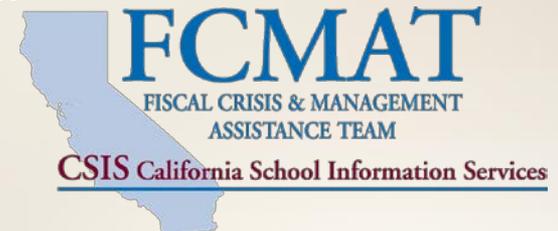


Santa Monica-Malibu Unified School District Special Education Review

- **Presented to:**
Santa Monica-Malibu Unified School District Board
of Education
March 7, 2019
- **Presented by:**
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Fiscal Crisis & Management Assistance Team

- FCMAT was established by legislation in accordance with Assembly Bill 1200 in 1992 as a service to assist local educational agencies in complying with fiscal accountability standards.
- FCMAT provides both management assistance and fiscal crisis intervention.
- FCMAT is an external, state agency.

Scope of Work

- Conduct a review of the district's special education program and organization in the following areas:
 - Fiscal Considerations
 - Special Education Staffing and Caseloads
 - Paraeducator Staffing
 - Related Service Provider Staffing and Caseloads
 - Continuum of Services
 - Nonpublic Schools, Agencies and Alternative Placements
 - Due Process, Mediations and Settlements
 - Organizational Structure
 - Special Education Transportation
- Make recommendations as warranted

Approach

- FCMAT makes findings and develops recommendations based on the triangulation of information. Findings are not reached or based on one piece of information.
- The source of information is through a comprehensive review of documents, state information and confidential interviews.
- FCMAT uses a deficit model in preparing our findings and recommendations. We focus on the gaps, and don't usually highlight the good work.

Approach (continued)

- FCMAT prepared a document request list aligned with the scope of work.
 - Examples include: organizational charts, financial reports, position control and staffing reports, CASEMIS reports, job descriptions, annual performance report measures, policy, collective bargaining agreement, classes by school, staffing formulas, program descriptions, plans and procedures, SELPA handbook on range of services, and NPS and NPA placements and cost data.

Approach (continued)

- Based on scope and organizational structure, FCMAT conducted interviews.
 - Questions are asked pertaining to policies and procedures, job duties, and responsibilities and training.
 - The same person is often interviewed multiple times, each by a different FCMAT team member, with questions varying based on scope.
 - Interviews are confidential. FCMAT does not normally attribute certain information to a specific person or job title, but often says, “Interviews of staff indicated ...”

Findings & Recommendations

Fiscal Considerations

- General Fund Contribution
 - 2015-16: 64.8%
 - 2016-17: 66.7%
 - 2017-18: 69.5%
 - Statewide average: 64.5% - this was for 2016-17 and is the most recent analysis published.
- Expenditure increases are driven in large part by district-wide decisions regarding compensation.

Fiscal Considerations

The district should:

- #1 – Review the special education budget to ensure all relevant revenues and expenditures are properly coded to the appropriate SACS resources and goals.
- #3 – Implement a strong position control system, including:
 - Schedule and hold monthly meetings of the Special Education, Human Resources and Business Services departments to reconcile position control information.
- #4 – Ensure that the Special Education Dept. performs regular reviews of special education personnel and services at each site.

Partial list of recommendations; consult the report for the complete list.

Special Education Staffing and Caseloads

- FCMAT was provided several documents related to staffing assignments.
- Accurate information on special education teacher caseloads was not available within the Special Education Department.
- Pulling information in the Special Education Information System (SEIS) was not successful because of the system's inaccuracy and lack of reliability.
- Caseloads were considered estimates.
- The district uses the Personnel Change (PC) form for any formal staffing changes, but there were some gaps and omissions in the process that could lead to inaccurate data.
- Special Education, Human Resources and Business Services meet annually to review staffing for budgeting purposes.

Special Education Staffing and Caseloads

- Every district has unique factors to consider in determining staffing.
- FCMAT based the comparisons on industry standards and on the district's collective bargaining agreement (CBA) maximum.
- Based on the caseload estimates provided, no K-12 special education class was understaffed, compared either to industry standard or CBA maximum, at the time of our visit.
- A snapshot of staffing indicates:
 - Elementary SAI overstaffed +3.36 FTE per CBA maximum
 - Secondary SAI overstaffed +12.50 FTE per CBA maximum

Special Education Staffing and Caseloads

The district should:

- #1 – Prioritize the effective implementation of the SEIS to assist in instruction-related data such as teacher caseloads.
- #2 – Consistently use the PC form process to review, approve and accurately track all special education staffing changes.
- #3 – Schedule regular meetings with lead staff from the Special Education, Human Resources and Business Services departments to review staffing and caseload data and reconcile discrepancies, if any.

Paraeducator Staffing

- The district has three different paraprofessional (para) job descriptions:
 - Para 1 – special ed. classroom assistants
 - Para 2 – specialized medical related support
 - Para 3 – support students who need behavior support
- Paras 1 & 3 are primarily 1-to-1 support.
- High rate of para turnover and absenteeism.
- The need to fill para substitute vacancies has become so critical that substitute teachers are used to replace absent paras and existing paras may be reassigned any day to cover an absent para in a more critical assignment.

Paraeducator Staffing

- As mentioned before, there is an annual attempt to identify all para assignments and the need for the upcoming year in the annual budgeting process, but the information related to para assignments is significantly disorganized.
- Although the district uses the PC form for any changes or new requests for para support, steps are sometimes skipped and this information is not always reliable.
- The movement of paras through hiring for new and existing vacancies is so fluid that district procedures cannot accurately reflect the changing data.
- Compared to industry standards, SMMUSD has lower levels of classroom para support; however, the district utilizes a high number of 1-to-1 paras.

Paraeducator Staffing

The district should:

- #1 – Establish thorough and accurate data related to all special education paras including both classroom and 1-to-1s.
- #2 – Consider changing how 1-to-1 paras can best support students in the least restrictive environment.
- #3 – Have lead staff from Special Ed., HR and Business Services meet regularly to review and reconcile para data.
- #5 – Form a short-term interdepartmental group to develop strategies to attract and retain para job applicants and substitutes to address frequent vacancies and absences.

Partial list of recommendations; consult the report for the complete list.

Related Service Provider Staffing and Caseloads

- School Psychologists
 - FTE counts adjusted for unique assignments
 - 1.2 FTE for preschool and 2.0 FTE interns not included
 - Above state average K-12 caseload by +3.70 FTE
- Occupational Therapists
 - 1.0 COTA not included in the staffing ratio
 - Above industry standard by +3.98 FTE
- Speech and Language Pathologists
 - 2.0 FTE SLPAs not included in the staffing ratio
 - Staffing above K-12 Ed Code caseload maximums by +4.45 FTE

Related Service Provider Staffing and Caseloads

The district should:

- #1 – Review school psychologist staffing levels to determine if a reduction in staffing and paid interns is warranted.
- #4 – Review occupational therapy staffing levels to determine if a reduction in OT staff and the COTA is warranted.
- #5 – Review speech and language staffing levels and determine if a reduction in SLPs and SLPAs is warranted.

Partial list of recommendations; consult the report for the complete list.

Continuum of Services

- State and federal laws mandate that students have the opportunity to be served in general education with their nondisabled peers to the greatest extent possible.
- Preschool program – speech and language services provided at their neighborhood school. Preschool SDC classes are available in both Santa Monica and Malibu but have limited integration practices.
- Kindergarten through Secondary – SAI and/or RSP, Alternative Kindergarten, SAI Intensive, SAI Social Skills, STEP program, Positive Behavior Support, Life Skills

Continuum of Services

- IEP Meetings – should always include a general education teacher. This is available for K-12 IEPs, but not always at preschool and not for IEPs for 18- to 22-year-old students.
- By October each year, K teachers begin referring struggling students for special ed. assessment.
- Some staff are circumventing the SST process by encouraging parents to request assessment for special ed.
- Not all special ed. teachers are aware of which programs are offered where, availability of space or how to offer an appropriate program for students.

Continuum of Services

The district should:

- #1 – Meet with general ed. and special ed. preschool administration to develop a guideline for more preschool integration.
- #4 – Ensure that the required members of the IEP team attend all IEP meetings.
- #8 – Provide RtI² for struggling students throughout all grade levels.
- #10 – Require school sites to immediately schedule an SST any time a request is initiated by a parent.
- #13 – Communicate the continuum of offerings available at each school site, type of curriculum and who would benefit. Send monthly enrollment communication to all special ed. staff.

Partial list of recommendations; consult the report for the complete list.

Nonpublic Schools, Agencies and Alternative Placements

- Nonpublic schools (NPS) is considered an option in the continuum of service for students with unique requirements for specialized programs that are unavailable in the district.
- Student numbers for NPS had decreased substantially in 2018-19 at the time of our visit, but a review of the special ed. tracking sheet showed that this may be inaccurate.
- Current protocol in the Special Ed. Dept. assigns the individual service agreement (ISA) development to a clerical support staff member.

Nonpublic Schools, Agencies and Alternative Placements

- The Special Ed. Dept. lacks systematic protocols for managing ISAs and invoices, which can cause a delay in payments to vendors and schools.
- The district utilizes nonpublic agencies (NPAs) for a variety of needs, including counseling, individual education evaluations, deaf and hard of hearing services and autism support.
- The Special Ed. Dept. does not track NPS and NPA costs separately on its internal tracking document.

Nonpublic Schools, Agencies and Alternative Placements

The district should:

- #3 – Ensure the Business Services Dept. has an accurate count of students placed in residential treatment.
- #4 – Reassign the development of the ISA to the coordinator assigned to the IEP determining the need for the NPS or NPA.
- #6 – Require special ed. administration to meet with business services to develop strategies to ensure invoices are provided in a timely manner so that vendors can be paid timely.
- #7 – Train the Special Ed. Dept. to correctly code expenditures so that costs related to special ed., for such items as NPA costs, can be correctly identified and used in management decisions.

Partial list of recommendations; consult the report for the complete list.

Due Process, Mediations and Settlements

- When disputes arise over the identification, assessment, educational placement or the provision of a FAPE, steps are outlined in the procedural safeguards regarding efforts to resolve disagreements at the lowest level (EC 56500.3).
- The district has a high number of disputes filed by parents over FAPE.
- In 2018, the district initiated three cases against parents over the district's offer of FAPE. All three cases were unilateral decisions to place students in private school with the parent requesting reimbursement. The district prevailed in all three cases, which is important because it verifies that an offer of FAPE was appropriate.

Due Process, Mediations and Settlements

- The tracking document reviewed suggests that the district immediately moves to formal mediations as a standard practice, which involves attorneys on both sides.
- FCMAT found no evidence that principals had knowledge of mediated agreements that will be implemented at their school site.

Due Process, Mediations and Settlements

The district should:

- #1 – Consider developing a more formalized process that aligns with the requirements of IDEA for resolving parent disputes.
- #2 – Use the recent written decisions in which the district prevailed on the issue of FAPE to develop trainings for coordinators, psychologists and principals.
- #3 – Include principals in the resolution and mediation process when agreements will be implemented at their school site.

Partial list of recommendations; consult the report for the complete list.

Organizational Structure

- Used similar K-12 unified school districts for comparison based on enrollment, free and reduced-price meal counts, English learner population and students with disabilities.
 - Carlsbad, Las Virgenes and Palos Verdes USDs
 - Administrative management: SMMUSD – 5.0 FTE and comparative districts average – 6.3 FTE
 - Directors in all comparative districts have responsibility for both special ed. and pupil personnel services, but SMMUSD's director only has responsibility for special education
 - Clerical support: SMMUSD – 4.0 FTE and comparative districts average – 2.7 FTE

Organizational Structure

- Functionality
 - Staff at all levels reported that the department lacks procedural direction and protocols for consistent adherence to policies and procedures.
 - The special ed. office is perceived as chaotic, with job responsibilities not clearly defined, workflow inconsistent and disorganized. Office morale is low.
 - Coordinators have been directed to assume some clerical duties, which diverts them from direct support to school sites.
 - There is a significant delay in accurate student information being shown in the SEIS database.
 - Senior office specialist works daily, approx. from 7-9 a.m. securing substitute special ed. paras.

Organizational Structure

The district should:

- #2 – Assign teachers or specialists the responsibility of affirming IEPs in SEIS.
- #3 – Develop a work group of special ed. stakeholders to gather information and define protocols missing in the Special Ed. Dept.
- #4 – Develop a plan to create and distribute protocols. Include formal training for staff and administrators.
- #6 – Meet with HR to discuss options to reassign the clerk duties for special ed. substitute paras to the HR Dept.

Partial list of recommendations; consult the report for the complete list.

Special Education Transportation

- The largest impact on special ed. transportation costs is the contractual guarantee for all school bus drivers to be compensated for seven hours and also receive full health and welfare benefits.
- Few special ed. routes exceed four hours daily, leaving approximately three hours for other transportation related assignments.
 - Drivers are expected to wash their bus once a week and fuel their bus when necessary.
- No evidence was provided indicating the district has a protocol for IEP teams to identify transportation as a necessary related service.

Special Education Transportation

The district should:

- #1 – Consider implementing a supervisorial model for assigning nondriving assignments and ensuring their completion.
- #2 - Develop a district transportation decision tree that defines options available to provide program access in the least restrictive environment, and train IEP teams in its use and application.

Partial list of recommendations; consult the report for the complete list.

Questions & Answers