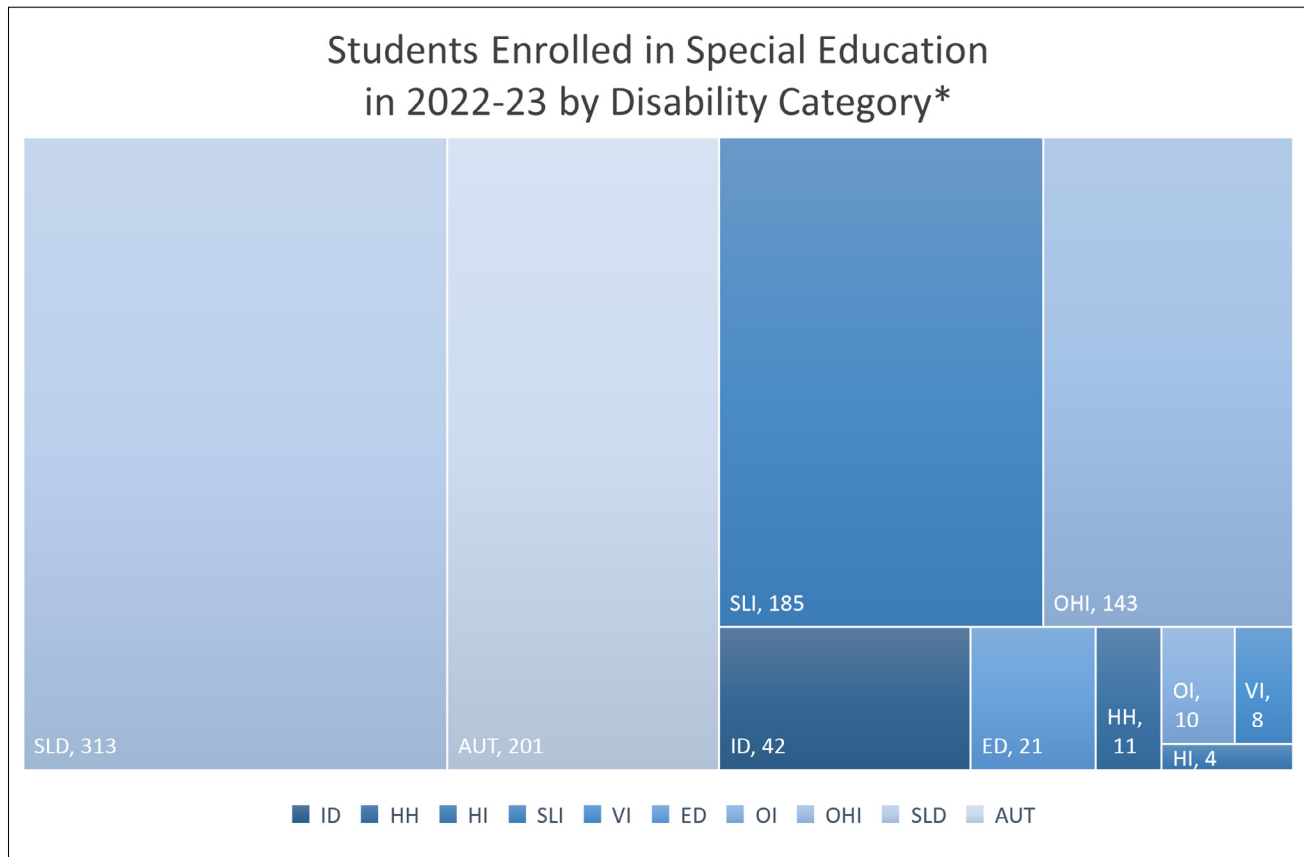
Source: Enrollment by Subgroup for Charter and Non-Charter Schools - Washington Unified (CDE).

Students in K-12 qualify for special education according to the 13 categories of disability shown below.

Disabilities that Qualify Students for Special Education			
Intellectual Disability (ID)	Hard of Hearing (HH)	Deafness (DEAF)/ Hearing Impairment (HI)	Speech or Language Impairment (SLI)
Visual Impairment (VI)	Emotional Disturbance (ED)	Orthopedic Impairment (OI)	Other Health Impairment (OHI)
Specific Learning Disability (SLD)	Deaf-Blindness (DB)	Multiple Disabilities (MD)	Autism (AUT)
Traumatic Brain Injury (TBI)			

Source: Section 1401 - Individuals with Disabilities Education Act (IDEA).

According to a 2020 study by WestEd, specific learning disabilities (SLD) constitute the vast majority of identified disabilities for K-12 students, followed by speech and language impairments (SLI) and autism (AUT), respectively. According to 2022-23 California Longitudinal Pupil Achievement Data System (CALPADS) data, the district reported 940 prekindergarten through grade 12 students were enrolled in special education. Among the 940 students, one third, or 313, were identified as having an SLD, as shown below. AUT and SLI, at 201 and 185 students respectively, were the next largest disability categories in the district.

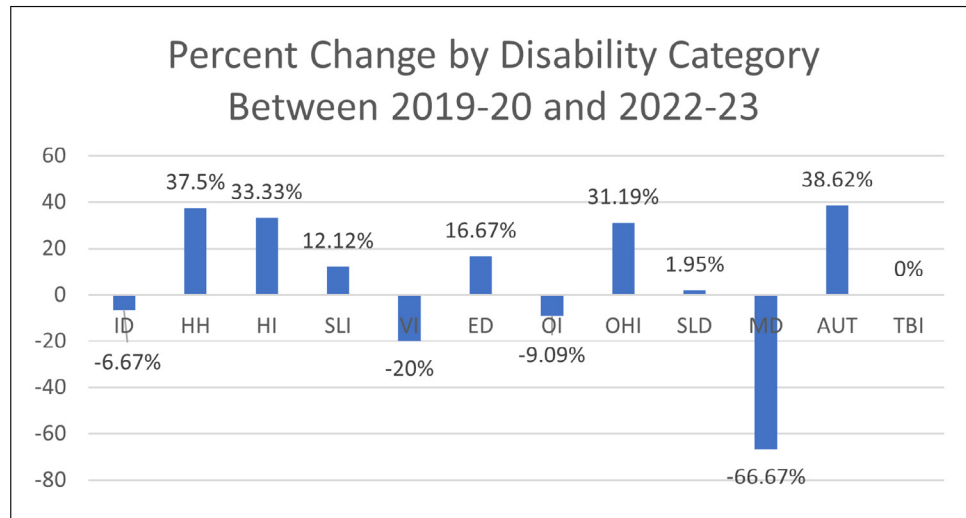


*While not pictured, one student was identified for the TBI category and one for the MD category.

Source: District-provided data.

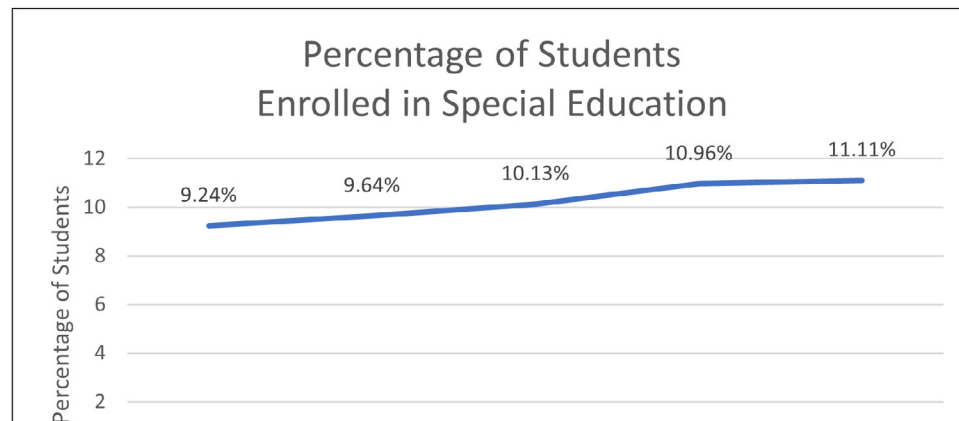
A review of the district's increasing special education enrollment by disability category shows the percentages of students in certain categories are increasing at a far greater rate, as shown below. For example, AUT increased from 145 to 201 students (a 38.62% increase), and OHI increased from 109 to 143 students (a 31.19% increase). These categories need to be evaluated and monitored to ensure students are being

appropriately identified for special education. Conversely, while the percentages of change in the HH, HI, VI and MD categories were relatively large, they do not require further analysis because of the small number of students in these categories. This includes the HH disability category, which increased by 37.5% between 2019-20 and 2022-23 because of the identification of three additional students (from eight to 11).



Source: District-provided data.

The percentage of the district's K-12 students in special education increased by 1.87% between 2017-18 and 2021-22, with an increase of 0.98% over the past three years.



Source: Enrollment by Subgroup for Charter and Non-Charter Schools - Washington Unified (CDE).

In 2021-22, 11.11% of the district's K-12 students were identified as requiring special education. Despite the recent increase in the percentage of district students requiring special education services, this percentage is less than the K-12 countywide and statewide averages, as shown below.

2021-22	Washington Unified	Yolo County	State
K-12 enrollment*	7,246	26,990	5,214,183
K-12 enrollment of students with disabilities*	805	3,622	667,157
Percentage	11.11%	13.42%	12.80%

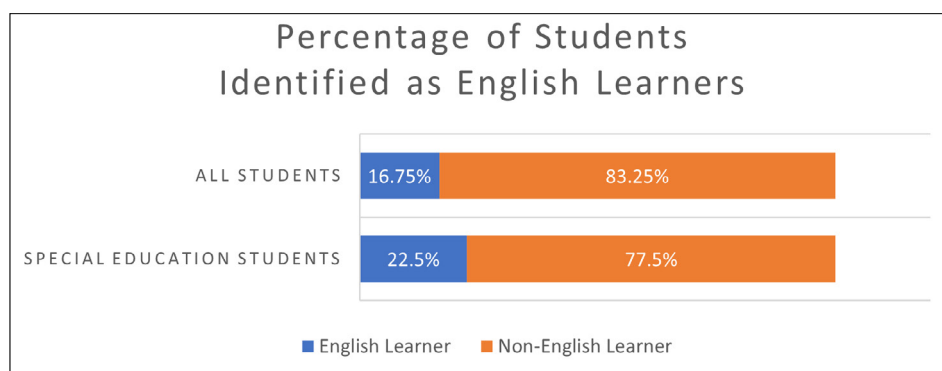
*Only noncharter school enrollment was used.

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

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 and provide professional development addressing proper special education identification as necessary.

English learners are commonly overidentified for special education. In 2021-22, 16.75% of all district K-12 students were identified as English learners. Of the district’s 805 K-12 students in special education, 181, or 22.50%, were identified as English learners. Because the percentage of English learners in special education is higher than in the district as a whole, the district may be overidentifying English learners for special education. The district should review its data to determine possible causes of higher-than-expected identification of English learners for special education.



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

Half (53%) of the district’s K-12 students in special education are Hispanic or Latino. Given that Latino students are commonly overidentified for special education, and because 78.21% of the district’s special education students who are English learners are also Hispanic or Latino, the district should evaluate whether it is overidentifying Hispanic or Latino students for special education. 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 Latino students in special education and provides recommendations on how to address each of them. It would benefit the district to review the brief and use it to guide the investigation of its possible overidentification of Latino or Hispanic students for special education.

Performance and Outcomes for Students Who Receive Special Education Services

The 2015 report on One System emphasizes that the responsibility for the performance and outcomes of students in special education is a shared responsibility of both general and special education educators.

California School Dashboard

California's accountability system is based on multiple measures that assess how local educational agencies and schools are meeting students’ needs. The state reports districts’ performances on these measures with the California School Dashboard. For each district, student groups are classified into change and status levels based on how well they perform on five indicators:

- Chronic Absence Rate – Grades kindergarten through eight
- Suspension Rate – Grades K-12
- Graduation Rate – Grades nine through 12
- College/Career Readiness – Grades nine through 12
- Academic Performance (English Language Arts and Mathematics) – Grades three through eight, grade 11

Status levels (very high, high, medium, low, very low) are based on a group's current year performance on an indicator. Change levels (increased significantly, increased, maintained, declined, declined significantly) capture how much a group's performance changed on an indicator from the prior year. Combined status and change level data results in five color-coded performance levels for each indicator. From highest to lowest, the performance levels are blue, green, yellow, orange and red. Revisions to the dashboard have prioritized student group metrics, which now include students with disabilities as a significant student group that requires both state and federal monitoring.

2019 District Dashboard Performance

Because of the COVID-19 pandemic, state law suspended the reporting of state indicators on the 2020 and 2021 dashboards. The district's 2019 performance (color) for the population of all students in the district is compared to the performance (color) for students with disabilities, as shown below. English learner progress was not reported on the 2019 dashboard.

	Chronic Absenteeism	Suspension Rate	Graduation Rate	College/Career	English Language Arts	Mathematics
All Students	Orange	Green	Orange	Yellow	Yellow	Orange
Students with Disabilities	Orange	Yellow	Red	Red	Orange	Orange

Source: Washington Unified Student Group Report for 2019 - California Accountability Model (CDE).

Compared to all students in the district, students with disabilities performed similarly on the chronic absenteeism and mathematics indicators, one performance level worse on the suspension, graduation and English language arts indicators, and two performance levels worse on the college/career indicator.

2022 District Dashboard Performance

Following the COVID-19 pandemic, state law allows the 2022 Dashboard to use only the current year of data (known as status). For 2022, performance is reported through one of the five status levels (very high, high, medium, low and very low). The status levels for the chronic absenteeism and suspension rate indicators are reversed (ranging from very low, low, medium, high and very high). Below is the district's 2022 Dashboard performance.

	Chronic Absenteeism	Suspension Rate	Graduation Rate	English Language Arts	Mathematics
All Students	Very High 33.9% Chronically Absent	High 5.3% of Students Suspended at Least One Day	High 91% Graduated	Low 23.1 Points Below Standard	Low 71.3 Points Below Standard

	Chronic Absenteeism	Suspension Rate	Graduation Rate	English Language Arts	Mathematics
Students with Disabilities	Very High 46.1% Chronically Absent	Very High 9.3% of Students Suspended at Least One Day	Very Low 66.7% Graduated	Very Low 155.5 Points Below Standard	Very Low 155.5 Points Below Standard

Source: Washington Unified Summary | California School Dashboard (CDE - California School Dashboard).

On the 2022 Dashboard, compared to the population of all students in the district, students with disabilities performed similarly (very high) on the chronic absenteeism indicator and one performance level worse on the suspension rate (students with disabilities – very high, versus all students - high) and English language arts and mathematics indicators (students with disabilities – very low, versus all students – low). Most alarming was the significantly worse performance of students with disabilities on the graduation rate indicator, which was four performance levels worse (students with disabilities – very low, versus all students – high).

The district should prioritize addressing its very high chronic absenteeism rate (46.1% of students with disabilities were chronically absent compared to 33.9% of all students). The Carnegie Foundation published a [white paper](#) in 2013 on continuous improvement in education. It would benefit the district to use a continuous improvement process like the one outlined in this paper and to engage general and special educators in determining the causes of the district's very high chronic absenteeism rate for students with disabilities. Once the causes are better understood, the district can develop plans to improve attendance for students with disabilities.

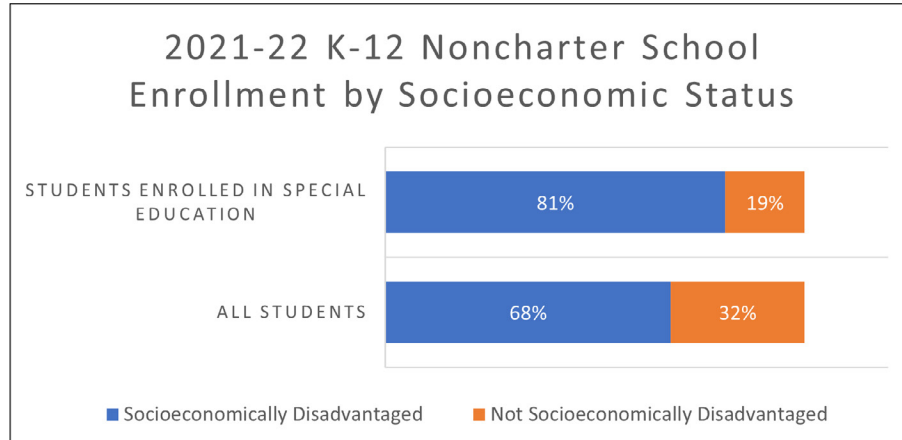
Intersectional Challenges Facing Students with Disabilities

The district's lower performance for students with disabilities across many of these indicators is not unique. Under California's System of Support, differentiated assistance (DA), also known as technical assistance, is provided to eligible districts to increase the performance of their student groups. In 2020, Policy Analysis for California Education (PACE) published a [brief](#) about districts that were eligible for DA in 2019 based on the performance of their students with disabilities. According to this brief, DA eligibility was driven in part by the performance of students with disabilities for 187 of the 333 eligible districts. Those 187 districts were most frequently identified for DA based on the performance of students with disabilities in priority 4 (pupil achievement – English language arts and mathematics) and priority 5 (pupil engagement – graduation rate or chronic absenteeism).

To help these students improve their performance, the 2020 PACE brief recommends that districts use a continuous improvement process to understand the causes of what PACE believes are intersectional challenges facing students with disabilities (i.e., when more than one aspect of a student's experience and identity affects the support he or she needs). In recommending a causes analysis, PACE states:

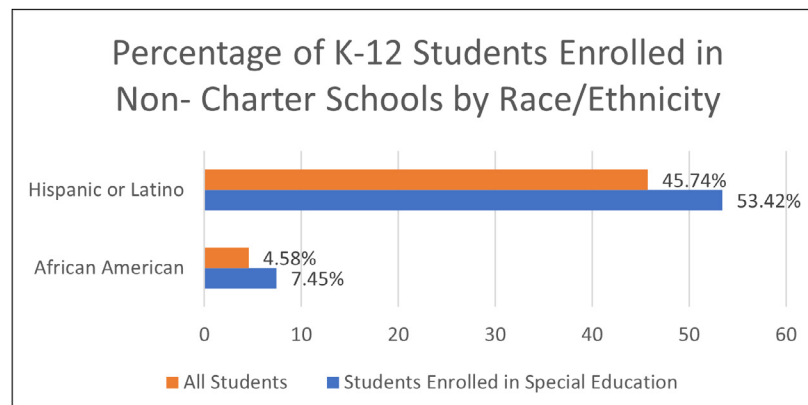
Districts should consider conducting finer grained analyses of the kinds of students facing these complex challenges—including by students' disability type, and also by their gender, race, and ethnic background. Doing so can, for instance, shed light on disproportionate challenges that can lie at the intersection of a child's race and disability status. Thus, a more intersectional approach can reveal who is most in need of supports so that assistance can be tailored and targeted to improve their performance. Knowledge of how challenges play out at both the system and student levels can be critical in developing more holistic and robust strategies to promote the performance levels of students with disabilities.

PACE's intersectional approach may be particularly important in districts like Washington Unified because most students who qualify for special education are also members of other underserved student populations, including students who are experiencing socioeconomic disadvantages and those who are English learners. While 68% of the district's K-12 students are socioeconomically disadvantaged, approximately eight out of 10 students enrolled in special education, or 81%, are socioeconomically disadvantaged, as shown below.



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

According to DataQuest, in 2021-22 district K-12 students who are African American and Hispanic or Latino appear to be disproportionately represented in special education, as shown below. Although students who are Hispanic or Latino represented only 45.74% of all students, they represented 53.42% of students with disabilities.



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

As recommended in the 2020 PACE brief, it would benefit the district to involve both general and special educators in leveraging a continuous improvement process to better understand the causes of the intersectional challenges facing students with disabilities, with an emphasis on how race-related societal factors and/or socioeconomic status combined with disability may be affecting their achievement and outcomes. Once the causes are better understood, the district can develop plans to improve achievement and outcomes for the students with disabilities group.

Special Education Annual Performance Report

The CDE publishes the Special Education Annual Performance Report Measures to distribute educational data about students with disabilities. These reports are required by the IDEA (Title 20, United States Code

1416(b)(2)(C)(ii) — 20 U.S.C. 1416(b)(2)(C)(ii) — and Title 34, Section 300.602 Code of Federal Regulations — 34 CFR 300.602 —). Districts are evaluated based on 14 indicators for which the target is met or not met. The district's *Local Level Annual Performance Report 2020-21* is shown below.

No.	Indicator	Rate	Target	Target Met?
1	Graduation Rate*	64.18%	>90.0%	No
2	Dropout Rate*	2.70%	≤11%	Yes
3	Assessment: ELA Participation	N/A	N/A	N/A
3	Assessment: Math Participation Rate	N/A	N/A	N/A
3	Assessment: ELA Achievement Rate	N/A	N/A	N/A
3	Assessment: Math Achievement Rate	N/A	N/A	N/A
4a	Discipline (>10 days) Rate*	Not Counted (NC)	<2.18	N/A
4b	Discipline (>10 days) Areas Disproportionate*	0	0	Yes
5a	LRE Rate: In Regular Class more than 80%	53.73%	≥58%	No
5b	LRE Rate: In Regular Class less than 40%	14.08%	≤19.5%	Yes
5c	LRE Rate: Separate Schools	1.35%	≤2.9%	Yes
6a	Preschool LRE: Regular Program	23.75%	>39%	No
6b	Preschool LRE: Separate Class	46.25%	<33%	No
6c	Preschool LRE: Home	13.75%	<3.5%	No
7a	Positive Socio-Emotional Skills Substantially Increased	NC	>85.2%	N/A
7a	Positive Socio-Emotional Skills Functioning within age expectations	58.62%	>76%	No
7b	Acquisition of Knowledge/Skills Substantially Increased	NC	>76%	N/A
7b	Acquisition of Knowledge/Skills Functioning within age expectations	51.85%	>76%	No
7c	Use of Appropriate Behaviors Substantially Increased	NC	>76%	N/A
7c	Use of Appropriate Behaviors Functioning within age expectations	65.52%	>76%	No
8	Parent Involvement Rate	99.12%	>95.0%	Yes
9	Overall Disproportionality Areas	0	0	Yes
10	Disproportionality by Disability Areas	0	0	Yes
11	Rate of Eligibility Determined within 60 days	100.00%	100%	Yes
12	Rate of Part C to Part B Students with Timely IEPs	85.71%	100%	No
13	Rate of Students with Transition Goals/Services	95.79%	100%	No
14a	Rate of Post School Outcomes: Higher Education	68.94%	>55.0%	Yes
14b	Competitive Employment or Higher Education	84.09%	>75.04%	Yes
14c	Any Employment or Education	86.36%	>87.0%	No

*These are delayed indicators, so the data is from the 2019-20 school year.

Source: Annual Performance Report Measures - Data Collection & Reporting (CDE).

The CDE explains performance on these indicators should not be viewed as the sole determinants of the quality of a district's special education program; however, it can help districts examine their programs and prioritize focus areas. The district needs to focus on at least two areas: graduation rate and LRE, both of which are greatly affected by the views of general and special educators and by district and school policies and practices. When analyzing student performance on these indicators, the district needs to engage general and special education staff in all aspects of determining the causes and in developing and implementing plans to improve it.

Graduation Rate

Based on the district's *Local Level Annual Performance Report 2020-21*, students with disabilities had a graduation rate of 64.18%, which is far below the federal target of 90%. The graduation rate was also a focus area identified by the California School Dashboard. Accordingly, the district's LCAP includes a goal to address the low graduation rate for students in special education, which is in alignment with the 2015 report on One System indicating that the graduation rate should be a shared responsibility of general and special educators.

Least Restrictive Environment

The IDEA requires that students with disabilities are offered a FAPE and educated in the LRE. To determine the appropriate setting for an individual student, IEP teams need to review the student's strengths, weaknesses and needs, and must consider the educational benefits of placement in different educational settings. Based on the district's *Local Level Annual Performance Report 2020-21*, the district did not meet the federal target for instructing special education students in general education classes for more than 80% of their school day (only 53.73% of district students were in general education classes for more than 80% of their school day, compared to the target of 58%).

During interviews several staff reported that separate settings outside of the general education classroom, such as pull-out groups or special day classes, were the best places, or in certain cases, the only places, many students with disabilities could receive the help they need. This belief directly contradicts the 2015 report on One System that stipulates special education services are a program under the umbrella of general education rather than a place where students go to receive more or different services. In addition, many staff interviewed placed the responsibility for the performance and outcomes of students with disabilities solely on special education staff. This belief also contradicts the 2015 report on One System that states all educators are collectively responsible for supporting the success of every student. Additionally, many California teachers, some of whom are working in the district, did not receive adequate training during their educator preparation programs on how to support students with disabilities in general education settings. Consequently, the district needs to focus on understanding and providing the professional learning and resources staff need to better support students with disabilities in general education settings.

Recommendations

The district should:

1. Monitor the increasing percentage of students who qualify for special education by disability category, and provide professional development in proper identification of students for special education as necessary.

2. Investigate why the number of students in the special education disability categories of AUT and OHI increased so significantly between 2019-20 and 2022-23. Provide professional development in proper identification of students for special education if necessary.
3. Review district data to determine possible causes of higher-than-expected identification of English learners and Hispanic or Latino students for special education. Consider using ACSA's brief, *The Disproportionality of Latinx Students in Special Education*, as a guide.
4. Examine the causes of the district's very high chronic absenteeism rate for students with disabilities. Consider using a continuous improvement process like the one outlined in the Carnegie Foundation white paper and involve general and special education staff in this process, then develop plans to improve attendance for students with disabilities in which improvement is a responsibility shared by general and special education.
5. Explore the causes of the district's low percentage of students with disabilities who are instructed in general education classes for more than 80% of their school day and consider using a continuous improvement process like the one outlined in the Carnegie Foundation white paper. Engage general and special education staff in all steps of this process and focus on understanding and providing the professional learning and resources needed to help staff better support students with disabilities in general education settings.
6. Continue to involve general and special education staff in addressing the district's low graduation rate for students in special education through the LCAP.
7. Annually use the Local Level Annual Performance Report and California School Dashboard to prioritize areas of focus for improvement for students with disabilities.

Systems to Support Compliance with Offering Students a FAPE

Free appropriate public education (FAPE), guaranteed by the IDEA, is an educational entitlement of all students identified as having a disability in the United States. FAPE is also a civil right under the Fourteenth Amendment. FAPE is defined in the Code of Federal Regulations (7 CFR 15b.22) as:

The provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of nonhandicapped persons are met and (ii) are based upon adherence to procedures that satisfy the requirements of §§ 15b.23, 15b.24, and 15b.25.

To provide a FAPE, schools must provide students with necessary specialized instruction and related services designed to prepare them for further education, employment and independent living.

The IDEA provides procedural and substantive protections for students with qualifying disabilities and their parents. In the case of an IDEA complaint, the hearing officer is required to make his or her decision “on substantive grounds based on a determination of whether the child received a free appropriate public education” (20 U.S.C. 1415(f)(3)(E)(i)). Given an alleged procedural violation, a hearing officer may only find that a student did not receive a FAPE if the procedural violation(s) resulted in substantive harm. For example, substantive harm may have occurred if a parent was excluded from an IEP meeting, and that significantly interfered with the parent’s opportunity to participate in the evaluation or IEP process.

The following section of this report outlines considerations for the district to strengthen its systems supporting compliance with offering students a FAPE.

Student Success Teams, Response to Instruction and Intervention and Multi-Tiered System of Supports

Special education should be reserved for students who are eligible to receive these specialized services. Identifying a student for special education before implementing general education interventions does not best serve the student. Students in special education can experience stigma, less access to the rigorous instruction given in the general education curriculum, lower expectations, and limited interactions with their typically developing peers, all of which can limit their progress and outcomes. Additionally, serving a student in special education through an IEP is costlier than serving one through interventions and general education supports. Therefore, it is essential the district identify only qualifying students with disabilities for special education, a process that is influenced by a district’s implementation of student success teams (SSTs), response to instruction and intervention (RtI²), and a multi-tiered system of supports (MTSS).

The district reported hiring a consultant to study its MTSS, so FCMAT did not review this area. However, the district should ensure its MTSS aligns with the 2015 report on One System and the 2021 WestEd report. Accordingly, FCMAT suggests the district build or strengthen the following components of its MTSS:

- **Universal Design for Learning (UDL)** — The district offered optional professional learning in UDL during the 2022-23 school year. The district should develop a plan for all instructional staff to receive ongoing UDL training, so all students have opportunities to learn and demonstrate their knowledge through differentiated content, processes and product. When students with disabilities are taught by teachers who use UDL practices to plan for

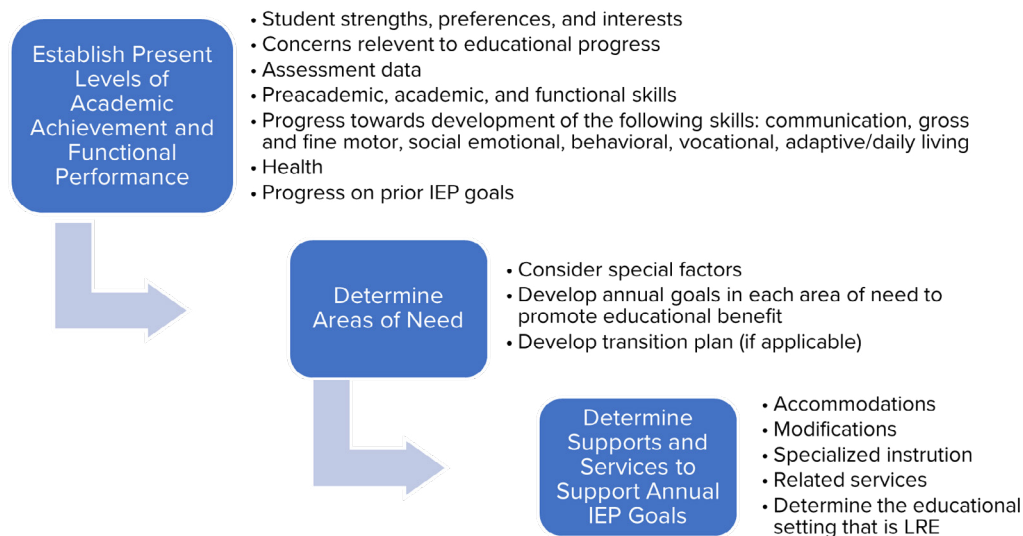
their needs, they are better served as general education students. UDL supports educating students with disabilities in the LRE, which helps maximize their development and potential.

- **Common Core State Standards (CCSS)-Aligned Instruction** — Instructional and intervention support should be based on CCSS-aligned classroom instruction, including pull-out specialized academic instruction and the strategies and tutorial classes for students with IEPs.
- **All Staff for All Students** — Reimagining how general and special education staff work together, regardless of which students they are assigned to serve, to collectively promote student success. This includes thinking strategically about how related services providers serve all district students.

Individualized Education Program (IEP) Meetings

IEP Meeting Agendas

Individualized education program (IEP) meeting agendas should be used in all IEP meetings for at least three reasons. First, IEP meeting agendas that include all required IEP meeting components encourage compliance with the IDEA's procedural requirements. Second, IEP meeting agendas can be used as a third point of reference to reduce conflict during an IEP meeting. Third, use of IEP meeting agendas sets up IEP meetings in the proper sequence, leading to the district making a defensible offer of FAPE. An IEP team should follow the sequence shown below before making an offer of FAPE.



Staff reported the district's SEIS document library contains IEP meeting agendas for distinct types of IEP meetings that were developed by the Yolo SELPA. However, the district does not require their use, and only certain staff reported using IEP meeting agendas regularly.

General Education Teacher Participation in IEP Meetings

Meetings to develop, review or revise special education students' IEPs are conducted by IEP teams. According to California Education Code (EC) Section 56341, the IEP team shall include all of the following:

- One or both of the child’s parents, a representative selected by the parent, or both. EC Section 56028 defines who qualifies as a “parent.”
- At least one general education teacher if the child is, or may be, in a general education environment. If the child has more than one general education teacher, the school can select which one attends.
- At least one special education teacher or service provider.
- A school district representative who is qualified to provide or supervise the provision of specialized instruction, knowledgeable about the general education curriculum, and knowledgeable about the district’s resources. This member is commonly called the “administrative designee.”
- The individual who conducted the student’s assessments, or someone who is knowledgeable about the procedure used to assess the student and is qualified to interpret the results and their instructional implications. Another IEP team member may serve in this role.
- Other people with specific expertise or knowledge of the student, at the parents’ or district’s request. The party who invited the person to the meeting decides whether the additional invited person has sufficient knowledge or expertise.
- The student, when appropriate. If the student is transition age (beginning no later than at age 16), the school must invite the student to attend the meeting. If the student does not attend, the district must take steps to ensure that it obtains the student’s input regarding his or her preferences and interests. According to EC Section 56341(d)(3), the school must also invite the representative of an agency that is likely to be providing or paying for a transition service.

Staff reported that at certain schools, many IEP meetings are conducted without a general education teacher in attendance for students who are, or who may be, in a general education setting, which is a procedural violation of the IDEA and EC Section 56341(b)(2). General education teachers have a professional responsibility to attend IEP meetings for students enrolled in their class and those who join their class for inclusion time for a portion of the school day. Staff indicated certain IEP meetings are held without a general education teacher because many of these meetings occur outside of school hours. Article 14.1.1 of the district’s agreement with the West Sacramento Teachers’ Association states:

A Bargaining unit member’s work day shall be as required to perform professional duties. Professional duties shall not include mandatory attendance at events outside of the designated work year/day or adjunct duties.

It would benefit the district to obtain an opinion from its legal counsel regarding whether attendance at IEP meetings is a general education teacher’s professional duty, and if so, the district needs to hold staff accountable for attending. Regardless, the district needs to encourage general education teachers to attend IEP meetings and provide professional learning so teachers can see the throughline between:

1. Their input to establish a student’s present levels of academic achievement and educational performance at the IEP meeting.
2. Determining a student’s areas of need and setting annual IEP goals for him or her at the IEP meeting.

3. Defining supports and services to help the student achieve his or her annual IEP goals at the IEP meeting, and then providing these supports and services in the indicated educational environments, which include the student's general education classroom.

During an IEP meeting, the conversation to determine a student's supports and services, including accommodations and modifications, is a critical opportunity for a general education teacher to give input on the plan being developed. Once the student's IEP has been signed, the general education teacher is required to follow it and provide all supports and services as written. Therefore, it is in the general education teacher's best interest to participate in the IEP meeting to develop the plan he or she will be implementing in his or her classroom.

Training for Administrative Designees

California Education Code Section 56341(b)(4) requires that a school district representative who is qualified to provide or supervise the provision of specialized instruction and knowledgeable about the general curriculum and the district's resources attend IEP meetings. This IEP team member is commonly called the "administrative designee." Interviewees reported district staff serving as administrative designees do not receive annual training on their role and responsibilities, or on the IDEA's procedural and substantive requirements. District staff serving as administrative designees at IEP meetings should receive annual training addressing at least the following:

- Roles and responsibilities of IEP team members.
- Eligibility determination process for special education.
- Components of a procedurally compliant IEP and IEP meeting.
- IEP development process for provision of FAPE in the LRE.
- Common reasons for conflict at IEP meetings and strategies to reduce conflict.
- How to respond to unexpected requests during IEP meetings.
- How to follow up if a parent does not consent to the IEP.

Monitoring IEPs for Procedural Compliance with IDEA

Checking IEPs for Compliance

Districts should monitor IEPs for compliance with IDEA requirements. Checklists are useful in doing so; they can also guide special education teachers who are writing IEPs and conducting IEP meetings. Staff reported the district previously used an IEP checklist to monitor compliance, but it is no longer in use and needs updating. The district's SEIS data processing assistant reviews student IEPs to ensure certain items such as the IEP dates, disability type, plan type, and parent consent are in compliance with IDEA requirements. In addition to this process, the district should update its IEP checklist and use it to monitor compliance. Case managers could use the IEP checklist as they develop, hold and affirm IEPs, and could then attach it as a cover sheet when submitting the final IEP to the Special Services Department.

Documentation of Specialized Instruction and Related Services

Special education teachers and related service providers should track the delivery of services on students' IEPs. District staff reported tracking delivery of specialized instruction and related services using spreadsheets or Google forms. Some staff reported they do not track delivery of specialized instruction for their students. SEIS has a compliance support feature called Service Tracker which allows users to document the delivery of services to students via the online system or the SEIS Tracker App. Pertinent information, such as IEP service, caseload, provider type and service frequency/duration, automatically populates from the student's IEP into Service Tracker. Special education teachers and related service providers can use this feature to monitor, and have record of, the total number of minutes provided to a student. Districts can also run reports to determine if services are being over- or under-delivered. The district needs to require all staff to record specialized instruction and related services in a consistent manner and Special Services Department central office staff need to monitor these records. Because the district already uses SEIS, it would benefit the district to explore the use of Service Tracker.

Data Governance Systems

The district uses SEIS to manage special education data and provide online access for writing IEPs. SEIS includes a built-in CALPADS error check utility that alerts users of any errors in the IEP during the affirm process (the process in which the case manager affirms that the data in the SEIS system — future IEP documents — is a match to what the parent agreed to and signed on the hard copy, legal IEP at the end of the IEP meeting). The district has integrated SEIS with its student information system, Aeries. Integration synchronizes the data in SEIS and Aeries nightly, which eliminates the need for dual entry and reduces reporting errors. The district's SEIS data processing assistant reported monitoring special education data in SEIS using saved searches, including:

- Daily searches – adopt transactions, records requests
- Weekly searches – caseload numbers, students enrolled in nonpublic schools and private schools, pending students
- Monthly searches – overdue IEPs
- Three times per year searches – program setting

Running regular searches to monitor data integrity and IEP compliance is a positive practice and should be expanded to include searches for errors such as:

- **Parent Input in the IEP Development is Not “yes”** – A response of either “yes” or “no” should be reported to CALPADS. If the district has too many IEPs indicating “no” or “no response,” the Local Level Annual Performance Report Indicator 8 for parent involvement will be noncompliant. The district should determine a response for all IEPs marked “no response.”
- **Students Not on an IEP** – The plan type for students on this list should be reviewed and corrected, if necessary.
- **Unaffirmed IEPs** – Case managers should affirm IEPs within seven days of the IEP meeting. Case managers of students on this list should be reminded to affirm their IEPs within this timeframe.

- **Unaffirmed IEP Amendments** – Case managers should affirm IEP amendments within seven days of the IEP meeting. Case managers of students on this list should be reminded to affirm their IEP amendments within this timeframe.
- **No Case Manager** – A case manager should be added for students on this list.
- **No 800 Services for Students 16 and Older** – Students on this list are age 16 or older and must have a transition plan and 800 (transition) services included in their IEP. Case managers of students on this list should be asked to write an IEP amendment to add at least one 800 service.
- **Meeting Code Delay** – The meeting code delay should be reviewed and corrected, if necessary.
- **Percentage of Time in General Education** – This list should be reviewed to ensure students' percentage of time in general education is reported accurately and monitored as the district works towards compliance with annual performance report targets for LRE.
- **Evaluations Due** – Populate this search with an end date of the last day of school, then sort by date and use it to remind staff of upcoming and overdue evaluations.

The Special Services Department reported not having manuals outlining key procedures such as SEIS data management. The director of special services is knowledgeable about SEIS, including managing requests from staff and basic searches, but the district would benefit from cross-training additional special services team members on the SEIS data processing assistant's duties.

Educational Benefit for Students with Disabilities

Students with disabilities have the right to an IEP that is “reasonably calculated” to result in educational benefit. The standard for “reasonably calculated” was clarified in the U.S. Department of Education's “Questions and Answers (Q&A) on U.S. Supreme Court Case Decision Endrew F. v. Douglas County School District Re-1.” This document explains:

The ‘reasonably calculated’ standard recognizes that developing an appropriate IEP requires a prospective judgment by the IEP Team. Generally, this means that school personnel will make decisions that are informed by their own expertise, the progress of the child, the child’s potential for growth, and the views of the child’s parents. IEP Team members should consider how special education and related services, if any, have been provided to the child in the past, including the effectiveness of specific instructional strategies and supports and services with the student. In determining whether an IEP is reasonably calculated to enable a child to make progress, the IEP Team should consider the child’s previous rate of academic growth, whether the child is on track to achieve or exceed grade-level proficiency, any behaviors interfering with the child’s progress, and additional information and input provided by the child’s parents.

Overall, IEPs should be developed to facilitate progress considering students’ circumstances.

To determine whether the specialized instruction and related services in students’ IEPs are affording them educational benefit, districts should conduct educational benefit reviews. District program specialists reported conducting educational benefit reviews for select students prior to considering changing a student’s educational setting. However, the district does not use a consistent process or form for such reviews; it needs to develop, adopt, and train staff on both.

The district must ensure its educational benefit process aligns with the three-year educational benefit review recommended by the CDE, which includes the following steps:

1. Identify a student and start with the year in which an initial or triennial IEP was completed. Review that year and two subsequent years of IEP information.
2. Review the student's three years of IEPs to assess whether the IEP was reasonably calculated based on the procedural requirements of the IDEA in the following areas:
 - Complete assessment – Was the student assessed in all suspected areas of need?
 - Needs identified – Based on student assessments, were student's needs appropriately identified?
 - Goals – Were goals established to address each of the student's identified needs (including behavior and transition)?
 - Services – Were services planned to support progress in all goals and in the general curriculum?
 - Progress monitoring – Did the IEP team review student progress and adjust the IEP when progress was not made?
3. Assess whether the student is receiving educational benefit from their IEP. Determine:
 - Whether the services outlined in the IEP were designed to facilitate progress towards all identified goals, participation in general education environment, progress in the general education curriculum, and education with other typically developing peers to the greatest extent appropriate.
 - Whether the student was achieving passing grades, earning credits, advancing from grade to grade, progressing towards meeting goals, meeting goals, demonstrating improvement on formative and summative assessments, etc.
 - Whether there was a relationship between the student's areas of identified needs and his or her goals for each year.
 - Year 1 – Is there a relationship between identified needs and goals?
 - Compare year 2 to year 1 – Are goals more complex, less complex or, the same as previous year?
 - Compare year 3 to year 2 – Are goals more complex, less complex or, the same as previous year?

Communication

The Special Services Department holds regular meetings for different groups. The director of special services, program specialists, and board certified behavior analysts (BCBAs) comprise the department's leadership team and meet twice monthly. The director of special services meets monthly with job-alike teams such as the school nurses, school psychologists and speech and language pathologists. The program specialists and BCBAs join these job-alike team meetings as necessary. Staff described these meetings as supportive and reported that they are an avenue to have their questions and needs addressed. Not all special education teachers attend the weekly professional learning communities facilitated by the department's program specialists.

The department's four program specialists are assigned to different schools and reported meeting regularly with school teams (e.g., the principal, school psychologist, special education teacher). School teams discuss items such as staffing, student cases, and professional learning needs. Staff reported these meetings are helpful and recommended they continue. A few staff explained that each program specialist has different expertise, but schools and staff cannot easily meet with all of them because program specialists are assigned to specific schools. The department should consider having the program specialists hold regular office hours so all staff members have the option to collaborate with them and benefit from their unique knowledge.

The director of special services reported meeting regularly with individuals and groups in the Educational Services Department. She is also included in planning efforts for the Educational Services Department and the district as a whole, including for the LCAP and strategic plan, which is in alignment with the 2015 report on One System.

Based on interviews, the meetings described above are adequate to meet the Special Services Department's communication needs.

Staff Onboarding

Most certificated and classified special education staff interviewed reported their onboarding experience was inadequate to address the needs of their position in areas including electronic data management systems and district and department processes and procedures. Certain related service providers reported providing onboarding support for new staff on their teams, but their efforts duplicate the activities of other staff and could be coordinated. The district should develop a comprehensive onboarding plan for the Special Services Department, differentiated by position, addressing at least the following areas:

- District's, Educational Services Department's and Special Services Department's missions, visions and philosophies.
- An overview of the continuum of services options for special education.
- Training for staff interacting with electronic data management and reporting systems such as Aeries, SEIS and CALPADS.
- District's and Special Services Department's policies and procedures.

Professional Learning Needs

Special Services Department Staff

During the 2022-23 school year, the district's Special Services Department is offering optional professional learning in: California dyslexia guidelines, reading intervention, math instructional strategies and curriculum, prompting, positive behavioral supports, and co-teaching. Certain staff are also required to participate in nonviolent crisis intervention training in 2022-23. The district's attorney provided mandatory training in fall 2022 for special education staff addressing special education-related legal requirements.

Many Special Services Department staff reported needing additional training. Based on interviews, FCMAT recommends focusing on professional development in at least the following areas:

- Special education compliance with the IDEA's procedural and substantive requirements
- Special education evidence-based practices and methodologies
- Positive behavior supports
- Universal design for learning (UDL)
- Co-teaching

Recommendations

The district should:

1. Ensure its MTSS aligns with the 2015 report on One System and the 2021 WestEd report.
2. Provide training on IEP meeting agendas and require their use.
3. Help general education teachers understand why their attendance and input at IEP meetings is valuable and encourage their attendance.
4. Provide annual training to district staff serving as administrative designee at IEP meetings on their role and responsibilities and on the IDEA's procedural and substantive requirements.
5. Update its IEP checklist and provide training for case managers on its use. Use the checklist to monitor select IEPs and provide professional learning on common errors.
6. Require that special education teachers and related service providers keep records of the IEP services they provide. Consider using the SEIS Service Tracker.
7. Continue running the SEIS queries currently in use and consider adding additional searches such as parent input, plan type, unaffirmed IEPs, unaffirmed IEP amendments, no case manager, no 800 service for students 16 and older, and overdue evaluations.
8. Create a manual outlining SEIS data management procedures. Cross-train additional Special Services Department team members so they can perform key data management procedures in the SEIS.
9. Develop a form and consistent process for educational benefit reviews and use these reviews to inform IEP team decisions, especially those related to possible changes in placement.
10. Consider having the Special Services Department's program specialists hold regular optional office hours.
11. Develop a comprehensive onboarding plan for the Special Services Department, differentiated to meet the unique needs of each position.
12. Conduct a needs assessment with all special education staff, including paraeducators, annually, and prioritize professional learning that is aligned with the 2015 report on One System.

Appendix

Appendix A — Study Agreement

Appendix A – Study Agreement



FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM STUDY AGREEMENT August 11, 2022

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Washington 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 organizational structure and staffing of the special education department in the district's central office to determine support for student outcomes and make recommendations for improvement, if any.
2. Review the special education program's internal control systems, including communication, in relation to data used to monitor the district's accuracy of CALPADS reporting and compliance in offering a free and appropriate public education (FAPE).

B. Services and Products to be Provided

1. Orientation Meeting – The team will conduct an orientation session at the district to brief district management and supervisory personnel on the team's procedures and the purpose and schedule of the study.
2. On-site Review – The team will conduct an on-site review at the district office and at school sites if necessary.
3. Exit Meeting – The team will hold an exit meeting at the conclusion of the on-site review to inform the district of significant findings and recommendations to that point.

4. Exit Letter – Approximately 10 days after the exit meeting, the team will issue an exit letter briefly memorializing the topics discussed in the exit meeting.
5. Draft Report – Electronic copies of a preliminary draft report will be delivered to the district’s administration for review and comment.
6. Final Report – Electronic copies of the final report will be delivered to the district’s administration and to the county superintendent following completion of the review. Printed copies are available from FCMAT upon request.
7. Follow-Up Support – If requested by the district within six to 12 months after completion of the study, FCMAT will return to the district at no cost to assess the district’s progress in implementing the recommendations included in the report. Progress in implementing the recommendations will be documented to the district in a FCMAT management letter. FCMAT will work with the district on a mutually convenient time to return for follow-up support that is no sooner than eight months and no later than 18 months after completion of the study.

3. **PROJECT PERSONNEL**

The FCMAT study team may include:

Carolynne Beno, Ed.D., CFE

To be determined

FCMAT Staff

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 \$14,800.

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

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

5. RESPONSIBILITIES OF THE DISTRICT

- A. The district will provide office and conference room space during on-site reviews.
- B. The district will provide the following if requested:
 - 1. Policies, regulations and prior reports that address the study scope.
 - 2. Current or proposed organizational charts.
 - 3. Current and two prior years' audit reports.
 - 4. Any documents requested on a supplemental list. Documents requested on the supplemental list should be provided to FCMAT only in electronic format; if only hard copies are available, they should be scanned by the district and sent to FCMAT in electronic format.
 - 5. Documents should be provided in advance of fieldwork; any delay in the receipt of the requested documents may affect the start date and/or completion date of the project. Upon approval of the signed study agreement, access will be provided to FCMAT's online SharePoint document repository, where the district will upload all requested documents.
- C. The district's administration will review a draft copy of the report resulting from the study. Any comments regarding the accuracy of the data presented in the report or the practicability of the recommendations will be reviewed with the team prior to completion of the final report.

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

6. PROJECT SCHEDULE

The following schedule outlines the planned completion dates for different phases of the study and will be established upon the receipt of a signed study agreement:

Orientation:	to be determined
Staff Interviews:	to be determined
Exit Meeting:	to be determined
Draft Report Submitted:	to be determined
Final Report Submitted:	to be determined
Board Presentation:	to be determined, if requested
Follow-Up Support:	if requested

7. COMMENCEMENT, TERMINATION AND COMPLETION OF WORK

FCMAT will begin work as soon as it has assembled an available and appropriate study team consisting of FCMAT staff and independent consultants, taking into consideration other jobs FCMAT has previously undertaken and assignments from the state. The team will work expeditiously to complete its work and deliver its report, subject to the cooperation of

the district and any other parties from which, in the team’s judgment, it must obtain information. Once the team has completed its fieldwork, it will proceed to prepare a draft report and a final report. Prior to completion of fieldwork, the district may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the district does not provide written notice of termination prior to completion of fieldwork, the team will complete its work and deliver its report and the district will be responsible for the full costs. The district understands and agrees that FCMAT is a state agency and all FCMAT reports are published on the FCMAT website and made available to interested parties in state government. In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a report once fieldwork has been completed, and the district shall not request that it do so.

8. INDEPENDENT CONTRACTOR

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

9. INSURANCE

During the term of this agreement, FCMAT shall maintain liability insurance of not less than \$1 million unless otherwise agreed upon in writing by the district, automobile liability insurance in the amount required under California state law, and workers’ compensation as required under California state law. Upon the request of the district and the receipt of the signed study agreement, FCMAT shall provide certificates of insurance, with Washington 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:

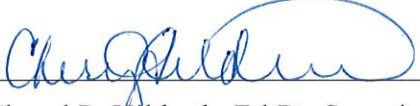
- A. Orientation and exit meetings, interviews and other information-gathering activities may be conducted remotely via telephone, videoconferencing, etc. References to on-site work or fieldwork shall be interpreted appropriately given the circumstances.
- B. Activities performed remotely that are normally 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: Stan Mojsich, Assistant Superintendent of Educational Services
Telephone: (916) 375-7600
E-mail: smojsich@wusd.k12.ca.us


Cheryl P. Hildreth, Ed.D., Superintendent
Washington Unified School District

8/18/22

Date


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

8/22/22

Date