FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

Special Education Review

August 14, 2023

Murrieta Valley Unified School District

Michael H. Fine
Chief Executive Officer

August 14, 2023

Ward Andrus, Ed.D., Superintendent
Murrieta Valley Unified School District
41870 McAlby Court
Murrieta, CA 92562

Dear Superintendent Andrus:

In February 2023, the Murrieta Valley 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 team, 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 sizes 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/physical therapists, behavior specialists, adaptive physical education teachers and other staff who may be related services providers, and make recommendations for improvement, if any.
5. Determine whether the district overidentifies students for special education services compared to the statewide and countywide averages, and make recommendations that will reduce overidentification, if needed.
6. Analyze whether the district provides a continuum of special education and related services for students from preschool through age 22, including placements in the least restrictive environment, and make recommendations for improvement (which may include instructional models), if any.
7. Review the organizational structure and staffing of the special education department in the district's central office to determine whether administration, clerical and administrative support, program specialists, teachers on special assignments and overall functionality

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.

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

FCMAT appreciates the opportunity to serve the Murrieta Valley 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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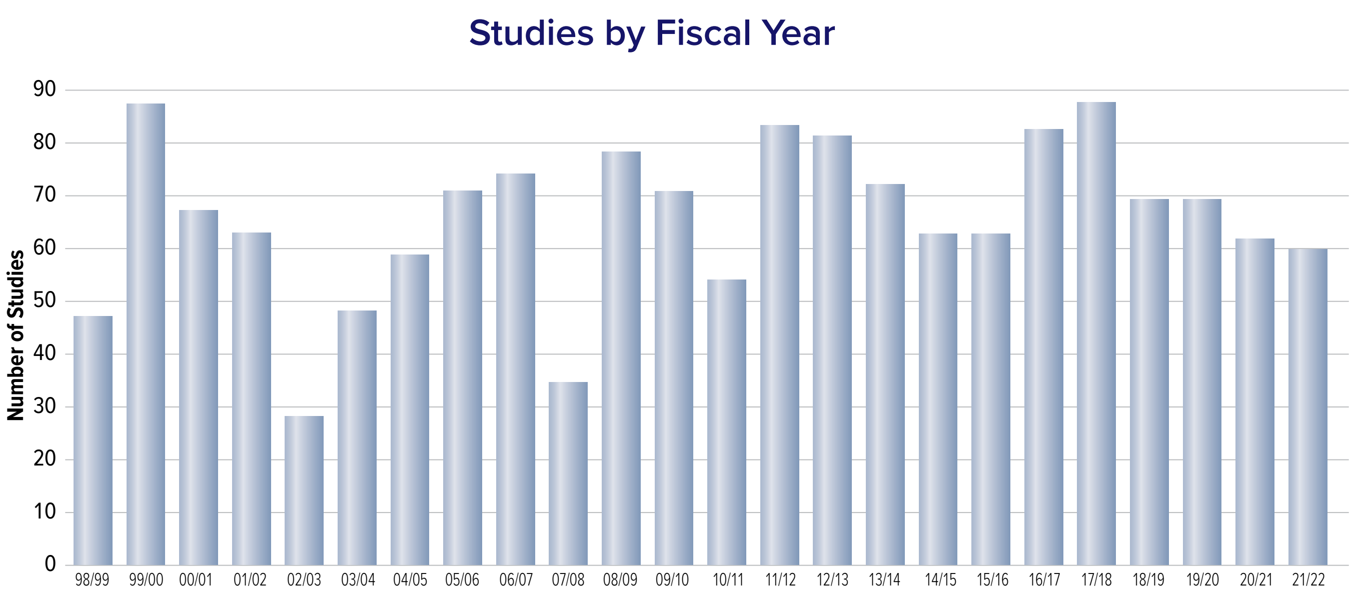
About FCMAT

FCMAT's primary mission is to assist California's 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.



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 Murrieta Valley Unified School District serves the city of Murrieta, located in Southern California's Riverside county. According to DataQuest, 22,365 kindergarten through grade 12 (K-12) students were enrolled in the district's schools in 2022-23. The district is composed of 22 schools, including 11 elementary schools (transitional kindergarten [TK] through grade 5); four middle schools (grades 6-8); one virtual, independent and homeschool academy (grades TK-8); three comprehensive high schools (grades 9-12); two alternative education high schools; and one adult transition school. The district is a member of the Riverside County Special Education Local Plan Area (SELPA), which is a regional service delivery model for special education. In 2022-23, 17.46% of the district's K-12 students were identified as requiring special education, which was higher than the statewide noncharter school average of 13.23.%.

In February 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 April 18, 2023 to conduct interviews with district administrators, school administrators, special education teachers, special education aides, and related service providers. Following fieldwork, FCMAT reviewed and analyzed data and documents, and conducted additional interviews via Zoom on April 19 and 20, 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

John Lotze
FCMAT Technical Writer

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

Executive Summary

The Murrieta Valley Unified School District served 22,365 K-12 students in 2022-23 at 22 schools. The district governing board's "Annual Goals and Direction for the 2023-24 School Year" document set a clear vision and direction for the upcoming school year. Accordingly, the Special Education Department should consider developing a department vision statement and continue creating department strategic plans to support the governing board's goals. Then, the district could determine what positions are needed to support the Special Education Department's vision and strategic plan.

FCMAT developed staffing recommendations for the Special Education Department's central office leadership team. Recommendations were based on the district's needs and an informal survey of central office special education department staffing in several unified school districts with similar enrollments and unduplicated pupil percentages (UPPs) (i.e., the percentage of students who are English learners, foster youth, or eligible for free or reduced-price meals) to that of Murrieta Valley Unified. Although the Special Education Department has 0.89 FTE more administrative support staff than the comparison districts, reducing administrative support staffing is not recommended because of increasing workload caused by increasing special education enrollment. The Special Education Department has 1.05 FTE fewer special education leadership positions in the central office than the comparison districts. In addition, several leadership positions in the department have split duties, providing direct services and assessments as well as special education program support. The district should consider changing the department's leadership staffing as follows:

- Hire a 1.0 FTE teacher on special assignment (TOSA) to serve as the district's assistive technology specialist so the senior program specialist assigned these duties can support the special education program full time.
- Hire a special education teacher to serve students with orthopedic needs and who are in private schools, and convert its existing TOSA position into a senior program specialist position that can support the special education program full time.
- Fill the vacant 1.0 FTE senior program specialist position that is still in the budget. The district should determine whether there is an operational advantage to having this position focus on developing, communicating and monitoring resource specialist program (RSP) staff responsibilities (governing board Goal 2a).

According to DataQuest, the district's census day enrollment has declined over the past five years, but its special education enrollment has increased. In 2022-23, 17.46% of the district's K-12 students were identified as requiring special education, which was above the countywide and statewide averages. While the special education program's excellent reputation may be a factor influencing where families decide to move, the increase appears to be caused by the student study team (SST) process, the multitiered systems of support (MTSS), and student exit procedures from special education, as described below.

- **SST Process** — The district began an elementary level SST process in 2022-23. Before that, many schools were using SST processes, but staff at some schools described these as a pathway to a special education assessment instead of an opportunity for a student to receive tiered interventions in general education. Elementary schools piloted the district's new SST process during 2022-23, and the district is gathering feedback from schools and plans to make adjustments for 2023-24 based on this input. One known challenge is that availability of interventions varies by school. Accordingly, the district is building grade-level interventions through its developing MTSS.

- **MTSS** — Staff reported that implementation of response to instruction and intervention (RtI^2) and positive behavioral interventions and supports (PBIS) has historically varied among district schools. In 2021-22, the district identified a need to develop common expectations and an MTSS. Since then, the district formed a 25-member MTSS team to build a districtwide MTSS, and to date the team has focused on social-emotional learning interventions. The district needs to continue building its MTSS and working to identify Tier 1 interventions and common instructional practices, as well as provide training and coaching on the Tier 1 playbook for PBIS in 2023-24 as planned.

- **Student Exit Procedures from Special Education** — Many district staff indicated that some students are not being exited from special education according to the two-pronged (i.e., has two criteria) test at their three-year (triennial) individualized education program (IEP) meeting if they no longer qualify for special education. Students experience less stigma, have increased access to rigorous instruction given in the general education curriculum, and have more interactions with their typically developing peers when they are not enrolled in a special education program. In addition, general education students can continue to access academic and behavioral interventions and supports through the district's MTSS. A student's exit from special education is evidence of both the student's and the program's success. The district needs to evaluate its special education exit rates by at least school, grade level and disability, and provide professional development on proper exit procedures from special education. In addition, the district needs to assess whether training and/or support of the Section 504 program are needed.

The district offers a full continuum of special education options and services through district programs, Riverside County SELPA programs, and nonpublic schools (NPSs). However, the district needs to emphasize and better support a continuum of service options to allow special education students access to general education for at least 80% of their school day. According to the last available *2020-21 Annual Performance Report*, the district does not educate enough of its preschool and K-12 students in special education in general education settings. The district needs to provide ongoing professional development for general and special education teachers, special education aides, related service providers, and administrators on evidence-based practices, such as universal design for learning (UDL) and MTSS, identified in *One System: Reforming Education to Serve ALL Students, Report of California's Statewide Task Force on Special Education,* to better support special education students in general education.

FCMAT analyzed the adequacy of district staffing of special education teachers, special education aides, and related service providers using statewide guidelines and industry standards, and found the following:

- **Resource Specialist Program (RSP) teacher** staffing in 2022-23 at the elementary schools did not meet the 28-to-1 student-to-teacher ratio required by the Education Code. The district needs to review its RSP caseload projections for 2023-24 to determine if RSP teachers can be moved to meet the required ratio at each school or whether additional RSP teachers need to be hired.

- **Special Day Class (SDC) teacher** class size projections need to be reviewed for all preschool and K-12 SDCs for 2023-24 to ensure class sizes are aligned with industry standards. The districtwide mild/moderate (SDC Essentials) and moderate/severe (SDC Foundations) caseload averages for preschool are lower than the industry standards. In addition, the districtwide mild/moderate (SDC Essentials) K–12 caseload average is 14.61, which is slightly lower than the high end of the industry standard of 1-to-12-15 SDC teacher-to-student ratio. However, the districtwide moderate/severe (SDC Foundations) teacher K-12 caseload average is 12.76, which is higher than the high end of the industry standard of 1-to-10-12 SDC teacher-to-student ratio, and the district's average moderate/severe (SDC Foundations) class size at the high school level is 14.86 students per class.

- **Special education aides** who provide classroom support in SDCs are not allocated to schools based on industry standards. If the district allocated special education aides to SDCs using the industry standards, it might be able to reduce staffing by a total of 56.5 special education aides.
- **Related service provider staffing** was aligned with industry standards except for deaf/hard of hearing teachers, occupational therapists, school psychologists and speech and language pathologists (SLPs), for which staffing was below the industry standard or did not comply with statute. The district needs to consider adding 2.0 FTE school psychologists to meet industry standards, and evaluate caseload projections for 2023-24 for occupational therapists, deaf/hard of hearing teachers, and SLPs to determine whether additional staff need to be hired.

In 2021-22, the district's unrestricted general fund contribution to special education was $30,102,406, or 55.23% of total special education costs, which was lower than the 2021-22 statewide average of 64.3% as calculated by School Services of California.

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 subgroups. In 2013, California convened a statewide special education task force to end persistent poor outcomes for students with disabilities, including infants, toddlers, preschoolers, students in California K-12 schools, and those 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 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 the norm. Our prevailing model has made it acceptable, and in some instances seem desirable, to isolate special education as a unique and separate system that parallels general education.

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

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

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

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

A predominant theme of the 2015 report on one system was that California's special education system would improve if one coherent system was 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 California Department of Education (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 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 concluded, "numerous improvements have been made to California's general and special education landscapes."

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

District Focus, Organization, and Central Office Special Education Staffing

District Focus – 2023-24 Annual Goals and Direction

The district's "Annual Goals and Direction for the 2023-24 School Year" set a vision and direction for the upcoming school year in four areas:

Goal 1 - Student Learning

Goal 2 - Student Intervention

Goal 3 - Professional Growth

Goal 4 - Climate and Culture

Key actions related to this study are described below.

Goal 1 – Student Learning

Goal 1b identifies actions for implementing professional learning communities (PLCs). According to Dufour et. al's 2002 guide on *Getting Started: Reculturing Schools to Become Professional Learning Communities*, a PLC is "an ongoing process in which educators work collaboratively in recurring cycles of collective inquiry and action research to achieve better results for the students they serve." *Getting Started: Reculturing Schools to Become Professional Learning Communities* identifies the three core principles guiding PLCs as ensuring student learning, fostering a culture of collaboration, and focusing on results. PLCs ask four key questions:

1. What do we want all students to know and be able to do?
2. How will we know if they learn it?
3. How will we respond when some students do not learn?
4. How will we extend the learning for students who are already proficient?

The district's PLC work began in 2021-22, when its leadership team received training to develop a collective understanding of why PLCs were selected as a strategy to improve student learning and outcomes. The district is using the four PLC questions to guide their work, and will use PLCs to develop curriculum maps and common assessments and to analyze assessment data to determine the effectiveness of interventions. To support this work, principals will attend the Professional Learning Communities at Work Institute in the summer of 2023, then PLC team leads districtwide will receive training in 2023-24. The district's PLCs provide an essential foundation for its multitiered systems of support (MTSS) work, which is described under Goal 4 below and analyzed in the "Student Study Teams and Multitiered Systems of Support" section of this report.

Goal 2 – Student Intervention

Goal 2a identifies actions to support inclusion, such as continuing the assignment of a program specialist to support including students in transitional kindergarten (TK) through grade 1 in special education, expanding the co-teaching initiative to grade 7 in the middle schools, and developing, communicating and monitoring RSP staff responsibilities. Recommendations to support Goal 2a are presented in the "Recommended

Special Education Department Organization and Staffing" and "Recommended District Organization and Staffing" sections of this report.

Goal 3 – Professional Growth

Goal 3a addresses professional growth for classified employees, and the following two actions directly affect the special education program in 2023-24: continuing training of the special education aides in registered behavior technician training, behavior supports, duties, ProAct (a training program to reduce or eliminate the use of physical restraint), and IEP-related coaching; and exploring a model for ongoing training for all classified positions.

Goal 3a also addresses professional growth for certificated employees, and the following two actions affect the district's MTSS work through 2023-24: updating and providing training on the essential elements of effective instruction for all new teachers, with access for current staff; and developing and providing training for teachers in proactive and positive strategies for handling student behavior and increasing student engagement.

Recommendations to support Goal 3a are outlined in the "Professional Development" section of this report.

Goal 4 – Climate and Culture

Goal 4a addresses development of the district's MTSS. Actions include introducing the MTSS playbook at a leadership training in March 2023, providing training on the first phase of the MTSS playbook in spring 2023 with a focus on supporting behavior, training school teams on the MTSS playbook in the summer of 2023, and meeting with school teams to provide training and support during the 2023-24 school year.

Recommendations to support Goal 4a are included in the "Student Study Teams and Multitiered Systems of Support" section of this report.

Special Education Department Alignment with District Goals and Direction

The district set a clear vision and goals for the 2023-24 school year, with accompanying actions, milestones, data and metrics. However, the Special Education Department does not have its own vision and goals that align with the district's. The Special Education Department needs to define its vision and align its focus and professional development with the following:

1. The governing board's goals, concentrating on Goal 2a – Inclusion.
2. The 2015 report on one system, with a focus on coherence, inclusive practices, and integrated systems.

The 2015 report on one system clearly states that special education services are some of many programs of support under general education, not a place where students go to receive more or different services. The prevailing model in most California school districts, including Murrieta Valley Unified, has been to isolate special education as a unique and separate system that parallels general education. The district has been working to better integrate its special education and general education systems, and began focusing on inclusion to increase the access students in special education have to general education. The district's work includes an inclusive peer mentoring program, unified sports and leadership programs, a co-teaching initiative, and reducing the number of students in RSP who take a core academic course in an SDC taught by an RSP teacher. The main actions for Goal 2a, which focus on supporting students who receive special education services in a general education classroom, align well with the 2015 report on one system.

Given the district's focus on inclusion and the actions for Goal 2a, it would benefit the Special Education Department to adopt a corresponding vision statement or long-term goal that states what it wants students in special education to experience. For example, the Special Education Department vision could be as follows:

> To support an inclusive educational experience for students with disabilities by offering specialized services, to the maximum extent possible and appropriate, in the general education setting that helps them reach their full potential and prepares them for life after high school.

In addition to developing a vision statement, the Special Education Department should continue creating a strategic plan that outlines its goals, accomplaying actions and milestones, and the data and metrics that will be used to measure success in reaching the governing board's Goal 2a. The district should use the department's vision and strategic plan to determine what leadership positions are needed. Staffing recommendations to support Goal 2a are addressed in the "Recommended Special Education Department Organization and Staffing" and "Recommended District Organization and Staffing" sections of this report.

Recommendations

The district should:

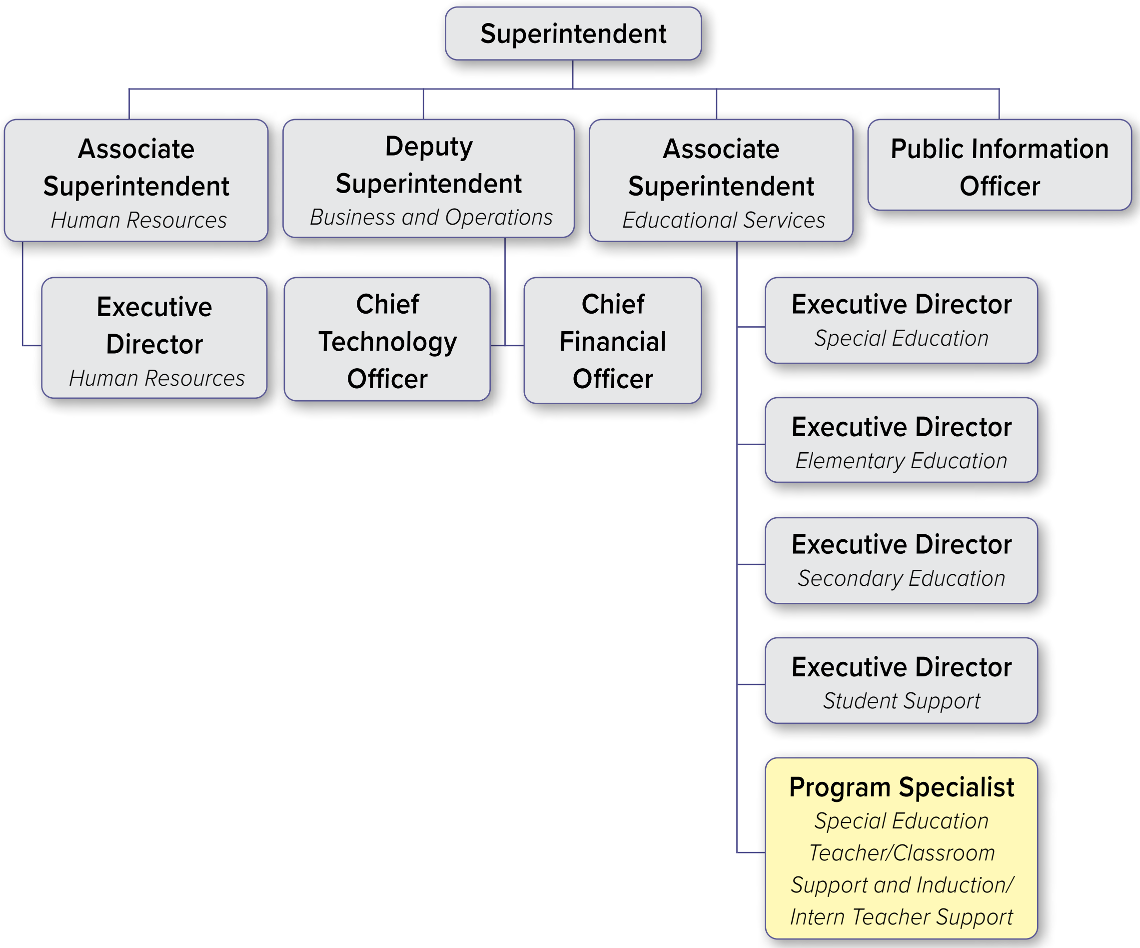
1. Develop a Special Education Department vision statement or long-term goal that states what it wants students in special education to experience, in support of the governing board's Goal 2a – Inclusion.

2. Have the Special Education Department create a three- to five-year strategic plan that aligns with the governing board's Goal 2a – Inclusion and that outlines its goals, actions, milestones, and the data and metrics that will be used to measure success.

District Organization and Staffing

A simplified version of the district's organizational chart is shown below.

2022-23 District Organizational Chart (simplified)

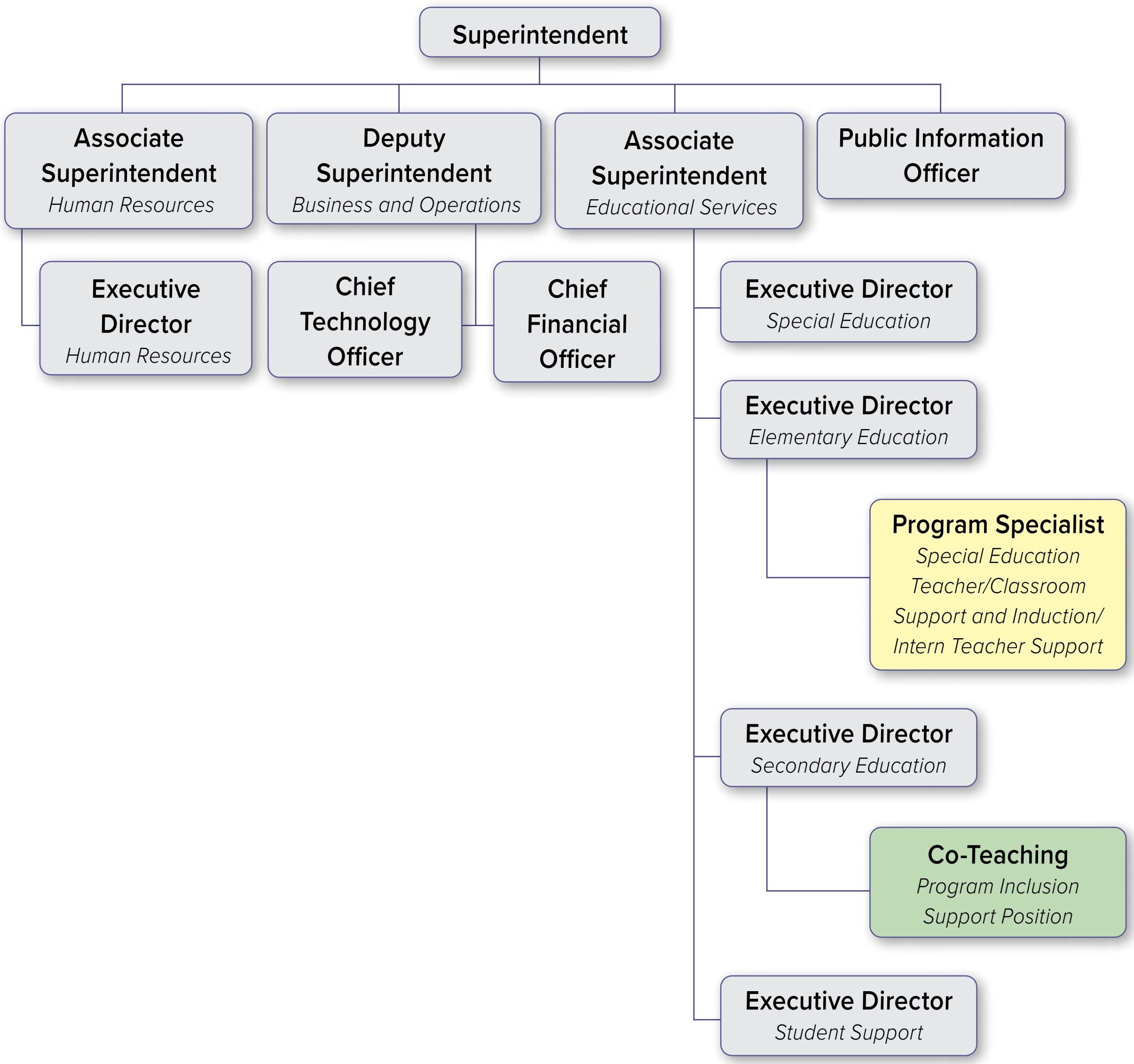


Source: District-provided data.

The above chart's yellow box shows a program specialist who began a special assignment in the Educational Services Department in July 2022, working under the assistant superintendent of educational services. This program specialist, who formerly worked in the Special Education Department, supports inclusion in the primary grades (emphasizing TK and kindergarten) and induction for new special education teachers. The position will continue in 2023-24 as part of the governing board's Goal 2a. During interviews staff consistently stated that this position provides essential support for the district's inclusion initiative. The program specialist on special assignment provides coaching strategies and professional development directly to general education teachers in their classrooms. According to staff, this is helping students in special education successfully access general education.

The district would benefit from having another individual with special education expertise in the Educational Services Department to provide expanded support of the co-teaching program, as identified in the governing board's Goal 2a, "continue co-teaching initiative at middle schools and expand to 7th grade (2023-24)." The district could consider having this new position (identified in the green box in the proposed organizational chart below), which could be a TOSA or program specialist, report to the executive director of secondary education. In addition, the district needs to determine whether there is an operational advantage to having the program specialist who supports inclusion in the primary grades and reports to the assistant superintendent of educational services instead report to the executive director of elementary education. If the district were to implement these recommendations, the revised organizational chart could look like the one below.

Suggested Organizational Chart



Source: FCMAT.

Central Office Special Education Staffing

Central Office Leadership Positions

The Special Education Department has 6.95 full-time equivalent (FTE) leadership positions in the central office, as shown below. One of the senior program specialist positions, the TOSA position, and the autism coordinators, have split duties that include direct services and/or student assessment, as well as special education program support. For those positions, only the portion of their time spent providing special education program support is included in the total leadership FTE.

District Special Education Leadership Staffing

Position Title	Number of Positions	Total FTE
Executive Director, Special Education*	1	1.0
Assistant Director, Special Education*	2	2.0
Senior Program Specialist	3**	2.2***
TOSA	1	0.6****
Autism Coordinator	2	1.15*****
Total	**9**	**6.95**

*According to the district job description, the position requires a valid California administrative services credential.

**One senior program specialist position has been unfilled since fall 2022.

*** One of the senior program specialists performs split duties: 80% assistive technology (AT) specialist and 20% special education program support. Accordingly, 0.2 FTE of that position is included in the total central office special education leadership position FTE.

****The TOSA performs split duties: 20% teacher for the orthopedically impaired (OI); 20% private school special education teacher; and 60% special education program support. Accordingly, 0.6 FTE of that position is included in the total central office special education leadership position FTE.

*****The autism coordinators perform split duties. For autism coordinator 1: 80% related services and 20% special education program support. For autism coordinator 2: 5% related services and 95% special education program support. Accordingly, 1.15 FTE of those positions is included in the total central office special education leadership position FTE.

Source: District-reported data.

Central Office Administrative Support Positions

The Special Education Department has 6.69 FTE administrative support staff. The Secretary II position supports the Adult Transition Program, which is housed in a building not connected to a school site.

District Special Education Administrative Support Staffing

Position Title	Number of Positions*	Total FTE
Secretary II	1	0.69
Secretary III	1	1.0
Special Education Clerk II	2	2.0
Special Education Clerk III	1	1.0
Special Education Technician	2	2.0
Total	**7**	**6.69**

*The Special Education Department also has an account technician position, which was not included in the administrative support staffing comparison because only some districts use decentralized business services.

Source: District-reported data.

Central Office Special Education Staffing Comparison

FCMAT conducted an informal survey of unified school districts in California with similar enrollments and unduplicated pupil percentages (UPP) to that of Murrieta Valley Unified. The table below shows the responses from five districts that replied to FCMAT's request for information in two areas:

1. Central office leadership positions, including positions such as directors, assistant directors, coordinators, program specialists, and TOSAs. These positions may or may not require an administrative credential.

2. Central office administrative support positions, including positions such as secretaries, administrative assistants, filing clerks, and data technicians.

Comparison districts have an average of 8.0 FTE leadership positions in the central office; Murrieta Valley Unified has 6.95 FTE. Comparison districts have an average of 5.8 FTE administrative support positions in the central office; Murrieta Valley Unified has 6.69 FTE.

Central Office Special Education Leadership Staffing Comparison

District Name	County Name	2021-22 Census Day Enrollment / UPP%*	FTE Leadership Positions **	FTE Administrative Support Positions**
Fairfield-Suisun Unified	Solano	20,715 / 53.68%	9.0	6.0
Folsom-Cordova Unified	Sacramento	20,344 / 34.09%	5.0	5.0
Torrance Unified	Los Angeles	21,935 / 36.85%	11.0	9.0
Tracy Unified	San Joaquin	15,398 / 52.24%	9.0	4.0
West Covina Unified	Los Angeles	15,504 / 37.04%	6.0	5.0
Average FTE***			8.0	5.8
Murrieta Valley Unified	Riverside	22,669 / 36.04%	6.95	6.69

*EdData — Comparisons (ed-data.org).

**District-reported information to FCMAT survey.

***Murrieta Valley Unified was excluded when calculating average FTE.

Source: EdData and informal FCMAT survey. TOSAs were included in 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.

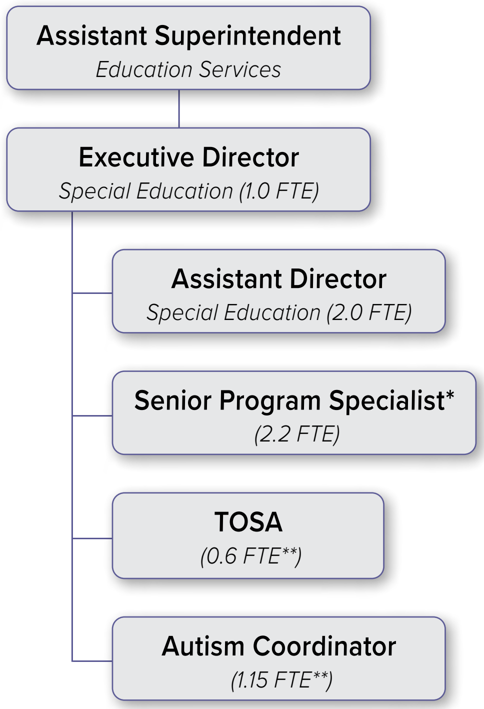
The district's Special Education Department has 1.05 FTE fewer special education leadership positions in the central office than comparison districts and has a higher census day enrollment than every comparison district. The district may benefit from increasing senior program specialist staffing to support actions to meet the governing board's Goal 2a, as described in the "Special Education Department Organization" section of this report.

The Special Education Department has 0.89 FTE more administrative support staff than the comparison districts. Reducing administrative support staffing would not be beneficial because of an increasing workload caused by increasing special education enrollment; however, the district would benefit from additional cross-training among administrative support positions to ensure they know how to complete essential duties if someone is absent or leaves a position. Staff reported that desk manuals detailing major responsibilities and tasks have been developed for some administrative support positions, but the department would benefit from ensuring each position has a desk manual describing how to complete its tasks and responsibilities.

Recommended Special Education Department Organization & Staffing

The district's executive director of special education supports the special education program and staff. The Special Education Department's leadership positions in the central office are organized as shown below.

Central Office Special Education Organization



*A 1.0 FTE senior program specialist position became vacant in fall of 2022 and remains unfilled.

** One senior program specialist position, the TOSA, and the two autism coordinators have split duties that include direct services and/or student assessment, as well as special education program support. For these positions, the portion of their time spent providing special education program support is considered leadership support and is included in the FTE.

Source: District-provided data.

The district's governing board set annual goals, which are described in the "District Focus – 2023-24 Annual Goals and Direction" section of this report. Goal 2a is about including special education students in general education and includes actions essential to improving achievement and outcomes for students in special education. The following two actions would benefit from increased support from the district's central office leadership team:

- The co-teaching initiative.
- The development, communication, and monitoring of RSP staff responsibilities.

As described in the "District Focus, Organization, and Central Office Special Education Staffing" section of this report, the Special Education Department would benefit from developing a vision and strategic plan to support the governing board's Goal 2a. In addition, the district will need to consider whether there is an operational advantage to making the following three staffing changes to the central office leadership to better support inclusion.

1. Assign all of the senior program specialist's time to special education program support.

One of the senior program specialists spends 80% of their time on assistive technology assessments and direct services for students, which are not typical responsibilities of program specialists in other districts. The senior program specialist job description is broad and allows for this; it states:

> Under the direction of the Executive Director or Assistant Superintendent, the Senior Program Specialist plans, organizes, evaluates and manages instructional services and leadership for special education service providers and instructional staff; manages, oversees, and evaluates staff providing support services in the areas of speech therapy, physical therapy, occupational therapy, mental health services; oversees the provision of assistive technology, and augmentative communication systems for special education students; manages special education records; coordinates creation of caseloads, calendars, and develops systems for operating special education programs; serves as liaison to other LEAs, outside agencies, community, and District divisions.

This job description includes overseeing assistive technology, and essential function #32 in the job description states, "provides assistive technology and mental health services to students, as necessary." However, because 0.8 FTE of this position is delegated to assistive technology, the individual in this position is working mainly as an assistive technology specialist, not a program specialist. The district could consider hiring a 1.0 FTE TOSA to serve as an assistive technology specialist so the senior program specialist could focus full time on supporting special education programs and instructional and related service provider staff.

2. Convert the TOSA position to a senior program specialist position.

   The Special Education Department's TOSA teaches orthopedically impaired students in special education 20% of the time and special education students in private schools 20% of the time. The remaining 60% of the TOSA position's time is for special education program support. The district could hire a special education teacher to serve students with orthopedic needs and those who are in private schools, and convert the TOSA position to a senior program specialist position that can focus full time on supporting special education schools, programs, and instructional and related service provider staff.

3. Fill the unfilled 1.0 FTE senior program specialist position.

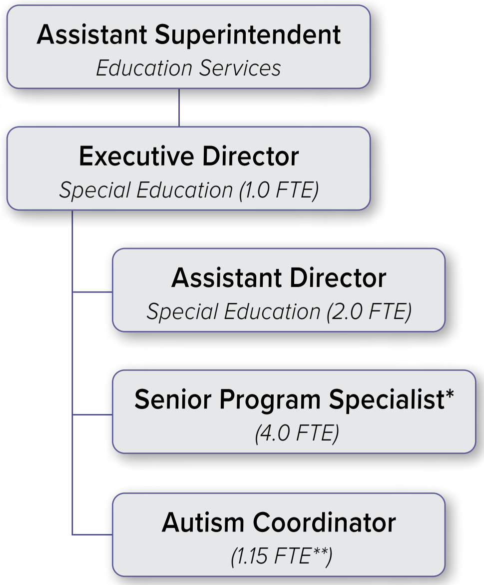
   A 1.0 FTE senior program specialist position became vacant in fall of 2022 and remains unfilled. This position is still in the budget. Special education program needs and the priorities in the governing board's Goal 2a support filling this position.

Proposed changes 1 and 2 above would ensure the senior program specialist positions no longer have split duties but instead spend all their time on special education program support, which is the industry standard.

In contrast, the essential functions of the Coordinator – Autism Services job description are congruent with its split duties and are typical of similar positions in other districts, so there is no need to change the autism coordinator positions' duties.

If the three proposed changes above were made, the Special Education Department's central office leadership team would keep the same number of positions but would increase from 6.95 FTE to 8.15 FTE. It could be organized as shown below.

Suggested Special Education Department Organizational Chart



* The two autism coordinators could continue to have split duties that include direct services and student assessment, as well as special education program support. For these positions, the portion of their time spent providing special education program support is considered leadership support and is indicated in the FTE.

Source: FCMAT.

In the suggested organizational chart, the 4.0 FTE senior program specialist positions would result from the following actions:

- Maintaining the 1.0 FTE senior program specialist position assigned to special education program and instructional and related service provider support.
- Filling the unfilled 1.0 FTE senior program specialist position that is still in the budget. The department could consider making this position responsible for developing, communicating, and monitoring RSP staff responsibilities (governing board Goal 2a).
- Reassigning assistive technology duties to a different position so the senior program specialist who spends 20% of their time supporting special education programs and instructional and related service provider support can do so full time.
- Converting the TOSA position to a senior program specialist position that works full time supporting special education programs and instructional and related service providers.

Recommendations

The district should:

1. Ensure the Special Education Department develops a plan to provide cross-training to its administrative support positions to ensure employees know how to complete essential responsibilities and tasks if someone is absent or leaves a position.
2. Ensure the Special Education Department continues developing desk manuals for each administrative support position that describe how to complete responsibilities and tasks.

3. Consider hiring a 1.0 FTE TOSA to serve as the assistive technology specialist so the senior program specialist who is now assigned these duties can support the special education program full time.
4. Consider hiring a special education teacher to serve students with orthopedic needs and those who are in private schools, and converting the TOSA position to a senior program specialist position that will support the special education program full time.
5. Fill the unfilled 1.0 FTE senior program specialist position that is still in the budget. Consider having this position focus on developing, communicating, and monitoring RSP staff responsibilities (governing board Goal 2a).
6. Consider hiring another program specialist with special education expertise in the Educational Services Department, under the executive director, secondary education, to help expand the co-teaching initiative (governing board Goal 2a).

Professional Development

The district has a professional development plan that aligns with evidence-based practices, such as universal design for learning (UDL) and MTSS, identified in the *One System: Reforming Education to Serve ALL Students, Report of California's Statewide Task Force on Special Education*. The district needs to continue to ensure that its plan aligns with these practices to better support special education students in general education.

The district is building its MTSS, which defines common instructional practices that use Best First Instruction, which are Tier 1 instructional strategies that are directly linked to higher levels of student learning. It is updating and will provide training on the essential elements of effective instruction for all new teachers, and will make this training available to current staff. As the district continues developing its MTSS plan, it should use UDL as a framework for its work supporting best instructional practices. This approach is aligned with the 2015 report on one system, which described several evidence-based practices, including UDL, as essential to providing inclusive learning opportunities for students with disabilities. UDL is a framework that guides the design of learning experiences to proactively meet the needs of all learners. A UDL approach assumes that barriers to learning are in the design of the environment, not in the student. Whereas other lesson design approaches seek to provide student accommodations or modifications after the lesson has been developed, UDL lessons are constructed with the needs of all students in mind, which better serves special education students as general education students first.

The district governing board's Goal 3a addresses professional growth for classified and certificated employees. Training for special education instructional aides is provided monthly and is focused on registered behavior technician courses, behavior supports, ProAct, and IEP-related coaching. During interviews, staff identified understanding mental health disorders and school-based mental health supports, differentiation strategies, and disability awareness as additional areas in which the special education aides would benefit from training. In addition, staff reported in interviews that training in areas such as disability awareness and behavior supports is needed for special education bus aides and bus drivers. Training for certificated employees focuses on the essential elements of effective instruction and proactive and positive strategies for handling student behavior and increasing student engagement. The district also needs to consider providing training for general education staff in special education legal requirements, differentiation strategies, disability awareness, understanding autism, and growth mindset.

Goal 3a also identifies exploring a model for ongoing training for all classified positions. This need was affirmed during interviews: staff reported that special education aides access online training modules but that these are difficult to learn from and not engaging.

Recommendations

The district should:

1. Continue to ensure its professional development plan is aligned with the evidence-based practices, such as UDL and MTSS, identified in the 2015 report on one system, to better support special education students in general education.

2. Consider providing training for special education aides in understanding mental health disorders and school-based mental health supports, differentiation strategies, and disability awareness, in addition to the areas identified in Goal 3a.

3. Consider providing training for certificated staff in special education legal requirements, differentiation strategies, disability awareness, understanding autism, and having a growth mindset, in addition to the areas identified in Goal 3a.

4. Consider providing training for special education bus aides and bus drivers in areas such as disability awareness and behavior supports.

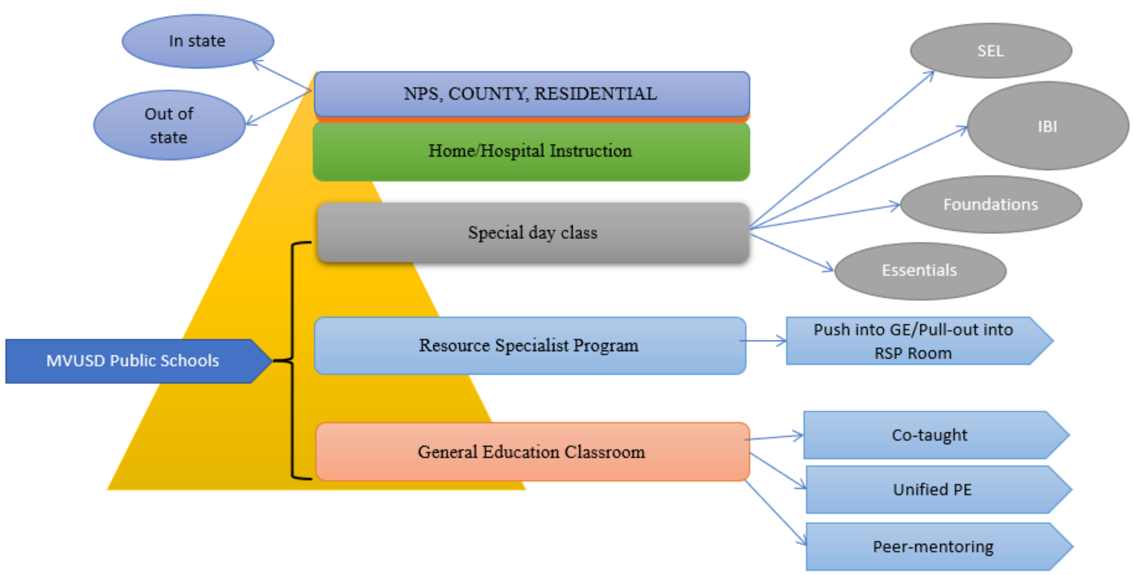
Continuum of Services for Students in Special Education

The Individuals with Disabilities Education Act (IDEA) sets nationwide minimum standards for educational services, as well as related services, for students with disabilities, including all eligible infants, toddlers, preschoolers, children and youths up to age 22. Each state must ensure that a free appropriate public education (FAPE) is available to any child with a disability who needs special education and related services, even if the student has not failed or been retained in a course or grade and is advancing from grade level to grade level (Title 34, Section 300.101(c) of the Code of Federal Regulations — 34 CFR 300.101(c)). In addition, districts need to align their practices and systems with the 2015 report on one system and shift mindsets so that students in special education are considered general education students who receive specialized services.

District Special Education Continuum of Services

The district offers the following continuum of special education services, which are delivered by the district or by district partners such as the Riverside County Special Education Local Plan Area (SELPA) and nonpublic schools (NPSs).

District Continuum of Special Education Services



Source: District-provided graphic.

Preschool Special Education Services

The district offers the following special education services for students in preschool:

- **Related services**, such as speech and language therapy, occupational therapy, and physical therapy, are offered within an SDC or at the student's home school.

- **A Preschool Intervention Program (PIP)**, which supports language acquisition for students who have only speech and language needs and goals.
- **Special Day Classes (SDCs)** for students with mild-to-moderate (SDC Essentials) or moderate to severe (SDC Foundations) service needs. The preschool SDCs are half-day programs that operate mornings and afternoons to accommodate two groups of students each day.

Transitional Kindergarten – Grade 12

Special education students in grades TK-12 are served in the RSP or SDC program. The RSP, offered at all district schools, provides specialized academic instruction in either a general education or a separate classroom (commonly known as push-in or pull-out, respectively). The district offers three types of SDCs:

1. **Essentials Program** — Primarily for students with mild/moderate service needs. Students in this program access the general education curriculum and standards in an SDC setting.
2. **Social-Emotional Learning Program** — Primarily for students with mild/moderate behavioral or social emotional service needs. Students in this program access the general education curriculum and standards in an SDC setting. This program's focus on social emotional learning and support differentiates it from the SDC Essentials program.
3. **Foundations/Intensive Behavior Intervention Program** — Primarily for students with moderate/severe service needs. Students in this program access a modified curriculum in an SDC setting and take the California Alternate Assessment (an alternative state standardized test for to measure student achievement. A student's IEP must indicate that they need this alternate means of assessment).

Students in either the RSP or SDC program access the general education classroom as determined by their IEP team. Support for special education students in general education settings is achieved in the following ways:

- **Push-in Support** — These services are provided in a general education classroom; the general education teacher, special education teacher, and others (such as speech therapists or occupational therapists) work collaboratively.
- **Co-teaching** — The district has begun implementing this in 27 classes (mostly English language arts, mathematics, and biology) at the secondary level (grades 8-12). In these classes, the general education and special education teachers have received training and are co-planning and co-teaching. Common planning time occurs outside of school hours, and staff are compensated according to the district's memorandum of understanding with the Murrieta Educators Association (MEA). The governing board's Goal 2a includes expanding the co-teaching initiative to grade seven in 2023-24.
- **Peer Mentoring** — General education students at every middle school and at one of the high schools can enroll in a peer mentoring class as one of their electives; five total classes are offered that teach students how to support neurodiverse students in general education classes. These peer mentors then support the inclusion of special education students in general education classes.
- **Unified Classes** — Students in special education with moderate/severe service needs at every middle and comprehensive high school can be paired with a general education student who helps them understand the curriculum and participate in a general education class.

- **Adult Transition Program** — The district's Adult Transition Program (ATP) is a special education program for adults ages 18-22 with disabilities who have completed high school on a nondiploma track. ATP has five teachers who provide different levels of instruction based on students' needs and levels of independence. ATP began operating out of its own facility seperate from a school site approximately five years ago.

Inclusion Efforts

The district reported prioritizing equity efforts beginning in 2014, and its website states, "Infusing equity implies that inclusion becomes part of everything we do. It is not an additional or supplemental to current actions. Rather, Murrieta Valley USD 'infuses' equitable practices into daily academic instruction." The district's goal is to support "Every Student, Every Day Without Predictions." The district's website states:

> In order to create safe, positive school environments where all students, staff, parents/guardians, and community members are treated with respect and dignity; we must 'include' everyone and welcome them into our school family. Through inclusion, students learn the power of friendship, kindness, empathy, compassion, and the strength of having a diverse community.

The district's website also states:

> Inclusion calls us to confront the biases in our own school district as well as practices, policies, and institutional barriers that may negatively influence student learning, perpetuate achievement gaps, and impede equal access to opportunities for all students. Together we eliminate disparities in educational outcomes for students from historically underserved and under-represented populations.

The district's prioritization of inclusion and its aligned governing board goals set a clear direction to better support students with disabilities in general education settings, and doing so is a clear district need. As discussed in the "Special Education Student Identification, Performance and Outcomes" section of this report the district does not educate enough of its preschool age or K-12 students who are in special education in general education settings. Thus, the district's current continuum of service options for students in special education too strictly limits students' access to general education.

Conclusions

Overall, the district offers a full continuum of special education options and services through district programs, Riverside County SELPA programs and NPSs. However, the district needs to emphasize and better support continuum of service options to give students in special education access to general education. The district needs to prioritize supporting and expanding its co-teaching program. It also needs to provide ongoing professional development for general and special education teachers, special education aides, related service providers, administrators, and other staff on evidence-based practices identified in the 2015 report on one system, such as UDL and MTSS, to better support special education students in general education.

Recommendations

The district should:

1. Use the 2015 report on one system as a guide to focus on coherence, inclusive practices, and integrated systems to develop a comprehensive system of education that supports positive student outcomes for all students. Strive to ensure that students who receive

special education services are viewed as general education students first, and that all educators understand they have a collective responsibility for all students.

2. Give priority to supporting and expanding the co-teaching program, as identified in the governing board's Goal 2a.

3. Provide ongoing professional development for general and special education teachers, special education aides, related service providers, administrators, and other staff based on recommendations in the Professional Development section of this report.

4. Increase the access that students who receive special education services have to general education, with a focus on exceeding the least restrictive environment (LRE) targets in its annual performance report .

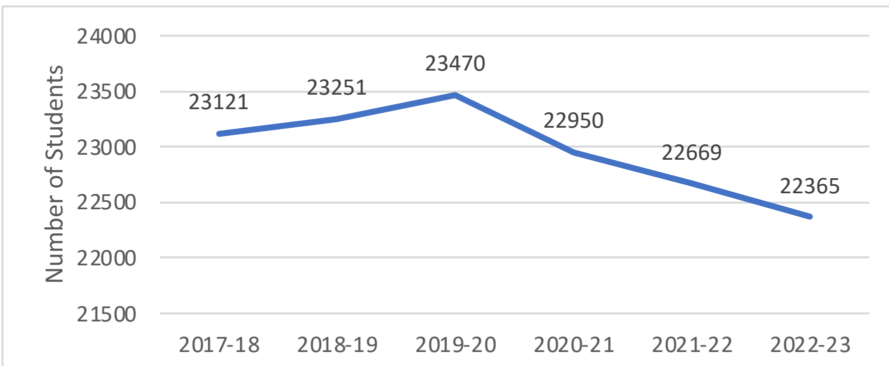
Special Education Student Identification, Performance and Outcomes

It is important for every school district to evaluate whether students are properly identified for special education and to analyze their performance and outcomes. As emphasized in the 2015 report on one system, the responsibility for proper identification, and the performance and outcomes of students in special education, are responsibilities shared by both general education and special education educators.

District Special Education Enrollment

From 2017-18 to 2022-23, the district's census day enrollment decreased by 756 students.

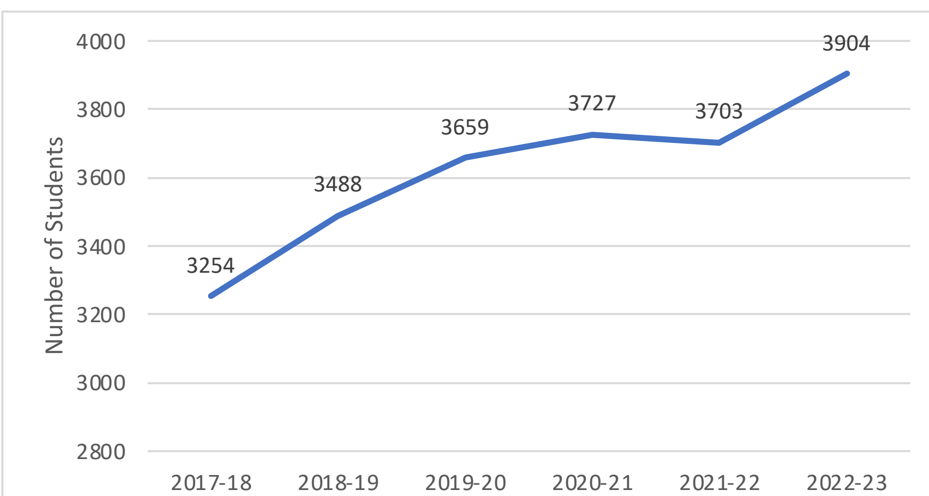
District Total Enrollment



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

During the same period, the district's special education enrollment increased by 650 students. This includes students newly identified for special education and students who moved into the district with an IEP. Although 51% of all district students are boys, 64% of students in special education are boys, which is slightly below the statewide average of 67%.

District Special Education Enrollment

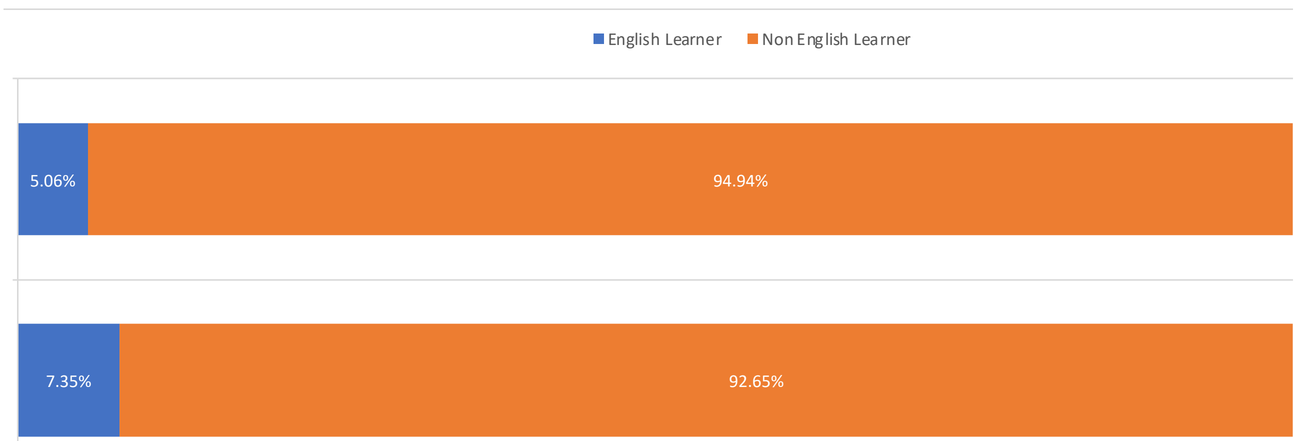


Source: Enrollment for Charter and Non-Charter Schools - Murrieta Valley Unified (CDE).

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 a given group in special education. English learners are commonly overidentified for special education. In 2022-23, 5.06% of all of the district's K-12 students were identified as English learners. Of the district's 3,904 K-12 students in special education, 287, or 7.35%, were identified as English learners, as shown in the bar graph below. Because the percentage of English learners in special education is close to the percentage of these students in the district as a whole, the district does not appear to be overidentifying English learners for special education. However, this area merits monitoring because overidentification of English learners is a common problem for many districts and can occur at any time.

Percentage of Students Identified as English Learners



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

The district does not break down its special education data to identify disproportionality based on factors such as gender, English language status, and race/ethnicity. The district needs to monitor annually for disproportionality in special education identification and provide professional development on special education identification as needed.

Special Education Enrollment by Disability Category

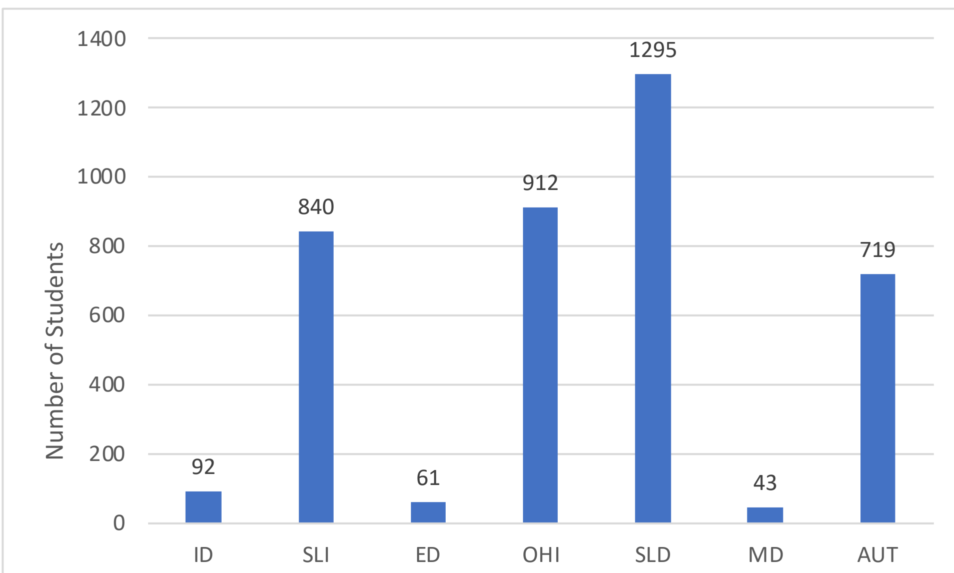
Students qualify for special education according to the following 14 categories of disability:

- Intellectual Disability (ID)
- Hard of Hearing (HH)
- Deafness (DEAF)/Hearing Impairment (HI)
- Speech or Language Impairment (SLI)
- Visual Impairment (V)
- 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)
- Established Medical Disability (EMD)

According to the *WestEd California Special Education Funding System Study*, which identified statewide trends, SLD constitutes the majority of identified disabilities for K-12 students, followed by SLI and AUT. In 2022-23, the district reported to the California Longitudinal Pupil Achievement Data System (CALPADS) that 4,039 students in prekindergarten through grade 12 were enrolled in special education. Of those, 1,295, or 32%, were identified as having an SLD, as shown below. In contrast to statewide trends, the disability categories of OHI and SLI, at 23% and 21% of students, respectively, were the next largest categories in the district.

2022-23 Special Education Enrollment by Disability Category



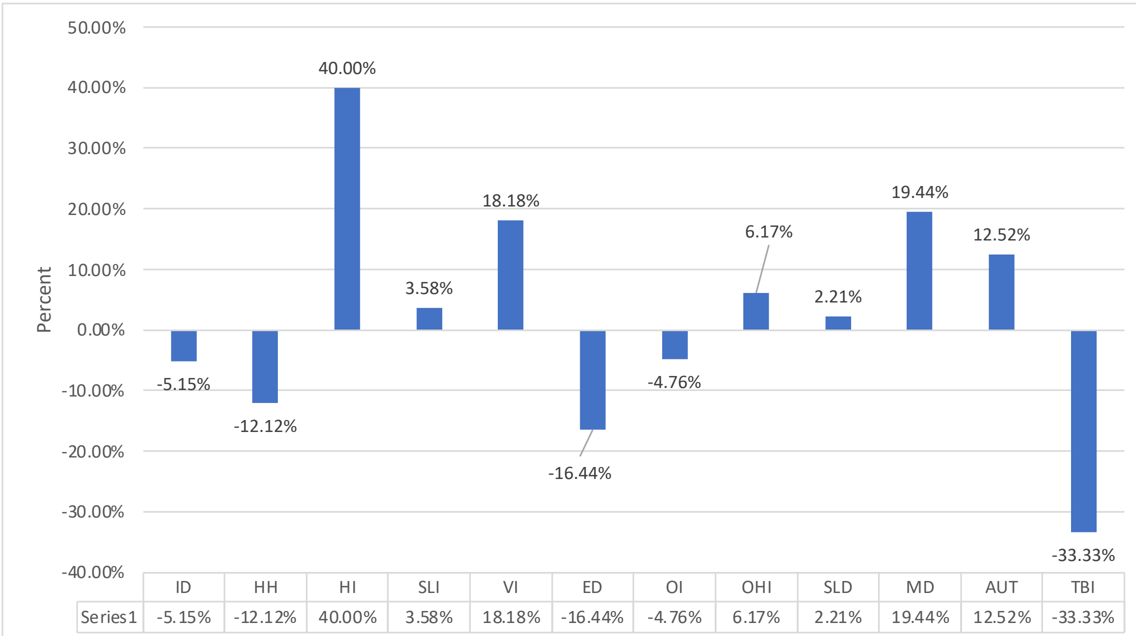
The district also had students in the following categories not pictured in the chart: HH, 29; HI, 7; VI, 13; OI, 20; TBI, 6; EMD, 2.

Source: District's CALPADS report 16.1.

A review of the district's increasing special education enrollment by disability category shows that the percentages of students in some categories are increasing at a far greater rate than others, as shown below. From 2020-21 through 2022-23, the number of students in the AUT category increased from 639 to 719 (a 12.52% increase), and the number of students in the ED category decreased from 73 to 61 (a 16.44% decrease).

Although the percentage changes in the HI, VI, MD, and TBI categories were relatively large, they do not require further analysis because of the small number of students in these categories. For example, the HI disability category increased by 40% between 2020-21 and 2022-23, but this was an increase of only two students (five to seven). A best practice is to monitor special education enrollment annually by disability category to help ensure students are being identified correctly for special education.

Percent Change by Disability Category, 2020-21 Through 2022-23

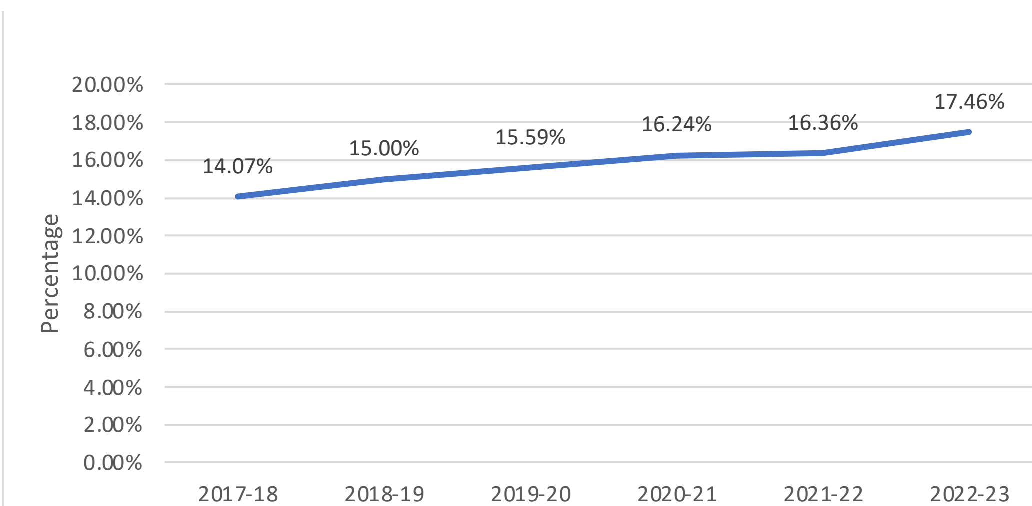


Source: District's CALPADS report 16.1.

Percentage of Students Enrolled in Special Education

The percentage of the district's K-12 students in special education increased from 14.07% to 17.46% from 2017-18 to 2022-23.

Percentage of Students Enrolled in Special Education



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

In 2022-23, 17.46% of the district's K-12 students were identified as requiring special education, which is more than the K-12 countywide and statewide averages. Noncharter school enrollment was used in these comparisons because the district does not have any charter schools.

Special Education Enrollment Comparison

2022-23	Murrieta Valley Unified	Riverside County	State
K-12 noncharter school enrollment	22,365	392,646	5,166,991
K-12 noncharter school enrollment of students with disabilities	3,904	53,903	683,646
Percentage	17.46%	13.73%	13.23%

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

Factors that may contribute to the district's increasing percentage of students in special education are discussed in the next section of this report.

Recommendations

The district should:

1. Monitor annually 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 as needed on how to correctly identify students for special education.

Factors Contributing to the Increasing Percentage of Students in Special Education

The increasing percentage of students enrolled in special education may be related to the special education program's positive reputation, but appears to be caused by two factors:

- The district's student study team (SST) process and MTSS.
- Student exit procedures from special education.

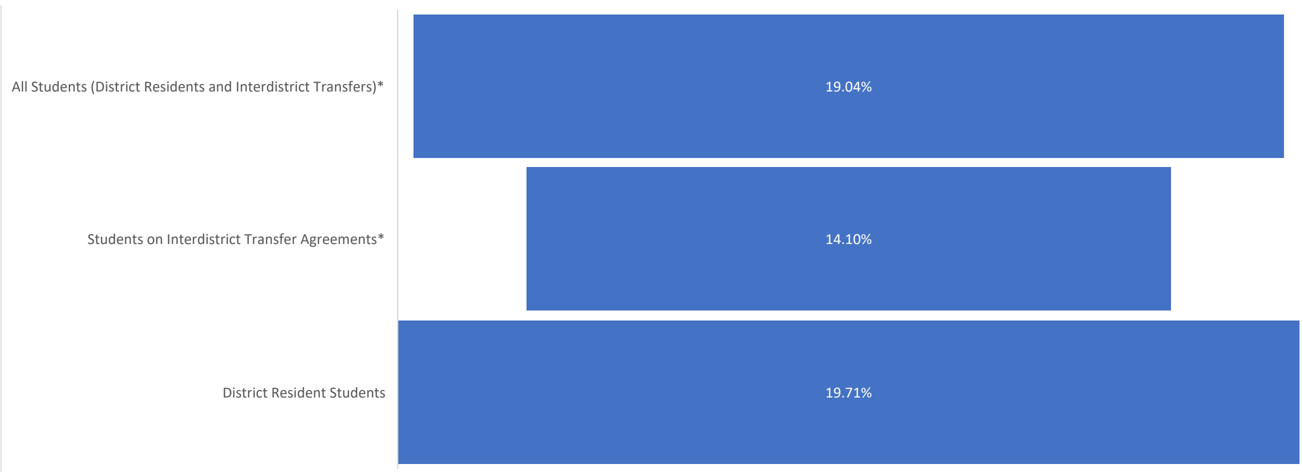
These factors are discussed below.

Special Education Program Reputation

Many staff reported that Murrieta Valley Unified is a destination district: families move to Murrieta for the district's special education program. Staff cited the district's unified sports and activities programs, unified classes, and peer mentoring programs as being widely known and highly desirable. In addition, staff indicated the district has a reputation for providing higher quality and more frequent related services than other districts and is known as a place where parents can secure a one-to-one special education aide for their student. Staff reported that these factors lead to increasing special education enrollment as many families move into the district, or come into the district on an interdistrict transfer agreement.

An interdistrict transfer agreement allows students to attend a school in a district other than their district of residence. According to district data, the district had a total K-12 enrollment of 21,906 students as of April 20, 2023 (excluding students in the family services, NPSs and adult education programs). Of those students, 2,639 were enrolled in the district because of an interdistrict transfer agreement. The district has a total of 4,170 students (19.04%) enrolled in special education. Of the 2,639 K-12 students on an interdistrict transfer agreement in 2022-23, 372 students, or 14.10%, were enrolled in special education. This includes students who were in special education at the time they enrolled and those who qualified for special education after transferring to the district, as of April 20, 2023. The percentage of district K-12 students enrolled in special education would have been higher (19.71% versus 19.04%) if the district had not enrolled the transferring students, as shown below.

Percentage of Resident and Transfer Students Enrolled in Special Education



Source: District-reported data on students in K-12 for the 2022-23 school year as of April 20, 2023 (excluding students in the family services, NPS and adult education programs).

The percentage of transfer students in special education has been stable over the past three years: 13.18% in 2020-21, 13.89% in 2021-22, and 14.10% in 2022-23. Therefore, transfer students increase the number, but not the percentage, of students in special education.

The district reported that 543 students in special education came from families that moved into the district during the 2022-23 school year. Deeper analysis of data on families moving into the district is needed to determine whether this increased both the number and percentage of students enrolled in special education.

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 by meeting the two-pronged test, which requires that they::

- Meet the definition of one of the 14 disability categories in the IDEA.
- Require specially designed instruction.

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, limited interaction with their typically developing peers, and lower expectations, which can limit their progress and outcomes. In addition, serving a student in special education through an IEP is costlier than serving one through interventions and general education supports. However, failing to identify students with disabilities for special education can deprive them of their rights to a FAPE under the IDEA. This can impede student learning and may obligate a district to pay for compensatory educational services.

It is essential that the district identify only qualifying students with disabilities for special education; this is influenced by a district's implementation of SSTs and MTSS.

Student Study Teams

Before a struggling student is considered for placement in special education, it is a best practice to refer the student to a student study team (SST), also commonly referred to as a student success team, which is a team-oriented approach to helping students with a wide range of concerns related to their school performance and experience. An SST's purpose is to intervene early and design a support system for students who are having difficulty in the general education classroom. The SST should review student strengths and weaknesses, set SMART (specific, measurable, achievable, relevant, and time-based) goals, and identify interventions. A student's progress toward his or her goals is monitored by the SST, which is composed of the student (if appropriate), the parent or guardian, and school personnel such as counselors, resource specialists, speech pathologists, school psychologists, classroom teachers and administrators. It is a best practice for every school to have an SST process.

The district began implementing a districtwide, data-driven SST process using the Beyond SST platform in 2022-23. This process includes Pre-SST Intervention, SST Referral, and SST Intervention Plan and Monitoring forms. The SST Intervention Plan and Monitoring form guides SSTs to identify an intervention, including its duration, frequency and location, as well as who will be responsible and how it will be monitored. This form clearly identifies the student's baseline skill level and goal for the intervention. Each district school now has at least one SST coordinator extra duty position; however, staff reported that some schools have been unable to fill this position. The district maintains an SST coordinator folder with an SST flowchart, a clearly articulated SST process, checklists, sample SST meeting agendas, sample intervention letters, frequently asked questions, and academic and behavioral intervention menus and manuals.

In 2022-23, schools were expected to pilot this new SST process, with full implementation expected in 2023-24. Staff reported that the rate of implementation this year has been high at most schools, but some schools have not implemented parts of the new SST process yet. The district is gathering feedback on the SST process and will adjust it for 2023-24 based on this input. One known difficulty is that available interventions vary by school. The district is building grade-level interventions in its developing MTSS to solve this.

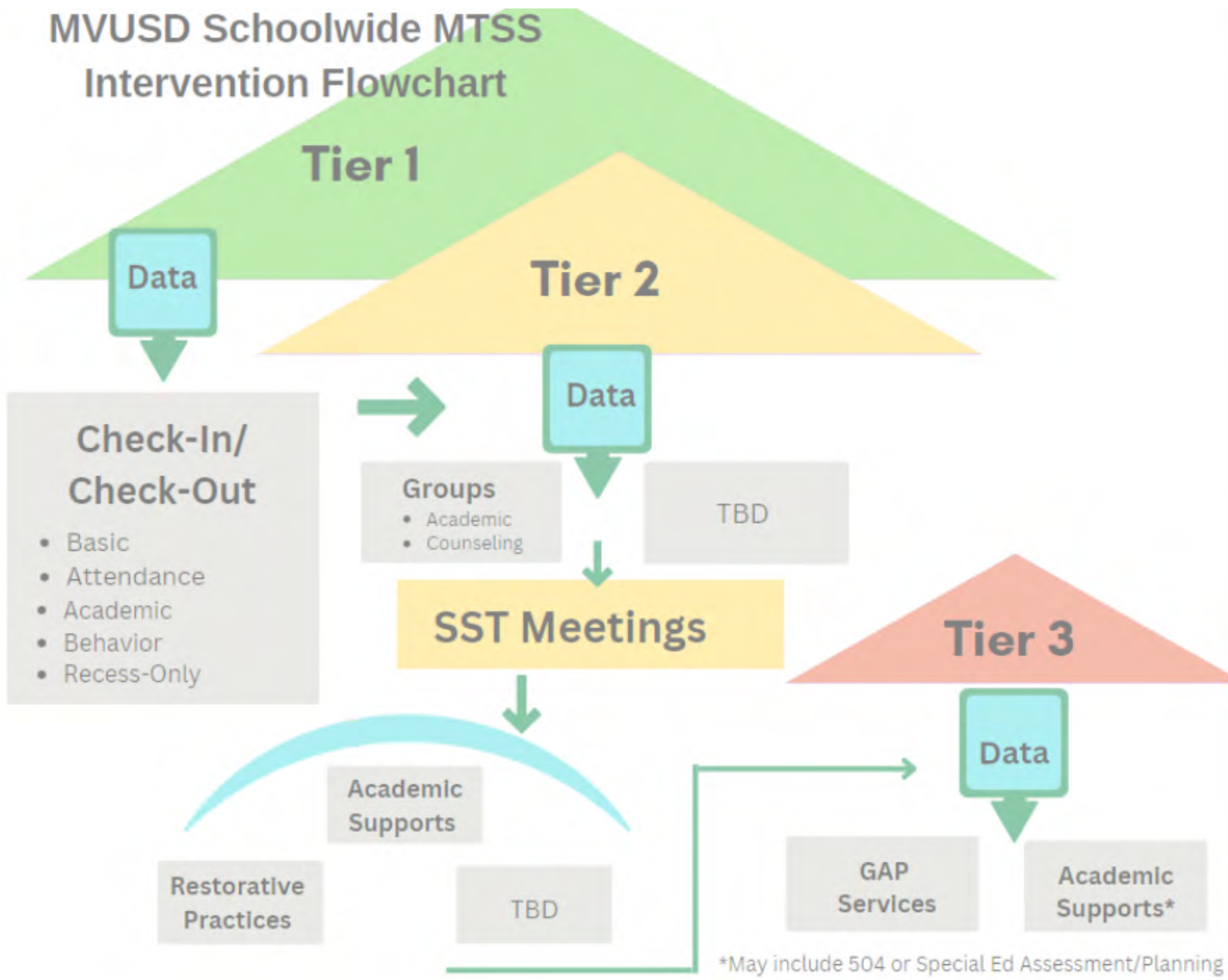
Before beginning the districtwide SST process in 2022-23, many schools were already using SST processes. However, staff at some schools described their previous SST process as a pathway to a special education assessment instead of an opportunity for a student to receive tiered interventions in general education. Staff reported that staff at some schools regarded struggling students as students they could not help and who needed to be placed elsewhere. This belief is counter to the 2015 report on one system, which regards special education students as general education students first and special education as a spectrum of services rather than a place where students go. In addition, California Education Code (EC) 56303 states, "A pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized." The district's new SST process focuses on maximizing student support services in general education, which is congruent with the 2015 report on one system and complies with EC 56303.

Multitiered Systems of Support

California's MTSS focuses on aligning initiatives and resources to meet the needs of all students. It is an integrated, comprehensive framework that aligns academic, behavioral, and social-emotional learning; it is a method of organization. MTSS focuses on content standards and relies on data gathering through universal screening, data-driven decision making, and problem-solving teams. MTSS aligns the entire system of initiatives, supports and resources, and implements continual improvement processes throughout the system. MTSS includes both RtI^2 and PBIS.

Staff reported implementation of RtI^2 and PBIS has historically varied among schools, and in 2021-22 the district identified a need to develop common expectations and an MTSS. Since then, the district formed a 25-member team that includes both special and general education staff to focus on building a districtwide MTSS. Although still under development, the district's MVUSD Schoolwide MTSS Intervention Flowchart below shows the district's vision for MTSS.

District Schoolwide MTSS Intervention Flowchart



Source: District-provided document.

Response to Instruction and Intervention (RtI^2)

Response to instruction and intervention is a nationwide approach focused on individual students who are struggling academically. It mobilizes resources from the district, school and/or community to promote students' success. It is systematic and data-driven, 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. It uses universal screening and data analysis of all students' learning in the general education classroom. A comprehensive districtwide RtI^2 system also prevents students from being inappropriately identified as needing special education and supports in the LRE. A comprehensive 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/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, entry or exit from the support).

The district's MTSS has focused on implementing social-emotional learning supports and interventions. In 2023-24, the district's MTSS team will work to identify Tier 1 interventions and common instructional practices for academics in the elementary schools. The MTSS team will build on academic supports and the Tier 1 Intervention Starter Menu that lists environmental and curricular accommodations, alterations to instruction, changes for instructional output, and homework interventions, which was developed as part of the district's SST intervention plan and monitoring forms.

Positive Behavioral Interventions and Supports

Positive behavioral interventions and supports (PBIS) focus on students' emotional and behavioral learning, which leads to an increase in engagement and a decrease in problem behavior over time. PBIS helps districts adopt and organize evidence-based behavioral interventions.

The district began its PBIS initiative approximately 10 years ago but has identified a need to update the program to better meet the needs of students following the COVID-19 pandemic and to improve consistency of use among schools. Accordingly, the district's MTSS team developed a Tier 1 playbook for PBIS, to be launched soon, which focuses on supporting positive student behavior. Each school has formed a PBIS team, which will receive training and coaching on implementing the Tier 1 playbook for PBIS in 2023-24.

Student Exit Procedures

Not all students require special education services throughout their school years. A student's continuing need for special education services is best considered at the student's annual IEP meeting. The two-pronged test discussed earlier in the "Student Study Teams and Multitiered Systems of Support" section of this report is best used at a student's three-year (triennial) evaluation to determine whether the student continues to have one or more of the 14 disability categories in the IDEA and whether the student still needs specially designed instruction.

Students may exit special education at their annual or triennial IEP meeting when they have demonstrated an ability to succeed in general education, or no longer meet the definition of one of the IDEA's disability categories, and/or have acquired the skills they previously lacked, such as using intelligible speech or language skills. A student's IEP team makes the recommendation regarding the student's continued need for special education.

Many district staff indicated that students are not being exited from special education according to the two-pronged test at their triennial IEP meeting if they no longer qualify for special education, and some staff indicated they never exit a student from special education. Staff reported parent pressure for the student to remain in special education as the largest factor preventing a student's departure from special education. In addition, many staff reported it is part of the district's culture to keep a student in special education if they are making educational progress, because the program is viewed as working. However, keeping students in special education who do not require it is not a best practice. Students experience less stigma, increased access to rigorous instruction given in general education, and more interactions with their typically developing peers when they are not enrolled in special education. A student's exit from special education is evidence of the student's and the program's success..

The following two strategies could help the district evaluate its exit procedures for students in special education.

1. Review psychoeducational and speech and language assessments to identify those in which students could have been exited from special education. From those assessments, select several for which students were exited from special education and several for which students were not exited. Then, redact any student, staff or school identifying information on the assessment and have an attorney or expert witness (school psychologist or speech and language therapist) use the redacted documents as they provide professional development on exit criteria and best practices for special education staff and district staff who serve as the administrative designee at IEP meetings.

2. Conduct a more detailed analysis of its student exit rates from special education at least by school, grade level, and disability. Consider using the 2020 Policy Analysis for California Education (PACE) brief, Students with Disabilities in the CORE Districts, as a guide. This brief describes key characteristics and outcomes of students with disabilities as well as how they transition in and out of special education. PACE leveraged data from the CORE districts (Fresno, Garden Grove, Long Beach, Los Angeles, Oakland, Sacramento, San Francisco, and Santa Ana) and determined:

   > Exit rates between grades remain relatively constant from kindergarten through fourth grade, where about 25 percent of students who had an IEP in the prior year exited special education. Also, there is a sharp decline in the percentage of students exiting special education between fifth and seventh grades, where the lowest percentage (8 percent) of students are exiting in seventh grade. Finally, the highest exit rates occur in 8^{th} through 12^{th} grades, where about one third of [students with disabilities] exit special education between each grade level.

   In contrast to the 2020 PACE brief findings, many staff reported that the district's students are seldom exited from special education once they reach high school. The district needs to analyze its special education exit data by at least school, grade level and disability category to determine if staff reports regarding exit rates are accurate. It may be helpful to collaborate with the CORE districts studied in the 2020 PACE brief to determine how they provide training for and monitoring of exit procedures from special education. Individuals from the CORE districts may also be able to provide knowledge and insights to help district staff view and approach the exit process differently.

In addition, some staff reported Section 504 plan procedures, forms and practices vary by school and that Section 504 plans may be underused at some schools. Section 504 Plans, which are formal plans schools develop to provide support for a student with disability, are another way to support students who have a disability but do not require special education services. The district needs to assess whether training on and support of the Section 504 process are needed.

Recommendations

The district should:

1. Continue gathering feedback on its new SST process, and adjust it for 2023-24 based on this input.
2. Continue building its MTSS and working to identify Tier 1 interventions and common instructional practices. After this is completed, work to identify Tier 2 interventions.
3. Provide training and coaching on the Tier 1 playbook for PBIS in 2023-24 as planned.
4. Provide professional development on proper student exit procedures from special education for special education staff and other staff who serve as the administrative designee at IEP meetings. Consider having an attorney or expert witness (e.g., school psychologist or speech and language therapist) provide professional development using the district's own redacted assessments.
5. Analyze its special education entry and exit data at least by school, grade level, and disability category to identify trends.
6. Monitor special education exit rates by school, grade level and disability category annually, and provide professional development as needed.
7. Assess the Section 504 process, and determine whether training and/or support are needed.

Performance and Outcomes for Students Who Receive Special Education Services

As stated in the 2015 report on one system, general and special education educators share the responsibility for special education students' performance and outcomes.

California School Dashboard

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

- Chronic Absence Rate – Grades K-8
- Suspension Rate – Grades K-12
- Graduation Rate – Grades 9-12
- College/Career Readiness– Grades 9-12
- Academic Performance (English language arts and mathematics) – Grades 3-8, 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) show how much a group's performance changed on an indicator from the prior year. Combined status and change level data results in one of 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 for compliance.

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 level (color) for all students compared to the performance level (color) for students with disabilities is shown below. English learner progress was not reported on the 2019 dashboard.

District 2019 Performance, California Dashboard

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

Source: Murrieta Valley Unified Student Groups Report - California Accountability Model (CDE).

Compared to all students, students with disabilities performed similarly on the suspension and college/career readiness indicators, and one performance level lower on the chronic absenteeism, graduation rate, English language arts and mathematics indicators.

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 levels are reported through one of the five status levels (very high, high, medium, low, and very low) for state measures. The status levels for the chronic absenteeism and suspension rate indicators are reversed (very low, low, medium, high, and very high). Below is the district's 2022 Dashboard performance.

District 2022 Performance, California Dashboard

	Chronic Absenteeism Rate	Suspension Rate	Graduation Rate	English Language Arts	Mathematics
All Students	Very High 30.8% Chronically Absent	Low 2.5% of Students Suspended at Least One Day	Very High 96.3% Graduated	High 16.9 Points Above Standard	Low 26.3 Points Below Standard
Students with Disabilities	Very High 40.3% Chronically Absent	High 4.6% of Students Suspended at Least One Day	Medium 83% Graduated	Low 63.3 Points Below Standard	Very Low 104.1 Points Below Standard

Source: Murrieta Valley Unified Academic Engagement | California School Dashboard (CDE) (caschooldashboard.org).

On the 2022 Dashboard, compared to all students in the district, students with disabilities performed:

- Similarly (very high) on the chronic absenteeism indicator.
- One performance level worse on the mathematics indicator.
- Two performance levels worse on the suspension rate, graduation rate, and English language arts indicators.

The performance of students in special education on indicators such as mathematics, English language arts, and graduation rate are affected by the amount of access students in special education have to their LRE, the general education classroom. Recommendations to improve special education students' access to general education are discussed below.

Special Education Annual Performance Report

The Special Education Annual Performance Report Measures are reports the CDE publishes to distribute educational data about students with disabilities. These reports are required by the IDEA (20 United States Code 1416(b)(2)(C)(ii) and 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.

District Local Level Annual Performance Report 2020-21

No.	Indicator	Rate	Target	Target Met?
1	Graduation Rate*	87.65%	>90.0%	No
2	Dropout Rate*	1.82%	≤11.00%	Yes
3	Assessment: ELA Participation	N/A	N/A	N/A
3	Assessment: Math Participation	N/A	N/A	N/A
3	Assessment: ELA Achievement	N/A	N/A	N/A
3	Assessment: Math Achievement	N/A	N/A	N/A
4a	Discipline (>10 days) Rate*	0.05%	<2.18%	Yes

No.	Indicator	Rate	Target	Target Met?
4b	Discipline (>10 days) Areas Disproportionate*	0.00%	0.00%	Yes
5a	LRE Rate: In Regular Class more than 80%	50.56%	≥58.00%	No
5b	LRE Rate: In Regular Class less than 40%	19.50%	≤19.50%	Yes
5c	LRE Rate: Separate Schools	0.67%	≤2.90%	Yes
6a	Preschool LRE: Regular Program	14.57%	>39.00%	No
6b	Preschool LRE: Separate Class	67.55%	<33.00%	No
6c	Preschool LRE: Home	0.00%	<3.50%	Yes
7a	Positive Socio-Emotional Skills Substantially Increased	68.18%	>85.20%	No
7a	Positive Socio-Emotional Skills Functioning Within Age Expectations	79.37%	>76.00%	Yes
7b	Acquisition of Knowledge/Skills Substantially Increased	66.67%	>76.00%	No
7b	Acquisition of Knowledge/Skills Functioning Within Age Expectations	77.97%	>76.00%	Yes
7c	Use of Appropriate Behaviors Substantially Increased	not counted	>76.00%	NA
7c	Use of Appropriate Behaviors Functioning Within Age Expectations	77.05%	>76.00%	Yes
8	Parent Involvement Rate	99.60%	>95.00%	Yes
9	Overall Disproportionality Areas	0.00%	0.00%	Yes
10	Disproportionality by Disability Areas	0.00%	0.00%	Yes
11	Rate of Eligibility Determined Within 60 Days	100.00%	100.00%	Yes
12	Rate of Part C to Part B Students With Timely IEPs	75.68%	100.00%	No
13	Rate of Students with Transition Goals/Services	94.69%	100.00%	No
14a	Rate of Post School Outcomes: Higher Education	53.74%	>55.00%	No
14b	Competitive Employment or Higher Education	80.07%	>75.04%	Yes
14c	Any Employment or Education	96.80%	>87.00%	Yes

*These are delayed indicators: the data are from the 2019–20 school year.

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

The CDE explains that performance on these indicators should not be viewed as the sole determinants of the quality of a district's special education program but can help districts examine their programs and prioritize areas of focus. At least one area the district needs to prioritize is improving access to the LRE, as described below.

Least Restrictive Environment

The IDEA requires students with disabilities to be offered a FAPE and be educated in the LRE to the greatest extent possible, which is the general education classroom. To determine the appropriate setting for an individual student, IEP teams need to review the student's strengths, weaknesses and needs, and consider the educational benefits of placement in different educational settings. Based on the district's *Local Level Annual Performance Report 2020–21*, only 50.56% of its special education students were in general education classes more than 80% of the day compared to the federal IDEA target of more than 58%. In addition, only 14.57% of its preschool students in special education were educated in the regular program compared to the federal target of more than 39%, and 67.55% of preschool students in special education were educated in a separate class compared to the federal target of less than 33%.

As described in the “District Focus, Organization, and Central Office Special Education Staffing” section of this report, governing board goals 2a and 4a include improving access to general education for students with disabilities.

Other district work to ensure students in special education have access to the LRE include unified sports and leadership programs, the co-teaching initiative, inclusive peer mentoring, and reducing the number of students in the RSP who take a core academic course in an SDC taught by an RSP teacher.

In addition to the governing board’s goals, the district would benefit from developing general education preschool placement options for special education students. The district’s continuum of service options for students in preschool includes related services such as speech and language therapy offered within an SDC or at the student’s home school; the PIP, which supports language acquisition for students who have only speech and language needs and goals; and SDCs for students with mild-to-moderate (SDC Essentials) or moderate-to-severe (SDC Foundations) service needs.

Staff reported that the district developed a proposal to increase preschool age special education students’ participation in general education, but it has not been implemented. Staff explained the proposed preschool pilot program involved a combination of special education teacher and aide support for special education students who are enrolled in a general education preschool class. Staff stated that some early elementary staff members do not believe special education students coming out of an SDC preschool are ready for a general education primary class. Thus, the district may benefit substantially from building inclusive general education opportunities for students in special education from the earliest grade levels.

Recommendations

The district should:

1. Consider implementing the pilot program that was proposed to support preschool age special education students in general education preschool programs.
2. Implement the governing board’s Goal 2a and 4a, which support access for students in special education to general education settings.
3. Use the *Local Level Annual Performance Report* and California School Dashboard annually to prioritize areas on which to focus improvement efforts for students with disabilities.

Special Education Staffing

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

Teacher Staffing

Resource Specialist Program Staffing

Education Code 56362(c) 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 12.4.1 of the district's contract with the MEA states, "Resource Specialist Caseloads shall not exceed 28," and Article 12.4.1.1 further states:

> A Resource Specialist who is the sole provider of services at more than one school will meet with the district administrator of special education and the site administrators to develop a plan for additional staffing when he/she can no longer meet the level of service required by the Individual Educational Plans (IEP) of his/her caseload.

Article 12.4.1.2 requires that "additional instructional assistance and/or clerical support" be added when caseload maximums are exceeded.

The district had 92.0 FTE TK-12 RSP teacher positions in 2022-23. Based on caseload estimates the district provided, RSP teachers managed 2,373 students and had an average caseload of 25.8 students per teacher, as shown below.

RSP Staffing and Caseloads

Grade Span	Total RSP Teacher FTE	Total RSP Student Caseload	Average RSP Teacher Caseload	Total RSP Teacher FTE Above (+) or Below (-) EC Guideline
TK - Grade 5	30.0	861	28.7	-0.75
Grade 6-8	23.0	558	24.3	+3.10
Grade 9-12	37.0	921	24.9	+4.11
Learn@Home	2.0	33	16.5	+0.82
Total	92.0	2,373	25.8	+7.25

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

Although the districtwide RSP caseload average is below the EC 56362(c) guideline, FCMAT does not believe reducing RSP teacher staff would be beneficial because the district's RSP resembles an inclusive model, and the district is working to integrate even more special education students into general education environments for a greater percentage of the school day. The definition of "inclusive model" varies somewhat among California's school districts, but its intent is for all students to attend a school within their home boundaries in the grade level that matches their chronological age and in general education classes to the greatest extent possible. It is also the intent of this model that students who require specialized academic instruction receive this service either in the general education classroom or through a pull-out service for specific skill building, depending on each student's needs. The district's RSP model meets the intent of an inclusive model and requires the current RSP teacher staffing to meet students' needs. In addition, the current RSP staffing level is needed if the district is to educate students with disabilities in general education settings for a greater percentage of the school day.

The district's average RSP teacher caseload is highest in the elementary grades, at 28.7 students per RSP teacher in grades TK-5 compared to 24.3 in grades 6-8 and 24.9 in grades 9-12. At the time of FCMAT's visit, 14 of the TK-5 RSP teachers had caseloads greater than 28 students, and the average TK-5 caseload was higher than the ratio allowed in EC 56362(c) and Article 12.4.1 of the district's contact with the MEA. The district will need to review RSP teacher caseload projections for 2023-24 and determine if it can transfer RSP support to grades TK-5 to meet the 28-to-1 student-to-teacher ratio. If this is not possible based on caseload projections in grades 6-8 and 9-12, the district may need to hire more RSP teachers for grades TK-5. The district will need to monitor RSP caseloads monthly and begin projecting and planning in December for RSP teacher position needs for the following school year so it can determine if reductions or additions are needed.

Special Day Class Program

The district operates SDC programs for students with mild-to-moderate and moderate-to-severe service needs at the preschool, elementary, middle, and high school levels. The district also operates an adult transition program designed to provide a nondiploma-based educational program for individuals with disabilities from ages 18 to 22 years.

The Education Code does not indicate maximum caseloads for SDC teachers, but industry standards are shown below. The district's staffing guideline does not match the industry-standard caseload range for the mild/moderate SDC for preschool, middle school or high school, or for the moderate/severe SDC for students with autism or an emotional disability.

SDC Staffing and Caseloads

Special Education Program	District Staffing Guideline*	Industry-Standard Caseload Range
Mild/Moderate SDC – Preschool	10 per session	14 students per teacher
Mild/Moderate SDC - TK – Grade 12	Elementary (K-3) SDC – 14 Elementary (3-5) SDC – 15 Middle School and High School (6-12) SDC – 18	12-15 students per teacher
Moderate/Severe Special Day Class – Cross-Categorical – Preschool**	10 per session	10 students per teacher
Moderate/Severe Special Day Class – Cross-Categorical – TK-Age 22	Severe Disabilities SDC or Severely Handicapped (K-12) – 12	10-12 students per teacher
Moderate/Severe Special Day Class – Autism or Emotional Disturbance Focus – TK-Grade 12	Emotional Disturbance / Behavioral Disorders – 12	8-10 students per teacher

*Article 12.4.2 of the district's contract with the MEA.

**The industry standard for preschool moderate/severe SDCs with an autism focus has a caseload range of nine students per one teacher.

Sources: District-reported information and industry standards.

Mild/Moderate Special Day Class Program – SDC Essentials

The district had 54.5 FTE mild/moderate (SDC Essentials) teachers for students in grades TK-12 in 2022-23. The district also had a 1.0 FTE mild/moderate (SDC Essentials) teacher for the Learn@Home program. Based on caseload estimates the district provided, the 54.5 FTE mild/moderate (SDC Essentials) teachers case managed 789 students and had an average class size of 14.48 students per teacher, as shown below. The Learn@Home program was not included in the calculation because there is not an industry standard for that program.

Mild/Moderate SDC Staffing and Caseloads

Level	Total Mild/Moderate SDC Teacher FTE	Total Mild/Moderate SDC Student Caseload	Average Mild/ Moderate SDC Teacher Class Size	Industry Standard Caseload
TK - Grade 5	27.5	375	13.64	12-15 students per teacher
Grade 6-8	14	182	13	12-15 students per teacher
Grade 9-12	13	232	17.85	12-15 students per teacher
Total	54.5	789	14.48	12-15 students per teacher
Learn@Home	1	10	10	N/A

Sources: District-provided data and industry standards.

At 14.48 students per teacher, the districtwide mild/moderate (SDC Essentials) TK-12 caseload average is slightly lower than the high end of the industry standard of 1-to-12-15 SDC teacher-to-student ratio. The district's average mild/moderate (SDC Essentials) class size is highest at the high school level, at 17.85 students per class, compared to 13.64 in elementary school and 13 in middle school. The district would benefit from reviewing its mild/moderate (SDC Essentials) teacher caseload projections for 2023-24 and determining if it needs to increase teacher staffing at any school level to align class sizes with industry standards. If an SDC Essentials class is over the industry standard range, the district should consider factors such as whether additional instructional aide support could be added, the ammount of time students are in general education, and student needs, to determine whether an additional class is needed. The district needs to monitor mild/moderate (SDC Essentials) teacher class size monthly and begin projecting and planning for teacher needs for the following school year in December so it can determine if reductions or additions are needed.

Moderate/Severe Special Day Class Program – SDC Foundations

The district had 84.0 FTE moderate/severe (SDC Foundations) teachers for students in grades TK-12 in 2022-23, as well as 2.0 FTE moderate/severe (SDC Foundations) teachers for the Learn@Home program and 5.0 FTE moderate/severe (SDC Foundations) teachers for the adult transition program. Based on caseload estimates the district provided, moderate/severe (SDC Foundations) teachers case managed 1,072 students and had an average class size of 12.76 students per teacher, as shown below. Neither the Learn@Home program nor the adult transition programs were included in the computation because there are no industry standards for these programs.

Moderate/Severe SDC Staffing and Caseloads

Level	Total Moderate/Severe SDC Teacher FTE	Total Moderate/Severe SDC Student Caseload	Average Moderate/ Severe SDC Teacher Class Size	Industry-Standard Caseload
TK - Grade 5	40	503	12.58	10-12 students per teacher
Grade 6-8	22	246	11.18	10-12 students per teacher
Grade 9-12	22	323	14.68	10-12 students per teacher
Total	84	1,072	12.76	10-12 students per teacher
Learn@Home	2	27	13.5	N/A
Adult Transition Program	5	74	14.8	N/A

Sources: District-provided data and industry standards.

At 12.76 students per SDC Foundations teacher, the districtwide moderate/severe (SDC Foundations) TK-12 teacher caseload average is higher than the high end of the industry standard of 1-to-10-12 SDC teachers to students. The district's average moderate/severe (SDC Foundations) class size is highest at the high school level, at 14.68 students per class in grades 9-12 compared to 12.58 in grades TK-5 and 11.18 in grades 6-8. The district would benefit from reviewing its teacher caseload projections for 2023-24 and determining if it needs to increase moderate/severe SDC teacher staffing at any school level to align class sizes with industry standards. If an SDC Foundations class is over the industry standard range, the district should consider factors such as whether additional instructional aide support could be added, the ammount of time students are in general education, and student needs, to determine whether an additional class is needed. The district will need to monitor moderate/severe (SDC Foundations) TK-12 teacher class size monthly and begin projecting and planning for teacher needs for the following school year beginning in December so it can determine if reductions or additions are needed.

Preschool Special Day Class Program

The district had 3.0 FTE mild/moderate (SDC Essentials) teachers for preschool in 2022-23. Based on caseload estimates the district provided, those teachers had 59 students in six classes for an average class size of 9.83 students, as shown below. The district had 6.0 FTE moderate/severe (SDC Foundations) teachers for preschool in 2022-23. Based on caseload estimates the district provided, those teachers had 113 students in 12 classes for an average class size of 9.42 students, as shown below.

Preschool SDC Staffing and Caseloads

Level	Total SDC Teacher FTE	Total Number of SDC Students	Average SDC Caseload Per Teacher	Average SDC Class Size Per Teacher*	Industry-Standard Class Size
Preschool – Mild/ Moderate (SDC Essentials)	3	59	19.67	9.83	14 students per teacher
Preschool – Moderate/ Severe (SDC Foundations)	6	113	18.83	9.42	10 students per teacher

*Average SDC class size is calculated by dividing the average SDC caseload per teacher by two because the district runs half-day programs, and each teacher has two groups of students per day.

Sources: District-provided data and industry standards.

The districtwide mild/moderate (SDC Essentials) and moderate/severe (SDC Foundations) caseload averages for preschool are lower than the industry standards. The district would benefit from reviewing its preschool caseload projections for 2023-24 and determining if they are appropriately staffed according to industry standards. The district will need to monitor preschool class size monthly and begin projecting and planning for teacher needs for the following school year beginning in December so it can determine if reductions or additions are needed.

Recommendations

The district should:

1. Review RSP teacher caseload projections for 2023-24 and determine if it can transfer RSP teachers to the elementary program. If this is not possible based on caseload projections, consider hiring additional RSP teachers for the elementary level to meet required ratios.
2. Review mild/moderate (SDC Essentials) and moderate/severe (SDC Foundations) TK-12 teacher class size projections for 2023-24 and determine if staffing meets industry standards.
3. Review preschool caseload projections for 2023-24 and determine if staffing meets industry standards.
4. Monitor teacher caseload and/or class size for the preschool, RSP, mild/moderate (SDC Essentials), and moderate/severe (SDC Foundations) programs monthly and begin projecting and planning for teacher needs for the upcoming school year beginning in December and continuing through the spring so it can determine if reductions or additions are needed.
5. Consider whether it wants to align the staffing ratios in its contract with the MEA with industry standards.

Special Education Aide Staffing

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

1. **Lead Related Services Aide** — According to the district's job description, these aides are responsible for "the day to day site supervision and effective implementation of educational programs for students with disabilities impacting social, emotional, behavioral and mental health needs." The district reported it has five lead related services aides who train the other special education aides and model strategies.

2. **Designated Instructional Services (DIS) Aide** — According to the district's job description, these aides provide:

   > academic, therapeutic, medical and social instruction and assistance to individuals or small groups of severely and physically handicapped students, including seriously emotionally disturbed, multi-handicapped, medically fragile, the blind, deaf, and orthopedically impaired; monitor and report student progress regarding behavior and performance; assist student [sic] in developing various self-help skills, including hygiene, eating, social, community, vocational, and leisure/recreational skills.

   The district reported these aides work in SDCs or provide 1-to-1 student support. Some DIS aides provide intensive behavior intervention (IBI) for students with autism.

3. **Special Education Assistant I** — According to the district's job description, these aides assist:

   > in conducting intensified, positive learning experiences for students in assigned areas of study under direct supervision following a prescribed course of study; to oversee and supervise students; to perform clerical and para-professional work both outside and in the classroom; and to do other related work as may be required.

   Staff reported most of these aides work in the RSP, but some work in an SDC.

4. **Special Education Assistant II** — According to the district's job description, these aides assist:

   > in conducting intensified, positive learning experiences for students in assigned areas of study under direct supervision following a prescribed course of study; to oversee and supervise students; to perform clerical and para-professional work both outside and in the classroom; and to do other related work as may be required.

   Staff reported most of these aides work in the RSP, but some work in an SDC.

1-to-1 Student Support

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

The district uses the Riverside County SELPA's *Procedural Guidelines for Related Services Independence Assistance* (RSIA) process to assess whether a student requires 1-to-1 support from a DIS aide. The RSIA clarifies decision-making processes and, as stated in the guidelines, is focused on "the need to promote personal independence and maintain the focus on the child, the environment, and the service options." The RSIA is aligned with industry standards because it focuses on personal independence, promotes individual decision-making, focuses on maximizing existing supports, and is based on data-driven assessment. In addition, the RSIA focuses on planning for a student's transition to independence, with IEP goals to support this, and states:

> If the IEP team determines a need for RSIA, it is written on the IEP with specific goals and objectives, monitoring strategies, fading strategies, and review dates. Regardless of the circumstances that may indicate the need for support, it is imperative for every IEP to address the skills that will be taught in order for RSIA to be faded. The level of support required for the student to advance appropriately toward annual goals needs to be defined. A systematic, written plan should specify how additional support will be utilized and monitored. An IEP meeting should be convened if necessary to modify RSIA.

Staff reported all schools in the district consistently use the RSIA assessment to determine whether a student requires a DIS aide to provide 1-to-1 support. This is a best practice and should continue.

Another essential aspect of effective use of 1-to-1 support is developing annual goals for independence. Most staff reported that they do not write goals for independence when 1-to-1 DIS aide support is added to a student's IEP, even though student goals are noted for all other areas of need. Because 1-to-1 support is highly restrictive, this goal development is an essential step that focuses IEP services on the deficit area to strengthen skills, monitor annual progress, and help the IEP team determine if adjustments can and should be made in the level of service. It also helps the IEP team move away from the concept of one adult being assigned to one student by leaving the method of goal implementation up to the district. This approach to implementing related goals and monitoring student support allows the district to consider the multiple advantages of having one special education aide supporting several students when appropriate. Monitoring and reporting on student progress, as with any goal, provides a rational basis for the IEP team to alter a service such as 1-to-1 DIS aide support. Every IEP that includes 1-to-1 DIS aide support, except for medically necessary support, should include goals for independence and a fading (i.e., phase-out) plan.

Special Education Aide Staffing

District special education aides work three or five hours per day in the adult transition program, six hours per day in the elementary and middle school programs, or 6.5 hours per day in the high school program. The district reported it has approximately 40-50 vacant special education aide positions at any given time. Most of these vacancies are filled through a substitute pool; vacant IBI aide positions are filled through a nonpublic agency. Below is a summary of district special education aide staffing by school.

Special Education Aide Staffing

School	RSP Special Education Aide Staffing	Preschool SDC Special Education Aide Staffing	TK-12 SDC Special Education Aide Staffing	1-to-1 Special Education Aide Staffing	Total Number of Special Education Aides
Alta Murrieta Elementary School	4 to support 3 RSP teachers	1	13	3	21
Antelope Hills Elementary School	2 to support 2 RSP teachers	0	18	5	25
Avaxat Elementary School	2 to support 2.5 RSP teachers	0	19	0	21
Buchanan Elementary School	2 to support 3 RSP teachers	0	20	0	22
Cole Canyon Elementary School	3 to support 3 RSP teachers	0	8	3	14
E. Hale Curran Elementary School	2 to support 2 RSP teachers	2	9	2	15
Lisa J. Mails Elementary School	4 to support 4 RSP teachers	2	5	1	12
Monte Vista Elementary School	9 to support 3.5 RSP teachers	0	11	3	23
Murrieta Elementary School	3 to support 2.5 RSP teachers	0	8	1	12
Rail Ranch Elementary School	1.5 to support 2.5 RSP teachers*	0	11.5*	3	16
Tovashal Elementary School	2 to support 2 RSP teachers	0	2	2	6
Dorothy McElhinney Middle School	9 to support 6 RSP teachers	0	8	3	20
Shivela Middle School	9 to support 7 RSP teachers	0	10	7	26
Thompson Middle School	7 to support 6 RSP teachers	0	6	7	20
Warm Springs Middle School	4 to support 4 RSP teachers	0	8	6	18
Murrieta Mesa High School	10 to support 10 RSP teachers	0	7	15	32
Murrieta Valley High School	9 to support 9 RSP teachers	0	5	15	29
Vista Murrieta High School	15 to support 17 RSP teachers	0	17	8	40
Murrieta Canyon Academy	1 to support 1 RSP teacher	0	0	0	1
Murrieta Summit ATP	0	0	15	0	15
Learn@Home	2 to support 2 RSP teachers	0	4	0	6
Total	100.5	5	204.5	84	394

*One special education aide was reported to support the RSP and SDC programs, so 0.5 is shown in each category.

Source: District-reported data.

Resource Specialist Program

Education Code 56362(6)(f) states, "At least 80% of the resource specialists within a local plan shall be provided with an instructional aide." The district had 92.0 FTE RSP teachers and 100 special education aides assigned to the RSP (including DIS aides and special education assistants) in 2022-23. One special education aide was also shared between the RSP and SDC in 2022-23. Thus, all RSP teachers could have been provided with an instructional aide in 2022-23.

Special Day Class Program

The industry standards for special education aides assigned to SDCs are based primarily on an adult-to-student ratio, as shown below.

SDC Aide Staffing Industry Standards

Type of Support	Industry-Standard Special Education Aide Staffing*	Adult-to-Student Ratio**
Mild/Moderate Special Day Class (Cross-Categorical)	one or two 6-hour special education aides depending on class size of 12-15	1-to-7
Moderate/Severe Special Day Class (Cross-Categorical)	one or two 6-hour special education aides depending on class size of 10-12	1-to-5
Moderate/Severe Special Day Class (Autism)	two, three, or four 6-hour special education aides depending on class size of 8-10	1-to-3

*Industry-standard special education aides staffing should be determined by class size to meet the adult-to-student ratio.

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

Source: Industry standards.

Staff reported the district does not allocate special education aides to schools based on the industry-standard adult-to-student ratios for SDCs. Instead, the district uses the following formula:

- RSP — one special education aide per teacher
- Mild/Moderate (SDC Essentials) — one special education aide per class
- Moderate/Severe (SDC Foundations) — four special education aides per class
- For every five special education aides, the school is assigned an additional special education aide.
- For every specialty program at a school, the school is assigned an additional special education aide.

Staff explained that schools are not assigned an additional special education aide when 1-to-1 student support is required. Instead, principals are expected to determine how to provide the 1-to-1 support using their school's existing allocation of aides.

If the district were to allocate special education aides to SDCs using the industry standards, it might be able to reduce aide staffing by a total of 56.5 aides, as shown below.

SDC Aide Allocation: District Compared to Industry Standards

School	SDCs & Enrollment	Current No. of Special Education Aides (Classroom Support)	No. of Special Education Aides Per Industry Standards (Classroom Support)	Staffing Above (+) or Below (-) Industry Standard
Alta Murrieta Elementary School	SDC Essentials - 13 SDC Essentials – 9 SDC Foundations IBI – 12 SDC Foundations IBI – 11	13	8	+5
Antelope Hills Elementary School	SDC Essentials – 14 SDC Essentials – 13 SDC Foundations – 10 SDC Foundations – 10 SDC Foundations – 12	18	6	+12
Avaxat Elementary School	SDC Essentials 50% – 5 SDC Essentials – 19 SDC Essentials – 16 SDC Foundations – 11 SDC Foundations – 11 SDC Foundations – 11	19	11	+8
Buchanan Elementary School	SDC Essentials – 16 SDC Essentials – 16 SDC Foundations – 10 SDC Foundations – 13	20	7	+13
Cole Canyon Elementary School	SDC Essentials – 14 SDC Essentials – 14 SDC Essentials – 11	8	3	+5
E. Hale Curran Elementary School	SDC Essentials – 13 SDC Essentials – 16 SDC Essentials – 14	9	4	+5
Lisa J. Mails Elementary School	SDC Essentials – 11 SDC Essentials – 14	5	2	+3
Monte Vista Elementary School	SDC Essentials – 13 SDC Essentials – 15 SDC Essentials – 16 SDC Essentials 50% – 8 SDC Foundations SEL – 8 SDC Foundations SEL – 7	11	10	+1
Murrieta Elementary School	SDC Essentials – 13 SDC Essentials – 15 SDC Essentials – 11	8	4	+4
Rail Ranch Elementary School	SDC Essentials – 14 SDC Essentials – 16	11.5	3	+8.5
Tovashal Elementary School	SDC Essentials – 17	2	2	+0
Dorothy McElhinney Middle School	SDC Essentials – 11 SDC Essentials – 10 SDC Essentials – 8 SDC Essentials – 11 SDC Foundations – 11 SDC Foundations SEL – 4	8	7	+1

School	SDCs & Enrollment	Current No. of Special Education Aides (Classroom Support)	No. of Special Education Aides Per Industry Standards (Classroom Support)	Staffing Above (+) or Below (-) Industry Standard
Shivela Middle School	SDC Essentials – 13 SDC Essentials – 12 SDC Essentials – 12 SDC Essentials – 14 SDC Foundations – 13	10	6	+4
Thompson Middle School	SDC Essentials – 15 SDC Essentials – 19 SDC Essentials – 19 SDC Essentials – 18 SDC Foundations – 10	6	9	-3*
Warm Springs Middle School	SDC Essentials – 11 SDC Essentials – 11 SDC Foundations – 7 SDC Foundations – 9 SDC Foundations SEL – 6 SDC Foundations SEL – 5	8	6	+2
Murrieta Mesa High School	SDC Essentials – 18 SDC Essentials – 21 SDC Essentials – 19 SDC Essentials – 19 SDC Foundations – 12 SDC Foundations SEL – 8	7	12	-5*
Murrieta Valley High School	SDC Essentials – 19 SDC Essentials – 18 SDC Essentials – 18 SDC Essentials – 19 SDC Foundations – 11 SDC Foundations – 8 SDC Foundations SEL – 8	5	13	-8*
Vista Murrieta High School	SDC Essentials – 17 SDC Essentials – 18 SDC Essentials – 16 SDC Essentials – 17 SDC Essentials – 14 SDC Foundations – 12 SDC Foundations – 12 SDC Foundations – 10 SDC Foundations SEL – 10	17	16	+1
Total		**185.5**	**129**	**+56.5**

*While these programs appear to be understaffed based on the industry standard adult-to-student ratios, there are also a high number of 1-to-1 special education aides in these classes, so additional special education aides are not recommended.

Source: District-provided data and industry standards.

The district indicated that it knows it has a significantly higher number of special education aides than needed, and it has been reducing the number of special education aides through attrition. It would benefit the district to reevaluate how it allocates special education aides to SDCs and consider using industry standards based on adult-to-student ratios. In addition, the district needs to determine whether reductions to SDC special education aide staffing can be made to align with industry standards.

Recommendations

The district should:

1. Continue to consistently use the RSIA assessment to determine whether a student requires a DIS aide for 1-to-1 support.
2. Ensure every IEP that includes a 1-to-1 DIS aide, except for medically necessary support, contains goals for independence and a fading plan.
3. Reevaluate how it allocates special education aides to SDCs, and consider using industry standards based on adult-to-student ratios. Determine whether it can reduce SDC special education aide staffing to align with industry standards.

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, adapted physical education (APE), and occupational therapy. FCMAT analyzed staffing ratios for APE teachers, deaf/hard of hearing teachers, occupational therapists, physical therapists, school nurses, school psychologists, and speech and language pathologists. FCMAT did not analyze staffing ratios for vision and orientation/mobility because the district contracts with the Riverside County Office of Education for those services. Industry standards for related service providers are shown below.

Related Service Provider Staffing Industry Standards

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

Source: Industry standards.

Adapted Physical Education

The district's contract with the MEA does not specify an APE teacher-to-student staffing ratio. In 2022-23, the district had 3.0 FTE APE teacher positions with an average caseload of 53.33 students. Compared to the industry standard of 1-to-55 students per 1.0 FTE APE teacher, the district was adequately staffed, at 0.09 FTE above the industry standard, as shown below.

APE Teacher Staffing and Caseloads

Provider	No. of FTE	2022-23 Total Caseload*	Caseload Average	Industry Standard**	District Staffing Above (+) or Below (-) Industry Standard
APE Teacher	3.0	160	53.33	45-55 students per teacher	+0.09

*Only students receiving direct services from an APE teacher were included in the total caseload for comparison with the industry standard.

** An industry standard of 55 students per teacher was used to calculate the average caseload.

Sources: District-provided data and industry standards.

In addition to providing direct services, the APE teachers provide consultation for 35 students, which is 11.67 students per APE teacher. It would benefit the district to review APE teacher caseload projections annually to determine if staffing changes are needed to align with industry standards and meet students' direct service and consultation needs.

Deaf/Hard of Hearing

The district's contract with the MEA does not specify a deaf/hard of hearing teacher-to-student staffing ratio. In 2022-23, the district had 1.0 FTE deaf/hard of hearing teacher position with a caseload of 30 students. Compared to the industry standard ratio of 1.0 FTE teacher per 25 students, the district was staffed at 0.2 FTE below the industry standard, as shown below.

Deaf/Hard of Hearing Teacher Staffing and Caseloads

Provider	No. of FTE	2022-23 Total Caseload*	Caseload Average	Industry Standard**	District Staffing Above (+) or Below (-) Industry Standard
Deaf/Hard of Hearing Teacher	1.0	30	30	15-25 students per provider	-0.20

*Only students receiving direct services from the deaf/hard of hearing teacher were included in the total caseload for comparison with the industry standard.

**An industry standard of 25 students per provider was used to calculate the average caseload.

Sources: District-provided data and industry standards.

In addition to providing direct services, the deaf/heard of hearing teacher provides consultation for 31 students. It would benefit the district to consider adding another 0.5 FTE deaf/hard of hearing teacher to better align with industry standards and meet students' direct service and consultation needs.

Occupational Therapy

The district's contract with the MEA does not specify an occupational therapist-to-student ratio. In 2022-23, the district had 9.0 FTE occupational therapist positions with an average caseload of 56.78 students. The district was staffed at 0.29 FTE below the industry standard of 1.0 FTE occupational therapist per 55 students and thus was not adequately staffed, as shown below.

Occupational Therapist Staffing and Caseloads

Provider	No. of FTE	2022-23 Total Caseload*	Caseload Average	Industry Standard**	District Staffing Above (+) or Below (-) Industry Standard
Occupational Therapist	9.0	511	56.78	45-55 students per provider	-0.29

*Only students receiving direct services from an occupational therapist were included in the total caseload for comparison with the industry standard.

**An industry standard of 55 students per provider was used to calculate the average caseload.

Sources: District-provided data and industry standards.

In addition, the occupational therapists provide consultation for 258 students, which is 28.67 students per therapist. When the district's occupational therapists provide services to a student monthly or bimonthly rather than weekly, they refer to this service as consultation or collaboration. The caseloads FCMAT analyzed do not include any students who receive such consultation or collaboration services rather than direct services. It would benefit the district to consider adding another 1.0 FTE occupational therapist to better align with industry standards and meet students' direct service and consultation needs.

Physical Therapy

The district's contract with the MEA does not specify a physical therapist-to-student staffing ratio. In 2022-23, the district had a 1.0 FTE physical therapist position with a caseload of 49 students. Compared to the industry standard 55 students per 1.0 FTE physical therapist, the district was adequately staffed, at 0.11 FTE above the industry standard, as shown below.

Physical Therapist Staffing and Caseloads

Provider	No. of FTE	2022-23 Total Caseload	Caseload Average	Industry Standard**	District Staffing Above (+) or Below (-) Industry Standard
Physical Therapist	1.0	49	49	45-55 students per provider	+0.11

*Only students receiving direct services from the physical therapist were included in the total caseload for comparison with the industry standard.

**An industry standard of 55 students per provider was used to calculate the average caseload.

Sources: District-provided data and industry standards.

In addition, the physical therapist provides consultation for 29 students. When the district's physical therapists provide services to a student monthly or bimonthly rather than weekly, they refer to this service as consultation or collaboration. The caseloads FCMAT analyzed do not include any students who receive such consultation or collaboration services rather than direct services. It would benefit the district to review physical therapist caseload projections annually to determine if staffing changes are needed to align with industry standards and meet students' direct service and consultation needs.

School Nurses

Article 12.5 of the district's contract with the MEA states, "The District shall maintain a Nurse to student ratio average of 2,381 students." In addition, Article 12.8 indicates specialized student support positions, such as the lead nurse, shall not be included in staffing ratios.

In spring 2023, the district decided to add a 1.0 FTE school nurse for 2023-24 to support increased reporting requirements following the COVID-19 pandemic. The district will now have 11.0 FTE school nurses and a 1.0 FTE lead school nurse who was not included in the staffing ratio. The district's average caseload for the 11.0 FTE school nurses is 2,033 students per nurse. Compared to the industry standard of 2,274 students per 1.0 FTE school nurse, the district was adequately staffed, at 1.16 FTE above the industry standard, as shown below.

Nurse Staffing and Caseloads

Provider	No. of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard	District Staffing Above (+) or Below (-) Industry Standard
School Nurses	11.0*	22,365	2,033	2,274 students per nurse	+1.16

*Per article 12.8 of the district's contract with the MEA, the lead nurse was excluded from this staffing ratio.

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

It would benefit the district to review school nurse caseload projections annually to determine if staffing changes are needed to align with industry standards. In addition, the district may want to update the language in its contract with the MEA to align with industry standards.

School Psychologists

Article 12.5 of the district's contract with the MEA states, "The District will annually staff using the following districtwide Psychologist to student ratio average of 1:1,200." In April 2023, the district reached a tentative agreement with the MEA to change the psychologist-to-student ratio average to 1-to-1,000. This ratio is based on total district enrollment. In addition, Article 12.8 indicates specialized student support positions, such as the psychologist on special assignment, shall not be included in staffing ratios.

For the 2022-23 school year, the district had 21.2 FTE school psychologist positions, and the average caseload was 1,055 K-12 students per 1.0 FTE. The district is staffed at 1.69 FTE below than the industry standard of 977 students per 1.0 FTE psychologist, as shown below.

Psychologist Staffing and Caseloads

Provider	No. of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
Psychologist	21.2*	22,365	1-to-1,055	977 students per provider	-1.69

*Per article 12.8 of the district's contract with the MEA, the 1.0 FTE psychologist on special assignment position was excluded from this staffing ratio.

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

Although the district is staffed at more than the districtwide psychologist-to-student ratio of 1-to-1,200 identified in Article 12.5 of the district's contract with the MEA, school psychologist staffing is lower than industry standards. In addition, the industry standards only address K-12 student support needs, but the district's school psychologists also support special education students in the TK and preschool programs. It would benefit the district to consider adding 2.0 FTE school psychologists to better align staffing with industry standards and to enable staff to perform the comprehensive role of the school psychologist, which includes duties such as counseling support, crisis response, and behavior consultation in addition to special education assessment.

Speech and Language Pathologists

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

Article 12.5 of the MEA contract with the district includes the following SLP-to-student ratios:

Preschool only: 1-to-40

Elementary and Elementary with Preschool Students: 1-to-55

Middle School: 1-to-70

High School: 1-to-90

The district SLP-to-student ratios for middle school and high school are not aligned with EC 56363.3. The district needs to revise Article 12.5 of the MEA contract to align with EC 56363.3.

In 2022-23, the district had 37.0 FTE SLP positions that were used in this staffing comparison. In addition, 2.0 FTE SLP positions performed preschool intakes and were not included in this staffing comparison. The district is adding 3.0 FTE SLPs for the 2023-24 school year; these were not included in this staffing comparison.

District-provided data indicates 1.0 FTE of the districts SLPs serves a blend of 32 preschool and school-age students and provides consultation for four additional students. Compared to industry standards, the district appears to be adequately staffed in this area, at 0.33 FTE above the industry standard, as shown below.

Speech and Language Pathologist Staffing and Caseload — Mixed Preschool and School-Age Students

Provider	No. of FTE	2022-23 Total Caseload	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
Mixed Pre-School and K-12 Speech and Language Pathologists	1.0	32	32*	47.5** students per provider	+0.33

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

**A blended average of the industry standards for preschool (1-to-40) and K-12 (1-to-55) was used (1-to-47.5) because some district SLPs are serving both groups of students.

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

District-provided data indicates 36.0 FTE of the district's SLPs serve 2,366 school-age students. The district is 7.02 FTE below the industry-standard staffing level and thus is not adequately staffed in this area, as shown below.

Speech and Language Pathologist Staffing and Caseloads — School-Age Students

Provider	No. of FTE	2022-23 Total Caseload	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
K-12 Speech and Language Pathologists	36.0	2,366	65.72	55 students per provider	-7.02

Sources: District-provided data and EC 56363.3.

In addition, SLPs serving K-12 students provide consultation for 100 students, which is another 2.78 students per SLP. The district will need to reevaluate its caseload projections for 2023-24 to determine whether it will need to hire more than the additional 3.0 FTE SLPs it has already hired, to align with EC 56363.3.

Recommendations

The district should:

1. Consider adding a 1.0 FTE occupational therapist to better align with industry standards and meet students' direct service and consultation needs.

2. Consider adding a 0.5 FTE deaf/hard of hearing teacher to better align with industry standards and meet students' direct service and consultation needs.
3. Consider adding 2.0 FTE school psychologists to better align with industry standards.
4. Reevaluate SLP caseload projections for 2023-24 to determine whether it needs to hire more than the 3.0 FTE additional SLPs already hired, to align caseload ratios with EC 56363.3.
5. Consider revising Article 12.5 of the MEA contract to align school nurse staffing ratios with industry standards.
6. Consider revising Article 12.5 of the MEA contract to align speech and language pathologist staffing ratios for middle school and high school with EC 56363.3.
7. Regularly analyze whether all related service provider staffing ratios are aligned with current laws and industry standards and are adequate to meet students' needs.

Unrestricted General Fund Contribution to Special Education

Fiscal Background

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

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

In addition to AB 602 state funding, districts receive a small amount of federal funds. These funds are designed to supplement the general education program, not to support a stand-alone program.

The combined state and federal financial resources are insufficient to pay for even the most efficient special education programs. Districts make contributions to special education from local resources generated by all students, including those in special education. 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). There are limited exceptions to this requirement, and if a district is considering reductions to its total general fund contribution to special education, it is required to follow the guidelines in the MOE document (20 USC 1413 (a)(2)(B)). The CDE lists the following exceptions that allow a district to reduce the amount of state and local funds spent on special education:

- (i). Voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel;
- (ii). A decrease in the enrollment of children with disabilities;
- (iii). The termination of the obligation of the agency to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the state educational agency, because the child:
  - (I). Has left the jurisdiction of the agency;
  - (II). Has reached the age at which the obligation of the agency to provide free and appropriate public education (FAPE) to the child has terminated; or
  - (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 monitor their MOE throughout the year and analyze proforma MOE calculations at first and second interim reporting periods. Districts need to take advantage of opportunities to revise or reduce the MOE.

Unrestricted General Fund Contribution

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

FCMAT analyzed the increases in the district's unrestricted general fund contribution to special education, assumptions for 2022-23 and future years based on prior year history, and 2021-22 expenses as a percentage of the unaudited actuals. Expenses to date were reviewed as of second interim 2023. SELPA funding for the fiscal year 2022-23 first principal apportionment was increased by a 6.56% cost of living adjustment (COLA) for mental health services, and by 20% for the early intervention preschool grant. The district did not receive this information in time to include the funding increases in its in its second interim report. FCMAT included this income, which increased the state apportionment for fiscal year 2022-23 by $453,874. In fiscal year 2022-23, the district budgeted $1,307,269 in one-time funds related to the IDEA/American Rescue Plan of 2021 (ARP), Part B, Section 611, Local Assistance Entitlement, and IDEA/ARP, Part B, Section 619, Preschool Grants. These funds must be obligated by September 30, 2023.

Interviews with staff indicate that special education expenses include costs reported in the Standardized Account Code Structure (SACS) accounting software plus additional costs for nurse and program manager positions that are currently charged to one-time funds. These funds are available for obligation through September 30, 2023 and July 1, 2026, respectively. For analysis and forecasting of expenses, these salaries have been added to special education expenses and to the forecast of unrestricted general fund contributions, and voluntary excess contributions to AB 602 and mental health resources have been subtracted from the reported contribution.

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

Special Education Expenses, Ongoing Income Only

Income / Expense Category	2018-19	2019-20	2020-21	2021-22	2022-23*	Average Annual Rate
Increase in Special Education Students	7.19%	4.90%	1.86%	-0.06%	5.40%	3.86%
Increase in Ongoing Income	7.97%	7.53%	7.75%	10.59%	21.73%	8.11%
Increase in Certificated Salaries	9.00%	7.23%	5.27%	8.18%	15.22%	8.98%
Increase in Classified Salaries	3.54%	3.13%	3.57%	8.14%	15.93%	6.86%
Increase in Benefits	14.78%	8.66%	0.67%	13.81%	19.59%	11.50%
Increase in Books and Supplies	-2.35%	-19.86%	37.82%	28.94%	29.77%	14.86%
Increase in Services	29.60%	-17.38%	22.93%	14.97%	38.45%	17.71%
Increase in General Fund Contribution*	10.00%	2.12%	1.70%	12.00%	7.73%	6.71%

Income / Expense Category	2018-19	2019-20	2020-21	2021-22	2022-23*	Average Annual Rate
Dollar Amount of Contribution**	$25,879,951	$26,429,084	$26,877,602	$30,102,046	$32,428,394	
Dollar Amount of Expenses Charged to Special Education*	$45,320,131	$47,335,150	$49,636,765	$54,502,784	$64,229,829	

*2022-23 has been extrapolated from second interim actuals.

**General fund contribution reduced to offset excess contribution to AB 602 and mental health fund balances in 2021-22 and 2020-21 in the amount of $747,550 and $328,572, respectively.

Sources: Official SACS data, 2022-23 second interim SACS data annualized plus salaries for nurse and senior program specialist positions charged to one-time funds.

The district's adjusted unrestricted general fund contributions, reduced for overcontributions plus expenditures charged to other resources, are shown in the table below.

Adjusted Unrestricted General Fund Contributions to Special Education

	2018-19	2019-20	2020-21	2021-22
Unrestricted General Fund Contribution	$25,879,951	$26,429,084	$26,877,602	$30,102,046
Percentage of Total Special Education Costs	57.10%	55.83%	54.15%	55.23%

Sources: Official SACS data, 2022-23 second interim SACS data annualized plus salaries for nurse and senior program specialist positions charged to one-time funds.

In 2021-22, the district's unrestricted general fund contribution to special education was $30,102,406, or 55.23% of total special education costs, which was lower than the 2021-22 statewide average of 64.3% as calculated by School Services of California. The district's unrestricted general fund contribution as a percentage of total special education costs is projected to reduce even further in 2022-23, to 50.48%.

The average increase in ongoing funding over the last five years has been 8.11% per year. All expenses, except for classified salaries, have increased more than this amount. Classified salaries grew at a rate less than the increase in ongoing funding; staff reported that the instructional aide staffing ratio was reduced in 2019-20, and expenses decreased when students were generally not in attendance because of the COVID-19 pandemic.

In fiscal year 2021-22, special education enrollment showed no increase, but expenses increased 9.8%. This was primarily due to the reopening of schools in Spring 2021 (special education cohorts returned to school in the Fall of 2020). The following year, 1.39% more certificated staff services and 2.54% more classified staff services were added, in addition to an ongoing 4.7% payroll increase. In addition to these increases, $1.2 million in contracted services were added, $0.5 million of which was attributed to NPS costs.

Cost of Due Process, Mediation and Settlements

The district rescinded its initial request for FCMAT to review longitudinal data regarding due process, mediation, and settlements, so an analysis of these items was not performed.

Recommendations

The district should:

1. Monitor special education MOE, and take advantage of opportunities to revise or reduce the MOE.
2. Continue to monitor and control its unrestricted general fund contribution to special education.

Appendix

Study Agreement

FCMAT

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
STUDY AGREEMENT
January 9, 2023

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Murrieta Valley 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 and class and caseload sizes 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 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/physical therapists, behavior specialists, adaptive physical education teachers and other staff who may be related service providers, and make recommendations for improvement, if any.

5. Determine whether the district overidentifies students for special education services compared to the statewide and countywide averages, and make recommendations that will reduce overidentification, if needed.

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6. Analyze whether the district provides a continuum of special education and related services for students from preschool through age 22, including placements in the least restrictive environments, and make recommendations for improvement (which may include instructional models), if any.

7. Review the organizational structure and staffing of the special education department in the district's central office to determine whether administration, clerical and administrative support, program specialists, teachers on special assignment and overall function are aligned with those of districts of comparable size and structure, and make recommendations for greater efficiencies, if needed.

8. Review the costs of due process, mediations and settlements for the past three years and make recommendations for improvements, if any.

9. Review the district's professional development/training program as it relates to special education, and make recommendations for improvement, if any.

10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.

B. <u>Services and Products to be Provided</u>

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.

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3. **PROJECT PERSONNEL**

The FCMAT study team may include:

To be determined	***FCMAT Staff***
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 $31,600.

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:

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

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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

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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 Murrieta Valley 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-in-place 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 2, 4 and 5 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: Darren Daniel, Deputy Superintendent
Telephone: (951) 696-1600
E-mail: ddaniel@murrieta.k12.ca.us

2/1/23

Ward Andrus, Ed.D., Superintendent
Murrieta Valley Unified School District

Date

2/1/23

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

Date

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